



High Country News

75¢

Friday, March 20, 1981

Lander, Wyoming

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"Extinct" grizzlies sighted in Colo.



by John Roberts

Jerry Ashton, retired rancher and occasional guide, was hiking in the Colorado backcountry around the Collegiate Peaks in the mid-'60s. He came into a basin near Mount Harvard, and just across from him on the opposite slope of the bowl he saw a female bear and two yearlings. Upon closer inspection with binoculars, he recalled recently, "They showed very obviously to be grizzlies. I watched them for almost an hour."

When Ashton got off the mountain, he drove to a phone and called state wildlife headquarters in Denver. The agent on the phone told him he must not know the difference between a grizzly bear and a black bear in a brown phase. He said there were no grizzlies in Colorado and dismissed the sighting without noting it for the record.

Ashton, who has ranched near grizzly country in Wyoming and Montana, who is a lifelong backwoodsman, hunter, and student of wildlife, who as a hunting guide once had to know the difference between grizzly and black bear, and who has had close encounters with grizzlies, was understandably perplexed.

"I had plenty of time to make a good identification," he said. "I could see the sow's face and that big back. I know how they move. That was no cinnamon bear." ("Cinnamon" is the common term for a light-colored black bear.)

The failure on the part of wildlife officials to chart and follow up reports of grizzly activity in Colorado persists to this day. Even the 1979 killing of a grizzly bear by a hunting guide named Ed Wiseman in the San Juan Mountains of southwestern Colorado (see sidebar, page 10) has failed to stimulate thorough official recording of subsequent sightings. Before that bizarre incident occurred, officials insisted that the last confirmed grizzly in Colorado had fallen to a government trapper in 1951. State wildlife agents subsequently pronounced grizzlies extirpated from the region, listing them in the Colorado Division of Wildlife guide to endangered species as "eliminated in Colorado because of conflicts with man."

Conservationists say the choice of the word "eliminated" may hint more at official desire than fact. Long pressed by the state's stockmen, and more recently by the Endangered Species Act, administrators who have to please diverse

interests in the management of public lands find the easiest grizzly to deal with is the one that is not there.

The appearance of the Wiseman grizzly shocked and embarrassed most authorities. Within the agencies of the Colorado Division of Wildlife, the U.S. Forest Service, and the U.S. Fish and Wildlife Service's Endangered Species Division, the blanket denial of the grizzly's presence in Colorado has ended. But officials now say they wonder if the bear's numbers are significant.

NO RELIABLE SIGHTINGS

John Torres, the state's nongame program manager, said he knew of no record in his office of grizzly sightings and nothing to suggest a "viable population" of grizzlies.

Steve Bissell, the state's nonconsumptive use specialist, said, "Some old files are missing." Asked if any new files have been kept on recent sightings, Bissell said, "No. There was a skull found on Wolf Creek Pass, but I don't know when. Wasn't documented. Nothing's been confirmed, no bears taken, no photographs, no reliable sightings."

(continued on page 10)

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Dear Friends,

Ursus arctos horribilis never makes a quiet appearance. Even a book review, we've discovered, can keep the letters page hopping for several issues. So it was with some trepidation that we encouraged John Roberts to pursue some solid-sounding leads for a story on the grizzly's possible presence in the mountains of Colorado.

His article arrived, and we liked it. Because it's a controversial subject, though, we did some checking: We called some of the persons quoted in the article, and some bear experts to help us evaluate the validity of Roberts' material.

Steve Bissell, the Colorado Division of Wildlife nongame specialist who takes a bit of a drubbing in the story, is also a longtime subscriber to HCN. He told us what we knew already: One person's confirmed grizzly sighting is another person's brown bear. "As a bureaucrat," said Bissell, "I have to consider a confirmed sighting based on absolute evidence."

Chris Servheen, who works on the Border Grizzly Project out of Missoula, Mont., was equally skeptical. He said he himself sometimes had trouble identifying a grizzly visually. But he went a step further than Bissell, saying that a good cast of a track would suffice to identify a grizzly.

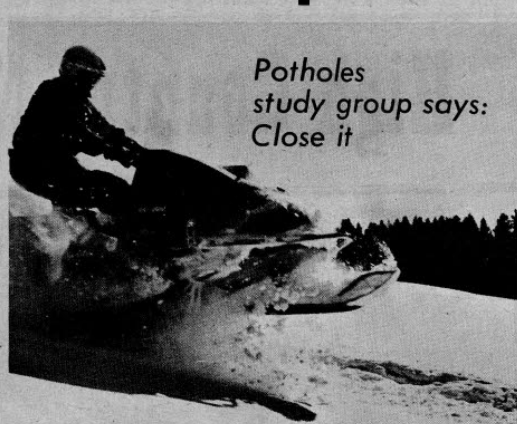
Finally we talked to John J. Craighead, perhaps the most famous of the Rocky Mountain region's bear biologists, but a bit of a maverick in his profession. "There are a lot of ways that people who have experience with grizzlies could tell pretty quickly (if they'd seen one)," said Craighead. "A photograph is an extremely difficult thing to get at times."

We decided to go with the story. If there are a number of grizzlies in any part of Colorado, it raises important issues about management, and inevitable headaches for the state Division of Wildlife, which must deal with the very different concerns of ranchers and the U.S. Fish and Wildlife Service. The questions raised in the story should be answered, with a review of records and an adequately-funded study of bear areas.

In the back of this issue, a yellow-haired, debonair canine named Breeze is seen modelling a snow-encrusted HCN "flyer". Dan Whipple, who feels he doesn't get enough credit around here, asked before we took the picture that we note in print that this is his dog. Breeze didn't even ask for credit!

— the staff

Western Roundup



Potholes
study group says:
Close it

A group studying snowmobile use in Grand Teton National Park has concluded that the Potholes-Baseline Flats area should be closed to snowmobiles. The recommendation, which goes to National Park Service Regional Director Lorraine Mintzmyer, would also close the Jenny Lake area, but would leave open to snowmobilers Jackson Lake and most of the unplowed roads in the park.

The committee was headed by former astronaut Wally Shirra, who sits on the Interior Department's Council on National Parks. Other members were Jan Wilson, director of the Wyoming Recreation Commission; John D. Hunt, Assistant Dean of the College of Natural Resources at Utah State University; Jerry Tracy, Teton County Commissioner; and Ron Tipton, of the Wilderness Society.

Sources close to the group said Hunt and Tracy voted against the closure, while the other members favored it.

Grand Teton National Park Superintendent Jack Stark closed roughly half of the Potholes area to snowmobiles a year ago to appease environmentalists and cross-country skiers who oppose them. Stark's decision opened 16,000 acres to snowmobiles, but left 13,000 acres available only to skiers and snowshoers.

If the committee recommendation is accepted by Mintzmyer, it would go to National Park Service Director Russell Dickenson, a holdover from the Carter Administration. Interior Secretary James G. Watt could also play a role in setting snowmobile policy for the Potholes if he chooses to intervene. Current National Park Service policy limits snowmobiles to unplowed roads.

Deep Ck. oil leasing appealed

U.S. Forest Service Chief Max Peterson has received an appeal from wilderness groups to block oil and gas leasing in the Deep Creek-Reservoir North Further Planning Area adjacent to the Bob Marshall Wilderness in Montana.

Despite the pending appeal, a spokesman in the agency's Region I office said officials are now actively processing leases for Deep Creek exploration.

The 42,000-acre tract was designated for more study as a Further Planning Area under the Forest Service's Second Roadless Area Review and Evaluation (RARE II). It received the highest possible rating for wilderness qualifications during the review.

But legal action brought by the Mountain States Legal Foundation has

evidently convinced the agency that permits for oil and gas exploration must be issued for further planning areas even before Congress acts on potential wilderness.

Wilderness advocates, led by The Wilderness Society, the Montana Wilderness Association, and the Bob Marshall Alliance, are demanding an environmental impact statement on the leasing. They are also claiming the agency is taking away Congress' right to make decisions on wilderness—that exploration may disqualify the area as wilderness. Insiders say court action may follow if Peterson rejects the appeal.

In addition to habitat for grizzly and wolves, the area contains the largest herd of Rocky Mountain Bighorn Sheep in the lower-48.

Wyo. wild horses lassoed in court

Federal District Court Judge Ewing Kerr has ruled in favor of the Mountain States Legal Foundation and ordered the Bureau of Land Management to remove excess wild horses from lands owned by the Rock Springs (Wyo.) Grazing Association. Ironically, the lawsuit was originally brought by James Watt, then head of MSLF, and now Interior Secretary. Watt won a lawsuit against himself.

While the suit centered around the horse issue, another important argument initially raised by MSLF would have held federal bureaucrats personally liable for decisions that violated the legal rights of landowners. The issue was dropped from the suit at the request of the defendants after Watt became Interior Secretary and several principals named in the suit left office. However, according to MSLF attorney Charles Miller, who argued the case, the group intends to pursue the personal liability issue if the case is appealed.

In 1972, when BLM inventoried the wild horses in the Rock Springs area, there were about 2,400. By 1979, the herd had increased to 6,129, over half of which were on private land owned by the grazing association. Kerr ruled, "The BLM has not removed a significant number of horses from Jan. 1, 1972 through Sept. 1, 1976. Such inaction is clearly contrary to the (Free-Roaming Horses and Burros) Act and to Congressional mandate."

The court gave BLM one year to remove the excess horses. In the face of budget cuts by the Reagan Administration, there may be some difficulty paying for the actions. However, Miller said, "I expect there will be some complaining and claims that the money isn't available. But we have always contended that they have the money, they are just spending it in the wrong places." A number of environmentalists have been concerned about the overgrazing of the range by horse populations in southwestern Wyoming as well.

On a related front, the Interior Department is asking Congress to pass legislation to allow for commercial disposal of excess wild horses. Current law limits the number of animals that can be conveyed to commercial interests and prevents destruction of horses for uses such as zoo food and fertilizer. Rep. John Seiberling (D-Ohio) said that even though humane groups may disagree, "Congress has been swept up in sentimentality in enacting the law" to protect the horses with the result that other species "may even be wiped out."



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BLM wilds stick

The Bureau of Land Management has ruled on most of the protests concerning its wilderness inventory, resulting in only minor adjustments to the initial decisions.

Colorado: There were 95 protests, resulting in only one minor change. The Gunnison Gorge WSA was increased by 680 acres. Eleven areas in Colorado have been further appealed to the Interior Board of Land Appeal — five appeals want areas added to the wilderness study and six want areas deleted.

Idaho: Protests involved all 36 wilderness study areas, totalling 818,000 acres. Two units in southwestern Idaho were brought back into the program as WSAs — Duncan Creek, 10,005 acres and Sheep Creek East, 5,060 acres.

Montana: BLM received 14 protests covering wilderness study areas totalling 185,000 acres. Decisions were changed on four WSAs, all in the Lewistown area. There was a net gain of 9,000 acres placed in the wilderness study category. The units affected were Burnt Timber Canyon, Pryor Mountains, Woodhawk and Antelope Creek.

New Mexico: There were 35 protests affecting 31 units. Four boundary adjustments were made, all reducing wilderness acreage. In central New Mexico, 500 acres were deleted from the 11,000-acre Las Canoas WSA and 320 acres from the 22,000-acre Stallion unit. The southwestern 16,680-acre Cedars unit lost 700 acres and the West Potrillo WSA near El Paso, Tex., lost an unspecified area because two miles of road were "recognized."

Utah: The Utah BLM led the region in adding and subtracting. The agency received 76 protests involving 61 units; eleven protests were upheld. 250 acres added to Red Mountain; 40,845 acres added to Desolation Canyon; 200 acres to Diamond Mountain; 1,770 to Cottonwood Canyon; 30,260 to Road Canyon; 280 to Mule Canyon; and 3,095 to West Cold Springs. Acreage was cut in two areas — 10,320 acres in Mill Creek and 5,990 acres in Middle Point.

Wyoming: There were 18 protests. 920 acres were added to the 7,100-acre Red Creek Badlands unit in southwestern Wyoming; decisions on the other 13 WSAs were unchanged.

Appeals can be carried a step further to the Interior Board of Land Appeals within 30 days of the BLM decision on a protest.

Redford research

Robert Redford is raising funds to endow a graduate school institute of natural resource management that will combine existing programs at the University of Idaho in Moscow and at neighboring Washington State University in Pullman. At UI, the colleges participating in the program will be forestry, engineering, mining, geology and law. At WSU, the colleges will be agriculture, computer science, business and economics, and environmental sciences and ecology.

Students will be sought out from industry, government agencies and environmental groups as well as some traditional continuing graduate students. It will be a private institute, separate from the universities but using their facilities.



LaCreek Refuge, South Dakota

Wetland easements draw fire

A South Dakota group upset with perpetual easements to protect wetlands says it's prepared for a perpetual fight to scrap the practice.

Since the early 1960s the U.S. Fish and Wildlife Service has purchased from private landowners agreements, known as easements, that prohibit the landowner from leveling, burning, draining or filling the property. Some \$3 million has been spent by the agency to acquire the easements, which last indefinitely, on some 328,000-acres of potholes, sloughlands and other wetland wildlife habitat.

Those easements are now interfering with farming and degrading land values, charges Citizens Against Perpetual Easements (CAPE), a group of 40 ranchers in eastern South Dakota. "We're getting \$50 to \$70 less an acre for land that has easements," says CAPE spokesman Bernard Muller of Fedora.

CAPE also believes the easements are tying up marginal farmland that can now be cultivated.

Efforts to settle the dispute are complicated by disagreements over several issues. CAPE disputes the agency's figure on the number of easements, saying the true extent, including secondary effects on neighboring land, is more like two million acres in the state. And the average easement purchase price cited ranges from \$10 (CAPE) to \$128

(USFWS).

The situation is further complicated by the common practice in South Dakota of selling farmland without a title search, known as contract for deed. The property remains officially in the name of the seller, and a perpetual easement may not be discovered until the Fish and Wildlife Service notifies the new landowner.

Rollin Siegfried, realty officer with the agency in Pierre, says they've notified all new owners when, and if, they officially register with the state. Many buyers do not register.

CAPE wants the perpetual easements restricted to 20 year periods or until the death of the owner. But state legislation to do so has thrice died in the legislature, the third attempt recently axed by a senate committee. And the federal agency's reauthorization is not due until 1983. (Siegfried says he's not worried; the House of Representatives voted unanimously for the program in the last reauthorization legislation.)

Negotiations between CAPE and the agency are stalled. Siegfried says he's offering mitigating solutions like new irrigating techniques and more flexible operating rules. But CAPE members are holding firm on the 20-year provision and says Muller, "We'll keep beating the bushes for support for 20 years if we have to."

1080 gets Idaho gophers, official

The use of 1080 to control gophers in Canyon County, Idaho, has prompted a pest control official to resign, and his replacement is taking a "go slow" tack in using the pesticide.

County commissioners last month authorized the use of 1080 following complaints by area farmers that other methods were not doing the job.

The U.S. Environmental Protection Agency, concerned about the danger to other animals feeding on poisoned carcasses, restricted the use of 1080 to mice and rats. But existing stockpiles are being legally used by counties throughout the region to kill squirrels and gophers.

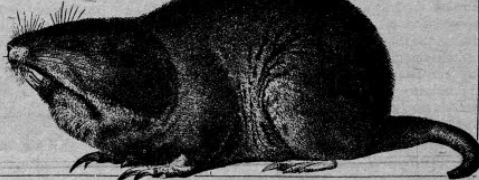
Canyon County pest control agent Harvey Feldtman, fearing possible human poisoning during the application process, resigned from his post rather than supervise the 1080 program. "I don't want to be the fall guy if anything happens with that stuff," said Feldtman, a former nurse who is now commercially trapping gophers.

He claims there is no known antidote

to 1080, which is ten times more toxic than strychnine, and disagrees with farmers who say controls emphasizing trapping or less toxic pesticides are not enough.

The county spent \$35,000, up to a dollar a tail, last year in gopher bounties, and one area farmer told the *Idaho Statesman* that despite his own expenditure of \$23,000 for gopher bounties last year, the rodent caused \$40,000 of crop damage.

Feldtman's replacement, Darrell Bolz, says his new job requires him to be neutral on the 1080 controversy, but he notes that still-pending liability insurance and a lack of trained staff may delay the 1080 program for several months.



Flow bill sinks

Attempts to protect minimum in-stream flows in Wyoming died last month in the state legislature. Proponents hope now to let voters decide the issue on the 1982 general election ballot, but a 1970 attorney general's opinion would require initiative backers to first get a two-thirds go-ahead vote from state legislators.

The initiative would do what several of the now-dead bills would have done: Allow the state Game and Fish Department to buy or accept donations of water rights. Protection of fish and wildlife would be recognized as a "beneficial use" of state water, and state-owned water would be used to maintain minimum in-stream flows for healthy habitat.

To get on the ballot, the initiative needs roughly 30,000 signatures. The Wyoming Instream Flow Sponsoring Committee now has about 12,000, according to Director Lynn Dickey, and the rest would be gathered this summer.

But the group's efforts may be stymied by the 1970 A.G.'s opinion which interprets state law as requiring initiatives to first be introduced in the legislature. In 1982, a Wyoming budget session year, that would require a two-thirds vote of either house.

Dickey said the group would wait for a clarification of state law by the current attorney general before they continue gathering signatures.

55 mph ticketed

In what is rapidly becoming a legislative tradition in the Rocky Mountain region, solons in various states this year considered bills to abolish the 55-mile-per-hour speed limit.

Bills are still alive in New Mexico and North Dakota that would raise the speed limits in those states to 65 mph. In Wyoming, the Senate went for a similar ceiling, but the bill died in the House. The Idaho legislature killed a bill to raise the limit.

Not to be outdone, two Montana senators introduced bills shooting for a 70 mph limit. No action to date.

Utah and Nevada took more innovative approaches. Utah solons passed a bill that would allow the highway patrol to issue tickets for "energy waste" — sparing drivers the onus of a "speeding" ticket and the consequent insurance rates. In Nevada, a bill has been proposed to limit speeding fines to only \$5.

In most cases, though, such bills that survive the legislature are doomed to a governor's veto. The Federal Highway Administration has warned that states which boost their speed limits above the federal maximum will lose hundreds of millions in federal highway aid. In addition, national polls indicate that while most people exceed the 55 mph limit, three out of four, according to the Gallup Poll, want the limit to remain in place.

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Western Roundup

hotline

MONTANA RELEASE

As anticipated, Rep. Pat Williams (D-Mont.) introduced legislation last week that would release 1.2 million acres of federal lands in the state from management as wilderness. The bill, which has provoked an angry response from wilderness advocates (see HCN 2-20-81, p. 13), designates no wilderness; it simply takes those lands which all sides agreed were non-wilderness during the Forest Service's second Roadless Area Review and Evaluation (RARE II), and tells the Forest Service to manage them for multiple use.

DRILLING CABINETS

Despite a legal effort by conservation groups to block exploratory drilling in Montana's Cabinet Mountains Wilderness, a minerals company is going ahead with plans to drill 24 holes in the area this year. ASARCO Inc. has submitted a plan to the Forest Service in which one truck and four helicopter-transported drilling rigs would be taken into the Cabinets to search for silver and copper. Defenders of Wildlife, the Sierra Club and the Western Sanders County Concerned Citizens are awaiting a ruling from U.S. District Court Judge Gerhard Gessell in Washington, D.C., on a motion to block the drilling, which the groups claim endangers a population of grizzly and other wildlife.

COAL QUARRY TARRIES

Two proposed Canadian coal mines that many considered too close to Glacier National Park for comfort have been put off for the time being. The mines, one to be located on Cabin Creek six miles north of the park, the other 30 miles north of the first on Poisey Creek, have been held up because of sagging coal markets. Environmentalists in the U.S. are worried that the mine projects may pollute the Flathead River, which runs along the park's western border. A Flathead River Environmental Impact Study is underway.

LOSING OIL

Two Cornell University scientists have completed a study which concludes that, unless the U.S. oil industry finds superior ways to look for new oil, drilling will soon consume more energy than it produces. This "energy break-even" won't occur until about the year 2000, if the industry drills at the 1978 rate. However, if the rate continues to increase, "the break-even point for oil could occur in the mid-1980s." Charles A.S. Hall and Cutler J. Cleveland's work was published in *Science* magazine a few days after President Ronald Reagan announced complete decontrol of oil. The researchers said that in the 1930s, the oil and gas industry was finding about 250 barrels of oil for every foot drilled. By the late 1970s, the industry was finding only 10 to 15 barrels per foot. Meanwhile the energy cost per foot of well has been rising, standing now at about 1.5 barrels per foot of hole.

CHEAPER FUEL

Declining uranium prices are turning Colorado's Fort St. Vrain nuclear power plant into a "paying proposition," say company officials. Radiation leaks and other operating problems have forced the plant to run at two-thirds the capacity once estimated necessary to turn a profit. But lower fuel cost, officials say, is putting the plant back in the black. Denver consumer lawyer Kathleen Mullen is not buying that optimism. Underestimated capital costs, and failure to achieve even the lower production projections still make the plant "hardly a bargain for the ratepayer" at 5.3 cents per kilowatt hour, she says.

SYNFUEL BUCKS

The Synthetic Fuel Corp., which survived two rounds of Reagan budget cuts with a boost from congressional leaders, is now being courted by suitors, including two from the Rocky Mountains. With \$17 billion in loans and loan guarantees to hand out, the SFC has applications in hand from Cathedral Bluffs, an oil shale project in Colorado's Rio Blanco County to produce 55,000 barrels of oil a day by 1988, and Hampshire Energy, which wants to make 19,000 barrels a day of gasoline from coal near Gillette, Wyo. Cathedral Bluffs is owned by Occidental Shale Oil and Tenneco Shale Oil; Hampshire Energy is a joint venture of Kaneb Services, Koppers Co., and Northwestern Mutual Life Insurance Co. If Reagan succeeds in cutting synfuels out of the Department of Energy's budget, six other projects already promised funding from that source will probably also turn to the SFC.



THERMAL MONOPOLY

What do C. Hunt, C.L. Hunt, N.B. Hunt and N.K. Hunt have in common? Members of the wealthy Hunt family of Texas, they all own geothermal energy leases in Utah, and together, they 47,000-acre holdings are more than double the legal limit for any one lessee. Throughout the country, Gannett News Service reports, the Hunts own nearly one-fourth of the 2.1 million acres of federal land currently leased for geothermal exploration. Rep. Benjamin Rosenthal (D-N.Y.), chairman of the House subcommittee on consumer affairs, is reportedly investigating the matter.

POACHING CATS

Utah Wildlife officials, recovering 200 illegally taken bobcat hides and arresting four suspected poachers, say they may only be scratching the surface of a massive operation in the state. The legal limit for Utah trappers is four bobcats a year. The agency's records show only 1,500 cats killed in the last decade, but hides are selling in Europe for as much as \$400 and, said agency spokesman Jim Ware, "...it would really scare the pants off us if we really knew how many bobcats were being taken out of Utah."

NOISE DECONTROL

There may be plenty of federal regulations on the books that never get enforced, but there will be a few less now — the National Park Service, reacting to a funding cut by Congress, last month withdrew its noise abatement plan for Jackson Hole Airport. The plan would have restricted jet traffic at the airport and set a curfew for landings. The Sierra Club had filed suit earlier this year to force the agency to implement the plan, funds or no funds.

MINOR ERROR

A check for \$20,000 has been delivered by Gulf Oil Corp. to the Arapahoe-Shoshoni tribes on Wyoming's Wind River Reservation. Gulf's ever-alert accounting department discovered an "administrative error," specifically: Contaminated oil from wells on the reservation was being sold to reclaimers by Gulf without payment of royalties. Because it was sold without going through Gulf's pipelines, it bypassed the royalty-calculating "check-in."

BUY BACK QUESTIONED

New federal rules to promote energy conservation have been struck down by District Court Judge William Cox in Biloxi, Mississippi. The judge ruled that states' rights were violated by the Public Utilities Regulatory Policies Act (PURPA), which required all states by March 21 to reconsider their rate structures to promote energy conservation and force utilities to buy power from small independent power producers at reasonable rates. The ruling is being appealed by the Federal Energy Regulatory Commission, the administrators of PURPA. Utah officials say they are going ahead with their rate structure hearings despite the ruling.

WHOOPEERS UP

A record number of whooping cranes are on their way north this spring, flying the 2,600 miles from the Texas Gulf Coast to Canada's Northwest. Six wild fledglings were born last summer, bringing the world's largest wild flock to 78, while the "foster" flock reared at Idaho's Grays Lake is up four, now numbering 20 big white birds. If they follow their age-old migration route this year, the whoopers can be expected at Nebraska's Platte River Valley, and wildlife refuges in Kansas, the Dakotas, Wyoming and Montana.

barbed wire

This tale from a coal industry lobbyist in the Wyoming Legislature: "A lobbyist for one of the large coal companies took a state senator and two others out to dinner. The lobbyist invited the senator to have some wine at company expense. The senator ordered Chateau Lafitte Rothschild at about \$100 a bottle. The lobbyist wasn't paying attention and, as the discussion continued he said to the waitress, 'Let's have some more of that wine.' They drank a few more bottles. The bill came to about \$400 for dinner. The next day, he came to me and said, 'Steve, if anybody asks, you were out to dinner with me last night — you and eight other guys.'"



Mary Lake of Aurora, Colo., says she's perplexed about Denver Councilwoman Cathy Reynolds' description of the controversial Lowry landfill as a "very nice dump." "'Nice' comes from the Latin 'nescius' meaning 'not knowing' or 'ignorant,'" Lake wrote the *Denver Post*, and "I can only conclude that a 'nice dump' must be an oxymoron like 'kind cruelty,' 'harmless venom' and 'genuine imitation.'"



A note from the HCN linguistics department: A new administration is struggling mightily to speak simply and clearly (for example, to simplify surface mining reclamation regulations: "If you knock down a hill because there's coal underneath it, then you ought to take the result and use it for people" — James Watt). Our language experts are worried that the carefully developed "Languages des Bureaucrats" may go the way of the dinosaur. Activists at the grass roots level are working to keep Bureaucratese alive. Witness this line from a Montana Wilderness Society memo: "The objectives of the meeting were to firmly establish relative priorities...and to further stratify our priorities within the context of political reality."

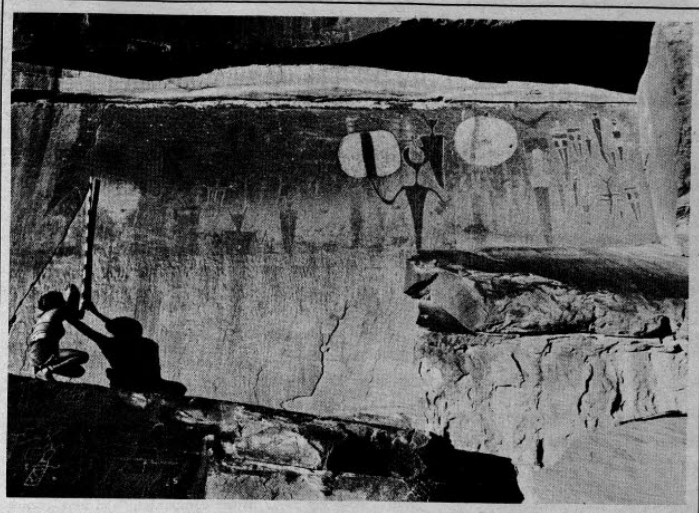


Allan Murray, president of Mobil Oil's worldwide marketing and refining, quoted on federal financing of synthetic fuels in the *Washington Post*: "What's going to happen is if I have a good idea I'm going to do it myself; if I have a lousy idea, I'm going to get the government to finance it."

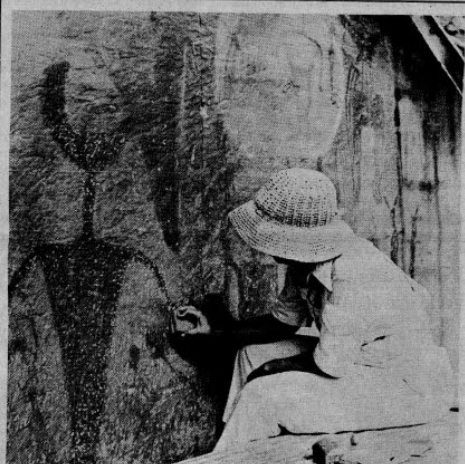
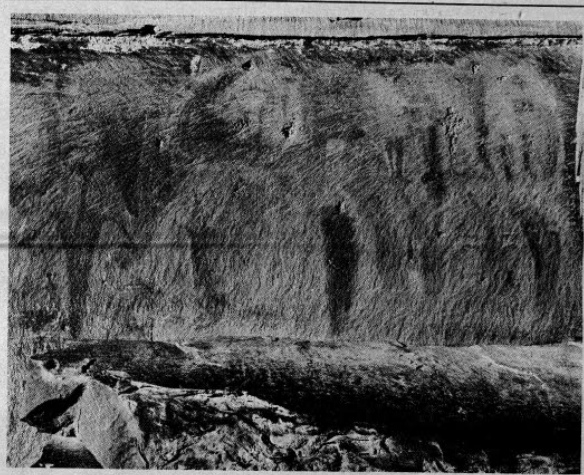
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ROCK ART REVAMP

Photos by NPS (Noxon and Marcus)



Drawn by residents of the Fremont Archaic period, humanoid pictographs have graced this rock wall (left) in Arches National Monument since the year 3000 B.C. In a historic act of artistic vandalism, the white circles, perhaps shields, are believed to have been drawn much later by Utes or Apaches.



A far more destructive modification occurred last April when as yet unidentified vandals, perhaps homobaneous, used scrub brushes and cleanser to nearly obliterate the designs (above). The prehistoric rock art on this wall was one of the most popular in Arches, visible from new roads. That easy access, say park officials, also made them an easy target for vandals.

Connie Silver, shown above right working to restore the pictographs, was called in by the National Park Service to tackle the Arches job. An expert, she had previously washed her way through Roman, African, Middle Eastern as well as Southwestern U.S. Indian rock art restoration efforts. To perfect some new techniques, Silver used soft sponges, laser beams and even a Xenon flashlamp to remove the cleanser and graffiti. But the results were mixed.

The pictographs at Arches' Lower Courthouse Wash wall (right) remain dulled and offer only some of the visual fascination they once held, despite Silver's painstaking work. But in restoring the art, Silver discovered even older pictographs underneath. The discovery was no consolation to park officials, but it was "at least one rose in the thornbush."



6-High Country News — Mar. 20, 1981

Cogenerating electricity

Idaho's new energy source stumbles in regulatory darkness

by Michael Moss

Di and Aldrich Bowler own a small pottery business near Bliss, Idaho, where the Snake River takes a westward turn towards Boise.

Since the early 1950s, they've fired their kilns and heated their home by tapping a nearby spring with a small turbine. Unused electricity has simply dissipated off their system; to curb that waste the Bowlers are now hoping to sell their excess juice to the power company.

Their feed into the Idaho grid system will be miniscule — 62 kilowatts in a network that annually tops 11 billion kilowatts. But their contract will net the Bowlers a neat \$20,000 next year and, combined with other generators like theirs, could collectively supplant a proposed new coal-fired power plant.

That's what the Idaho Public Utilities Commission had in mind last August when it ordered the state's three power companies to buy all of the available power from private producers like the Bowlers.

Six months later, however, not one contract has been precipitated by the commission's ruling and this innovative energy source known as cogeneration remains stalled by a complex of financing and regulatory stumbling blocks.

FOCUS ON MEGAWATTS

Cogeneration technically refers to

power generated in the course of another activity. To date the activity in this field has been limited to large industries, cogenerating megawatts.

Up in the panhandle, the Potlatch Corp. is retrofitting its equipment to increase its cogenerated power output to 70 megawatts a year (one megawatt equals 1,000 kilowatts). In Treasure Valley to the south, Amalgamated Sugar Co. has hopes for selling one megawatt to the power company, and nearby potato processors such as J.R. Simplot have similar plans. Across the

cogenerators throughout the state, and the prospect is dim for their plugging into the grid system in the near future.

Financing is one obstacle. The Bowler's turbine cost \$3,000 in 1952, but to retrofit it this year they're spending \$45,000. Other potential cogenerators don't have that kind of capital says State Sen. John Peavey (D-Carey).

Legislation sponsored by Peavey to allow canal companies and other water users, including three municipalities, to finance new power-generating

to meet the contract's power guarantee, the Bowlers will be heavily penalized by the company.

To handle safety and consistency problems, Jim Barber of J-U-B Engineers, Inc., of Boise, is contracting with several irrigation districts to install and maintain small generators. But only 30 to 40 sites are being considered at this time, with a potential power output of less than ten megawatts.

NO HOT DOGS, PLEASE

A final obstacle, cogeneration promoters charge, is corporate territoriality — the power companies are simply reluctant to play ball with new competitors. "They own the whole restaurant," says Idaho Public Utilities Commission President Perry Swisher of the power companies, "and here comes some guy wanting to sell his damn hot dogs out in front." Swisher, whose regulatory commission gained national notoriety for its cogeneration buy-back program, admits the program is moving slowly.

Idaho Power Co. President James Bruce says his firm is doing all it can to encourage cogeneration. Idaho Power produces two-thirds of the state's power, with the balance generated by Utah Power & Light and the Washington Water Power Co. Utility critics say that electricity from cogeneration would make Idaho Power's proposed coal-fired plant unnecessary.

The power potential from another source, small, abandoned and new hydropower sources, could top 400 megawatts a year, according to studies. Last year there were 105 filings with the Department of Water Resources to claim sites — 30 times the number in 1979.

Idaho Power is one of the biggest claim stakers, filing on nearly every possible power-generating site in the state, company spokesman Logan Lanham recently told the Idaho Statesman.

Yet, charges State Sen. Peavey, Idaho Power is only interested in building its 1,000 megawatt power plant. The company's claim staking and opposition to his financing legislation will continue to stall cogeneration — a "tragedy" that Peavey says will translate into higher utility costs.

"They own the whole restaurant and here comes some guy wanting to sell his damn hot dogs out in front."

— Perry Swisher, Idaho PUC President

high desert at Arco, the nuclear breeder reactor at the Idaho National Engineering Laboratory is now officially a cogenerator, producing steam as a by-product in its fuel cycle.

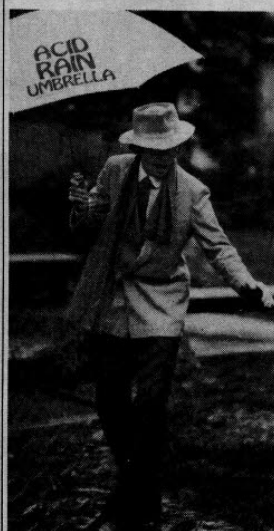
Small time cogenerators who count their output in tens of kilowatts or less have also started tapping new sources. Sandpoint rancher Jim White is installing a new turbine on his irrigation dam. An inventor in Boise is designing a hydrovane turbine that could boost the power output from small hydro generators. And there are the Bowlers.

But there are thousands of potential

facilities with revenue bonds was rejected last week by the legislature. And legislation that did pass to let irrigation districts issue bonds to rehabilitate their systems did not include power-generating provisions because, said the bill's sponsor, Rep. Vard Chatburn (R-Albion), he didn't want to "complicate" the legislation.

Liability is another contractual obstacle to small cogenerators. The Bowlers have had to prove that their system is not likely to short out Idaho Power's grid system. If it does, or if their generator goes off the line and they fail

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By Gale Rhoades and Kerry Boren

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Mar. 20, 1981 — High Country News-7

Heartland: Unusual movie brings 1910 homestead to life

by Geoffrey O'Gara

Take two women from Missoula, Mont., one of whom coauthored a book called *The Future of the Criminal Justice System in America*, the other who spent two years in the Bob Marshall Wilderness studying Rocky Mountain goats. Put together a company, Wilderness Women Productions of Montana, and put one of them to work on the first script she's ever written. Take as a subject Elinore Randall, a turn-of-the-century laundress and homesteader; marry her to an untalkative, unromantic Scot, and plant them on the High Plains of Wyoming.

Does this sound like the formula for a successful film?

Not to Hollywood.

But *Heartland*, the feature-length film described above, was nonetheless released last year, four years after Annick Smith and Beth Ferris first had the idea.

The film is an oddity. So far, it has been unable to find a financial handhold in the world of commercial film, despite critical acclaim. Given its unusual genesis, perhaps no one knows what to make of it. It was funded not by the big film studios, but by the National Endowment for the Humanities. It was written and filmed in the Rocky Mountain-Great Plains region, and, perhaps because of that, sticks fairly closely to the historic record in depicting a harsh, lonely way of life. And it is disarmingly free of the clichés normally purveyed by "Western" films.

The reception among film critics has been positive. The *New York Times* called it "firm and realistic" and "uncommonly beautiful," though the critic demanded a "moratorium on the slaughter of pigs on camera to indicate the fundamental laws that rule the farm." It won the top prize at the Berlin Film Festival last year.

Scriptwriter and co-producer Ferris and executive producer Smith—both of whom, to keep the record honest, did have some film background—set out in 1976 to develop films on 19th century pioneer women. Ferris said they hoped the films would become a series on public television.

With an \$82,500 research grant from the Endowment, they found and interviewed the living children of Elinore Randall and Clyde Stewart. Randall, a widow, brought her seven-year-old daughter to isolated Burntfork, Wyo., in 1910 to keep house for rancher Stewart, whom she later married. Ferris studied Elinore's letters, some of them published, some of them not.

Ferris wrote the script, assisted by Montana writers Elizabeth Clark and William Kittredge. They found a director, Richard Pearce, and a New York-based co-producer, Michael Hausman.

The group then got a full-fledged production grant of \$600,000 from the Endowment, the first of its kind. (Since *Heartland*'s release, several other feature-length productions, most of them on subjects the major studios wouldn't handle, have been funded by the Endowment. Proposed budget cuts may, however, pare down the Endowment's film-making support in the next few years.)

The film-makers scouted the original Stewart homestead in southwestern Wyoming, but finally chose a location near the Big Snowy Mountains in central Montana.



Elinore Randall Stewart, played by Conchata Ferrell in the movie *Heartland*.

The lead roles were played by Conchata Ferrell and Rip Torn. Lilia Skala portrayed Grandma Landauer, Barry Primus a ranchhand, and Megan Folsom, a Missoula native, was cast as Elinore's seven-year-old daughter.

What could have been an overly sentimental story—the travails faced by the hardy, courageous immigrant stock settling the hostile West—is treated with emotional restraint in *Heartland*. This is a far cry from TV's *Little House on the Prairie*. There is no exaggerated affection between Stewart and Randall. Even while she cooks for Stewart, Randall is ambitiously filing claims on land for herself. Their marriage is more indentured than infatuation: an agreement to become partners, which keeps her from moving out to her own spread.

The characters' tears are more likely to spring from pain than sorrow. Emotions are bottled up for the most part; they emerge incoherently and suddenly, as when Elinore finds herself screaming at the top of her lungs as she hangs out the wash on the drought-stricken homestead. It is drought, a bad winter, starving stock, a dead child, the travails of the frontier, that create between the two a need—a need much stronger than romance—and an inviolable bond. The film-makers were smart enough to leave it at that.

One is more likely to remember the landscapes and animal sounds than the dialogue from this movie. The color is washed-out and beautiful—sandy or snow-swept prairies alternate with the dark, low-ceilinged confines of the cabin. Like the land, the characters are stubborn and humorless; but their wedding and the awkward relationship

that ensues offer moments of vulnerable comedy.

"I wanted to make a different kind of Western," said Pearce, "one that would be about struggle and isolation and real economic work, where the simplest things—the things that films so often take for granted or make seem easy—would sometimes be the most difficult and hard won." Bad weather and childbirth are more harrowing than the range war shoot-outs we associate with Hollywood Westerns. And Elinore's desire to grab a piece of land, her desire to get ahead, are an accurate depiction of what brought many pioneers west.

The film has weaknesses. Some ele-

ments of the plot, however true to history they may be, have taken such a beating in previous movies and literature that they can hardly be made fresh. The aforementioned pig slaughter; a painful home birth; the smiling, child-befriending cowhand. Nor is the resolution sure-handed: A cruel winter ends, a calf is born and the couple finds new resolve. The film-makers fall into an ambivalent crack between their unsentimental approach and the desire for an upbeat ending.

Such criticism, though, is subjective. The great significance of *Heartland* is that it was made at all. Heretofore, most independent films have originated in New York or San Francisco, and reflected the culture of those cities. The Rocky Mountains' main contributions have been the outdoor adventure-family films coming out of Utah—a genre that does little to plumb the depths of the region's history or character.

For all its critical success, *Heartland* has not paid its bills. Distribution has been difficult—a few bookings, a Cable TV sale. Showings in Denver, New York and Missoula have been successful, but with over \$700,000 invested, the producers need to reach a larger market.

Plans for further films in the series are on the back burner. Annick Smith has done some work on a script about Oregon pioneer Narcissa Whitman. Beth Ferris is working with Claire Beckham on a documentary, *Next Year Country*, funded by four state humanities grants. The hour-long film, to be completed later this year, explores the impact of energy projects on rural communities, focussing on Circle, Mont., and Mercer Co., N.D.

Currently, the film is showing in theaters throughout Montana and Utah. Openings are scheduled for April and May in Wyoming and Idaho. The film is being handled in the four-state region by a Salt Lake distributor, to whom the producers turned after frustrating efforts to get national distribution. Beckham says the attendance is "fantastic" in Montana, and that after a slow start the audiences in Utah are growing.



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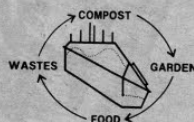
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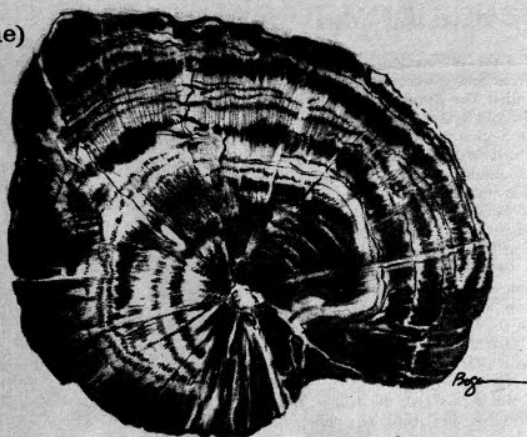
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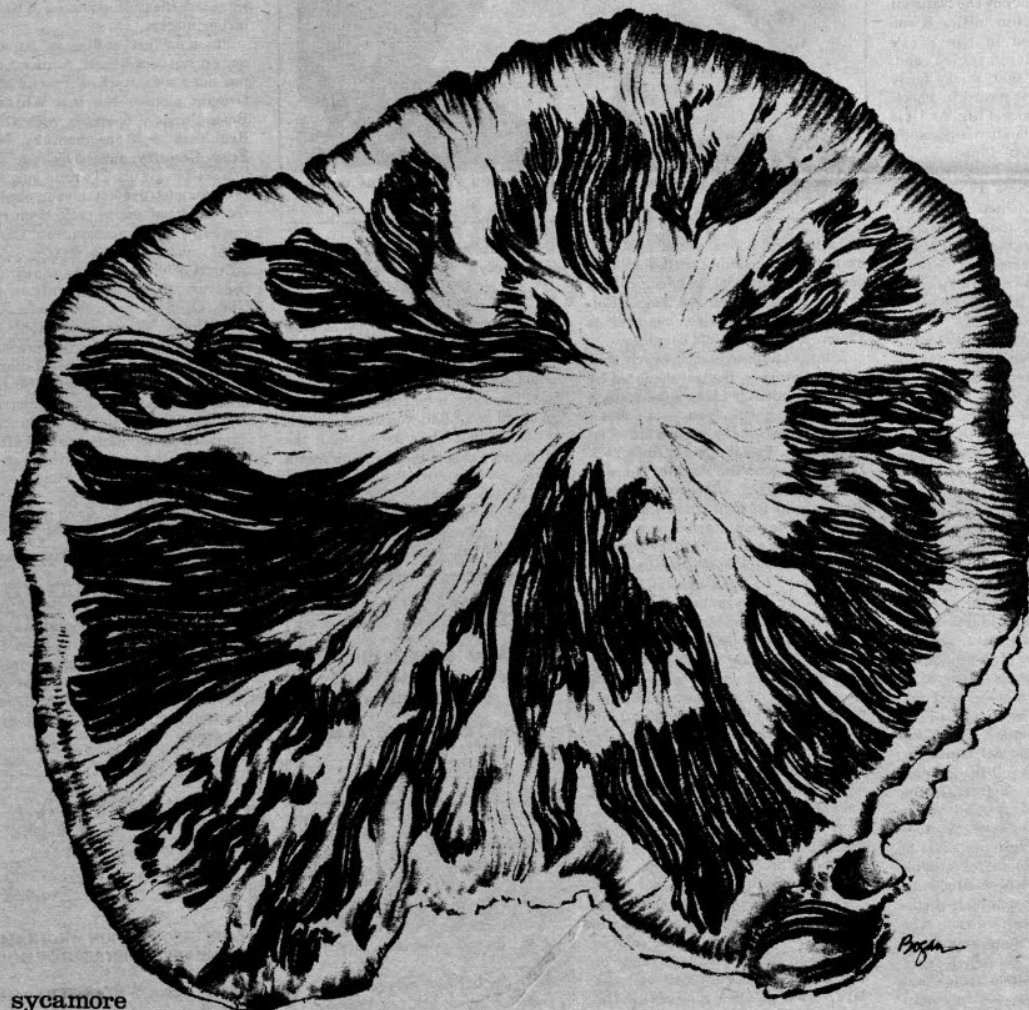
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Petrified wood in the wilderness:

“There for the taking,” and take it they do



sycamore

by Bill Hunger

People have been seen leading strings up to nine horses long, packing it out. They've been known to dynamite it into manageable chunks, lug it to waiting trucks and load these vehicles down so heavily that grinding granny gears and straining engines could barely pull the load up the mountain road. It has been transported out in everything from bicycle baskets to backpacks to fishing creels. In accidental symbolism, one couple carried a large quantity of it down the trail on a canvas cot stretcher spread between them.

These campers, hikers and packers are carrying petrified wood from the southern Washakie Wilderness of Northwest Wyoming.

This story began about as long ago as life itself — during the Oligocene Age, 30-40 million years ago. Eruptive material and lava seeps from the same tremulous earth that formed Yellowstone Park rapidly buried and covered the large forests of the time. Unable to decompose due to an oxygen void, the cell structures of these plants were gradually replaced by dissolving silicate minerals. Pressure slowly ex-



pelled the water from plant tissues and over time these deposited minerals hardened into rock, rock which preserves minute details of the plant structure.

Time strolled onward; deep and narrow canyon patterns eroded the horizontal rock strata of the Absaroka Range.

The drainages of Frontier and Wiggins Creeks were a showhouse of colorful agatized, opalized, silicified and petrified wood; ten-foot diameter rock stumps sat perched on cliff walls like adorned monarchs.

People came along, noticed the unusual beauty and wildness of the country, and eventually set it aside as a wilderness area.

A 1956 logging road to the Double Cabin area opened access to the very boundaries of this preserve, facilitating the removal of large quantities of petrified wood. Two years later, in 1958, the Forest Service created a 7,500 acre mineral withdrawal area six miles up the Frontier Creek drainage. This action prevented mining claims in the area and, theoretically, prohibited any further wood removal from the heart of the ancient forest remains. (Under general mining laws, any mineral occurring

in sufficient quantity that it may be removed and sold at a profit on a continuing market is a locateable mineral.)

But national magazines popular with rockhounds and amateur geologists began running feature articles on the bounty of petrified wood amid wilderness beauty and "there for the taking." And take they did. Dubois, Wyo., soon became the center of a lapidary hubbub.

For almost 20 years two Forest Service signs have served as the only buffer between preservation of this disappearing petrified forest and the uncontrolled transfer of the chromatic wood. For almost that long these signs have been for the most part ignored. Now, as with Indian and other artifacts of ancient history, today's seeker may see more of the petrified forest in someone's private collection or a museum display than in the Absarokas themselves. The thrill of wilderness discovery becomes rarer every day.

What is being done today to counter this problem? In 1976, Claudia Lindholm, a University of Colorado student, hiked around the petrified forest area surveying the availability of mineral wood and the people traveling the backcountry and removing the rock.

Her study showed that considerable amounts of petrified wood still remain within the forest.

But over half of the hundreds of parties she contacted came to the area specifically to rockhound. Admitted or evident wood removal tallied up to a figure well over 30 tons. Lindholm concluded that the Forest Service should act to protect the wood.

The agency has drafted a final management plan for the Washakie Wilderness. One of its primary elements is a total ban on removal of petrified wood. Fines will be imposed on people caught carrying away the rock.

Enforcement will be limited, however. A summer wilderness ranger patrols, but with hundreds of thousands of acres to cover, a single ranger has little more effect than the "Please Don't" signs.

Back in 1971, a 25 foot-long petrified log lay hidden inside a cave along the cliffs. Eight years later, only six feet of it remain.

Bill Hunger has worked as a ranger with the U.S. Forest Service. This article was paid for by the HCN Research Fund.

10-High Country News — Mar. 20, 1981

Glen Martin, Denver Post



Skinned head of the bear

The Wiseman grizzly:

by John Roberts

Five p.m., Sept. 23, 1979: As Ed Wiseman recounts it, he was on an elk hunt, waiting to rendezvous with a bowhunter he had guided into a remote timberline pocket deep in the San Juan Mountains of southwestern Colorado. Suddenly, he heard a sharp growl and looked up to see a bear burst from cover and charge straight at him. He had time only to shout and swing his bow before the bear knocked him down and began to maul him. Wiseman said he curled into a ball and played dead, but the bear continued to thrash him about, first dragging then pinning him, biting repeatedly into his legs and right shoulder. "I thought this might be the end of ole Ed," he recalled.

He said he then saw one of his scattered arrows on the ground. In desperation, he grabbed it with his left hand, chose his spot and thrust the arrow into the throat as the bear tore at him. The arrow sunk and broke off. Wiseman said he knows anatomy, and as a hunter has trained himself to concentrate on vital targets. He said he saw blood, pulled the broken shaft out and rammed it

in again, trying to cut the carotid artery. Seconds later the bear quit, staggered off about 25 yards, collapsed and died.

After enduring a freezing night, fighting off shock from deep puncture wounds and a shattered leg, Wiseman was airlifted out the next day and survived.

Wiseman's account made national news. But what the incident spotlights most in Colorado is the longtime reluctance among wildlife agencies to deal openly with matters concerning grizzlies. Authorities did not issue Wiseman even a routine citation. They called no hearing. The killing of a protected species was accepted as self-defense, even heroism.

The Colorado Division of Wildlife confirmed the bear to be a grizzly, the first acknowledged in Colorado since 1951. However, the Division left the carcass to the elements for six days before retrieving it by helicopter for examination. Officials then said decomposition of the remains hampered analysis. Aside from releasing weight and age estimates, and that the bear was female, authorities announced no

GRIZZLIES...

(continued from page 1)

Does the Wiseman grizzly lend more credence to reported sightings past or present? "Wiseman's bear doesn't change a thing," Bissell said. "I'm convinced we're only going to find five or six bears, if we find any. It's not significant. It's a remnant population."

Bissell will only consider a grizzly confirmed if there is "an acceptable photograph" or "the animal in hand," and he said some wildlife biologists do not think a photograph is enough.

A search of the files at the Denver office of the Colorado Division of Wildlife revealed no record of citizens' reports, though reports continue. But an astonishing list of grizzly sightings confirmed by agents of the U.S. Fish and Wildlife Service and by the Division's own personnel survives without explanation in the files.

Ron Zaccagnini, a former project specialist in the San Juan area, filed 14 sightings of grizzly evidence verified by state and federal employees from the period after 1951, the date authorities had said the last "confirmed" grizzly had been killed. It is instructive to look at excerpts from the Zaccagnini list:

1956 — Victor Keenan sighted female and cub, upper Conejo River.

1957 — Norton Miner found skull, Elwood Pass. Also live grizzly seen. (Follow up showed that Frank Smith, then Rio Grande Forest supervisor, not Miner, verified the tracks of this grizzly. Smith still recalls the tracks. Miner still has the skull.)

1957 — A. Green saw one bear and two cubs. One bear killed.

1957 — Lloyd Anderson, Four-mile Creek. Track of grizzly for sure. Followed into heavy timber. Calvin Perkins forbad Anderson from going on. Anderson let Anderson from killing grizzlies as a cub.

1962 — L. Anderson, east of Sugarloaf Mountain. Male killed twenty sheep-

1964 — L. Anderson, headwaters of McCabe Creek. Ran bear with dogs from 6:00 A.M. to 7:00 P.M. Bear backed up against rock wall to fight dogs. Never treed. (Grizzlies usually can't climb trees.) Did not kill it; lost it. Did not pick up some dogs for two weeks.

1964 — Rancher Jimmy Jones killed grizzly, Blanco Basin. Gretz checked.

1965 — Keenan and Broyles checked report of sow and two cubs near Victoria Lake. Verified track 11 1/2 inches heel to toe. Shepherd also sighted two cubs same area.

1965 — L. Anderson, tracks on upper Navajo River. Went into rocks and grass. Could not follow.

1967 — L. Anderson, between Rock and Ute Creeks. Watched sow and two yearlings. Came within shooting range. Left them alone.

1967 — V. Keenan, elk camp. Sighted female and one cub. One very good track in mud.

1967 — John Beard, Trail Creek and Piedra River. Rear foot tracks on sandbar. Bear walked on hind legs then went into the water.

1970 — Keenan and Johnson, near Big Navajo River. Track found when helping to put horse carcasses down for the state.

1973 — K. Cristie, Devil Mountain Lookout Tower. Watched grizzly for half mile. State put out three carcasses. Counted forty-two black bears on the baits. First bear never came back.

Keenan, Broyles, Anderson, Green, Johnson, Miner, Perkins, and Gretz were all Interior Department trappers or supervisors at various times. Beard and Cristie worked for the Forest Service. The list exists in two forms. The above represents a compilation.

"WORKADAY OCCURRENCE"

Victor Keenan, responsible for four sightings on the list, now works as a wildlife biologist for the U.S. Fish and Wildlife Service Research Center in

Monte Vista at the foot of the San Juans. Asked why his grizzly sightings had not shown up in the state's files before this, Keenan said: "Oh, they don't pay any attention. They won't even believe their own men. We were wildlife people and it was a workaday occurrence."

Zaccagnini, now district wildlife manager in Fort Morgan, Colo., said he compiled the list in 1975 in hopes of getting the grizzly added to the state's then fledgling nongame program. It was no easy task, since he could not find in either the district or regional offices any record on grizzlies after 1950. Even the celebrated 1951 bear had been ignored.

And two other kills of that year, one well-known — even notorious because of its exaggeratedly savage head-

The incident has spotlighted the longtime reluctance among Colorado wildlife agencies to deal openly with matters concerning grizzlies.

mount and claws on display at the Skyline Lodge in Platoro, Colo. — gained no mention in the record. At the offices of the U.S. Fish and Wildlife Service he discovered that records of bears reported killed by government trappers made no distinction between species. Grizzly and black bear both simply melted into the record as "bear."

Zaccagnini decided to document the sightings from the various agency professionals still in the area. His small collection constitutes virtually the only careful data gathered specifically on the Colorado grizzly by any agency headquartered in the state.

How was his report received? "I think it was ill-received," Zaccagnini said. "Maybe it was my fault. I could have written it up better. The nongame program was just getting off the ground. Any nonconsumptive use program was real controversial at the time. We had trou-

ble even doing river otter and black-footed ferret, let alone grizzly."

The Division did, however, permit a brief article by Zaccagnini to appear in the July-August 1975 issue of their publication, *Colorado Outdoors*. Only three of the 14 sightings made it into print, and those followed a disclaimer by Zaccagnini's supervisor. None of the other sightings, and certainly none of the reported killings, ever came before the public.

Clayton Wetherill, supervisor of the Division's Monte Vista office, does take reports on grizzly sightings from local people he knows to be knowledgeable. "In my own mind," Wetherill said, "I can't believe they've extirpated all the grizzlies around here." But he says other officers in his region keep no files. Two identifications of grizzly tracks

from Wetherill's office in the fall of 1979 were routed through the regional biologist and have not appeared in the official records.

NO CONFIRMATIONS, NO FOLLOW UP

The regional biologist is Jim Olterman, based in Montrose, over 100 miles and several mountain ranges to the northwest of the San Juans. Asked about recent grizzly sightings, he said: "We get reports. How much credence you want to give them is up to you. I tend to discount them. If a report includes physical evidence, such as a track, we try to send somebody out. We haven't confirmed any. We can't follow up everything."

Critics of this attitude say they recognize that excited people report all manner of wildlife, but that not to file some notation of reasonable people's

Hunting or heroism?

further information and withheld the bear's hide, skull and carcass from public view.

Nearly four months passed. Then in mid-January, an ad hoc group still seeking undisclosed details finally viewed the bear's hide in cold storage. Besides the holes in the throat area, the hide showed a large hole behind the right shoulder. Further investigation revealed a necropsy of the bear that had been performed on Oct. 2 by Dr. Albert McChesney. It showed that the thrusts to the throat had struck the trachea, not the carotid, and had not been fatal. McChesney said the fatal wound had come from a blade entering between the ribs on the right side and piercing forward into the chest cavity, severing a major vessel to the heart. The presence of this other wound had never been made public.

Wiseman later said the wound was caused by his assistant, who had gone back to the scene three days later to skin the animal and had stabbed the carcass with his knife to test the resistance of bear flesh.

"Absolutely not," McChesney said. "It was done when the bear was alive,

because there was considerable blood in the wound and a large blood clot in the chest cavity around the area of the major heart vessels."

Responding, Wiseman said he does not remember now "in photographic fashion" exactly where he stabbed the bear, that he could have stabbed her in the chest, too.

While federal officials pressed an investigation under the Endangered Species Act, no agency convened a hearing or acted to protect other grizzlies possibly in the state. Then in March, the much-pressured Division of Wildlife announced it would cooperate with the U.S. Forest Service in a search for grizzlies in Colorado, but funding has not been forthcoming.

In April, seven months after the incident, Wiseman voluntarily underwent a polygraph test. Federal authorities said the results indicated no wrongdoing. They closed the case.

Now, some 18 months after the killing, all the original puzzle pieces remain jumbled. Wiseman himself has frequently called for an official hearing, hoping to clear his name. None is forthcoming.



Ed Wiseman

sightings seems questionable. Crucial information, such as precise location, direction of travel, time of day, light conditions, distance, optics used and specific anatomical features noted are lost to researchers.

"How else can reputable sightings ever get separated from specious ones?" asked Clifton Merritt, executive director of the American Wilderness Alliance, a national conservation organization headquartered in Denver. Grizzly sightings gaining Merritt's attention indicate to him that even beyond the San Juan Mountains' hot spots the bear may be thinly scattered through several backcountry areas in Colorado.

Indeed, a proposal for a grizzly study in Colorado offered by wildlife biologist John J. Craighead notes five new sightings of grizzlies his team wishes to investigate. Three of these came from areas beyond the San Juans. State officials rejected Craighead's proposal, and state Director Jack Grieb announced instead that his agents would add a grizzly survey to a limited-area black bear study of their own.

Tom Beck, the biologist in charge of this study, now reports, after months of administrative work preparatory to any field activity, that his matching funds from the Forest Service have been repeatedly delayed.

And even when the funding comes through, some areas will remain uncovered. From the Craighead proposal, one sighting in 1974 and another in 1975 reported grizzlies in the Sangre de Cristo Mountains, 70 miles east of the Wiseman incident and cut off by major highways and the widely-farmed San Luis Valley. That would suggest the possibility of an entirely separate group of the bears.

Another sighting, as late as 1976, came from the Weminuche Wilderness, 40 miles west of the Wiseman incident.

Add to these the continuing reports from the San Juans, including two 1980 reports from Wetherill's office, and sightings such as Jerry Ashton's from the wild Continental Divide country

straddling the Collegiate Peaks — which, because of the yearlings, warrant checking even today — and this small population of Colorado grizzlies appears more widespread than first thought.

John Roberts is a freelance writer based in Boulder, Colo. His work has appeared in the *Denver Post*, *CoEvolution Quarterly*, and *Salt Cedar*. Research for this article was paid for by the HCN Research Fund.



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12-High Country News — Mar. 20, 1981

State of Wyoming Public Notice

PURPOSE OF PUBLIC NOTICE

THE PURPOSE OF THIS PUBLIC NOTICE IS TO STATE THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS UNDER THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972 (FWPCA), P.L. 92-500 AND THE WYOMING ENVIRONMENTAL QUALITY ACT (35-11-101 et. seq., WYOMING STATUTES 1987, CUMULATIVE SUPPLEMENT 1973).

IT IS THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS TO (1) INDUSTRIAL FACILITY, AND (2) OIL TREATER FACILITIES, TO MODIFY (1) INDUSTRIAL PERMIT, AND TO RENEW (2) INDUSTRIAL PERMITS, AND (1) MUNICIPAL PERMIT.

APPLICANT INFORMATION

(1) APPLICANT NAME: The Cumberland Coal Company
MAILING ADDRESS: One Thousand Kiewit Plaza
Omaha, Nebraska 68131
FACILITY LOCATION: Units County, Wyoming
PERMIT NUMBER: Wy-0030406

The Cumberland Coal Company plans to construct an open-pit coal mine at the "Haystack" properties located approximately fifteen miles northeast of the City of Evanston, Wyoming. The only wastewaters associated with the mine will be runoff from disturbed areas and these waters will be held in ponds which are designed to completely contain the ten year - 24 hour precipitation event. Therefore, no specific discharge points are identified in the permit, but the proposed permit does contain requirements concerning the operation and maintenance of the runoff control ponds. All discharges which do occur will be in the Albert Creek (Class IV Water) drainage.

Self monitoring of effluent quality and quantity is required whenever a discharge occurs with reporting of results within thirty days of the event. The permit is scheduled to expire January 31, 1986.

(2) APPLICANT NAME: Amoco Production Company
MAILING ADDRESS: P.O. Box 2520
Casper, Wyoming 82602
FACILITY LOCATION: Salt Creek Field, L.A.C.T. No. 20,
NE¼, SW¼, Section 26, T40 N,
R79 W, Weston County, Wyoming
PERMIT NUMBER: Wy-0030384

(3) APPLICANT NAME: Husky Oil Company
MAILING ADDRESS: P.O. Box 380
Cody, Wyoming 82414
FACILITY LOCATION: Upper Fort Union Tank Battery,
Fuller Reservoir, NE¼, Section
19, T86N, R93W, Fremont County,
Wyoming
PERMIT NUMBER: Wy-0030210

(4) APPLICANT NAME: Altus Exploration Company
MAILING ADDRESS: 330 South Center, Suite 419
Casper, Wyoming 82601
FACILITY LOCATION: Altus - Blackhawk No. 44-21, SE¼,
SE¼, Section 21, T45N, R52W,
Washakie County, Wyoming
PERMIT NUMBER: Wy-0030414

(5) APPLICANT NAME: Superior Oil Company
MAILING ADDRESS: P.O. Box 200
Casper, Wyoming 82602
FACILITY LOCATION: Westside Canal Field, Jons Lease,
Wells 1 and 1A, SW¼, Section 7,
T12N, R91W, Carbon County, Wyoming
PERMIT NUMBER: Wy-0030392

(6) APPLICANT NAME: Seguro Oil and Gas, Inc.
MAILING ADDRESS: c/o McInay - Adams & Co., Inc.
2305 Oxford Lane
Casper, Wyoming 82601
FACILITY LOCATION: Federal No. 1-9, W-53476, NE¼,
SW¼, SW¼, Section 9, T48N,
R90W, Washakie County, Wyoming
PERMIT NUMBER: Wy-0030431

Facilities are typical oil treaters located in Weston, Fremont, Washakie and Carbon Counties, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharges are to Salt Creek, Dry Cheyenne Creek, Nowater Creek and Cottonwood Creek (Class IV Waters) via unnamed drainages.

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

Although the Superior Oil Company facility is located in the Colorado River Basin, a discharge permit will be authorized since the discharge will contribute less than one ton of salt per year to the Colorado system.

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the Amoco facility is December 31, 1985, for the Husky facility is December 31, 1985, for the Altus and Seguro facilities is December 31, 1984, and for the Superior facility is December 31, 1982.

(7) APPLICANT NAME: Kerr McGee Coal Corporation
MAILING ADDRESS: Caller Box 3014
Gillette, Wyoming 82716
FACILITY LOCATION: Campbell County, Wyoming
PERMIT NUMBER: Wy-0028312

The Kerr-McGee Coal Corporation operates a large open pit coal mine located approximately eight miles northeast of Gillette, Wyoming known as the East Gillette or Clovis Point Mine.

The discharges flow into unnamed closed basins (Class IV Waters). The discharges must meet effluent limitations which are considered by the State of Wyoming to represent "best available treatment." However, the permit also contains a "re-opener clause" which requires the permit to be modified should more stringent limitations be developed at the federal level.

Runoff from disturbed areas will be controlled by sedimentation ponds which are designed to completely contain the runoff resulting from a ten year - 24 hour precipitation event. Because these ponds will not normally discharge, they are not specifically identified in the permit but are covered by operation and maintenance provisions.

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire January 31, 1986.

(8) APPLICANT NAME: Church and Dwight Company, Inc.
MAILING ADDRESS: P.O. Box 123
Green River, Wyoming 82935
FACILITY LOCATION: The Green River Plant, approxi-
mately 20 miles west of Green
River, Wyoming
PERMIT NUMBER: Wy-0023132

The Church and Dwight Company is engaged in the manufacturing and packaging of sodium bicarbonate (baking soda) and hydrated sodium carbonate (washing soda) at a plant located next to the Allied Chemical operation near Green River, Wyoming. The plant's wastewater discharge consists of plant area runoff to an unnamed ditch which flows into the Blacks Fork River (Class III Water).

In most sodium carbonate and sodium bicarbonate plants storm runoff from the plant grounds must be completely contained. However, the Church and Dwight facility is a food grade plant and the plant grounds are kept much cleaner than in the industrial grade plants. For this reason, the Department proposes to allow the Church and Dwight discharge to continue. The permittee is required to monitor the quality of the runoff and submit results to the Department. If the monitoring results show significant contamination the permit will be modified to require complete containment of this water.

Even though this facility is located in the Colorado River Basin, the Department is not requiring that his discharge be eliminated at this time, since the quantity of salt discharged had historically been much less than one ton per day. Wyoming Water Quality Rules and Regulations, Chapter VI specify that no industrial discharge of greater than one ton of salt per day shall be allowed.

The proposed permit is scheduled to expire May 30, 1986.

(9) APPLICANT NAME: Uranium Supply Services Corporation
MAILING ADDRESS: Shirley Basin, Wyoming 82615
FACILITY LOCATION: Shirley Basin, Carbon County,
Wyoming
PERMIT NUMBER: Wy-0026107

Uranium Supply Service Corporation operates a large open pit uranium mine near Shirley Basin, Wyoming. Groundwater, precipitation, and surface runoff which enter the mine pits are routed to either of two three-pond settling systems. The southern most pond system (discharge point 001) also includes a Barium Chloride Feed system for use in Radium removal. The northern most pond system (discharge point 002) does not include a Radium removal system and is used only when mine water quality is satisfactory without Radium removal. Both discharges are to the Little Medicine Bow River (Class II Water).

The proposed permit requires immediate compliance with effluent limitation which are considered by the State of Wyoming to represent "best available" treatment technology. However, the permit also contains a "re-opener clause" which requires the permit to be modified if more stringent limitations are developed at the federal level.

The proposed permit requires control of runoff from disturbed areas and self-monitoring of effluent quality and quantity on a regular basis with reporting of results monthly. The permit is scheduled to expire April 30, 1986.

(10) APPLICANT NAME: Town of Marlette
MAILING ADDRESS: P.O. Box 661
Big Piney, Wyoming 83113
FACILITY LOCATION: Sublette County, Wyoming
PERMIT NUMBER: Wy-0021997

The wastewater treatment facilities serving the Town of Marlette, Wyoming consist of a single cell lagoon which discharges to Muddy Creek (Class II Water).

The existing permit for this facility requires only that the existing facilities be operated at maximum efficiency, however, the Town has now been offered Federal construction grant funds which means the wastewater treatment facilities must now be upgraded to meet Federal effluent standards and Wyoming's in-stream water quality standards. The proposed permit includes limitations on BOD5, total suspended solids, fecal coliform bacteria, pH and a prohibition against the discharge of total residual chlorine. The permit requires final compliance no later than January 1, 1985.

At this time it appears that violation of Wyoming's in-stream standards for dissolved oxygen will not occur provided National Secondary Treatment Standards are achieved. However, this position will continue to be evaluated (and the permit modified if necessary) as more information becomes available.

Self-monitoring requirements in the proposed permit require the monitoring of all limited parameters on a routine basis with reporting of results quarterly. The proposed permit is scheduled to expire on June 30, 1986.

The Town of Marlette has been exempted from meeting Federal effluent requirements by July 1, 1977 since, in accordance with Federal requirements, it specifically requested an extension due to the previous unavailability of Federal construction grant funds. In addition, the Town has requested and received less stringent effluent limitations for the parameter total suspended solids as authorized by federal regulations for stabilization pond systems with a design flow of less than 2.0 MGD.

STATE-EPA TENTATIVE DETERMINATIONS

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

PUBLIC COMMENTS

Public comments are invited any time prior to April 20, 1981. Comments may be directed to the Wyoming Department of Environmental Quality, Water Quality Division, Permits Section, Hathaway Building, Cheyenne, Wyoming 82002, or the U.S. Environmental Protection Agency, Region VII, Enforcement Division, Permits Administration and Compliance Branch, 1860 Lincoln Street, Denver, Colorado 80295. All comments received prior to April 20, 1981 will be considered in the formulation of final determinations to be imposed on the permits.

ADDITIONAL INFORMATION

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

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

Public Notice No: Wy-81-005

Bulletin Board

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.

ROMCOE FUND-RAISING

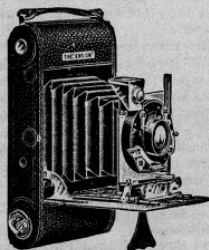
ROMCOE, the Center for Environmental Problem Solving, is having its annual fund-raising dinner April 2 in Denver and has lined up Russell Peterson as a principal speaker. Peterson is current president of the National Audubon Society and former chairman of the Council on Environmental Quality under President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

ENERGY ON FILE

For a little light reading and the answers to most energy use and production questions you can dream up, the Department of Energy has set up a computerized bibliographic file system called FEDEX. Federal Energy Data Index. Contact Shelley Ford, Office of Energy Information Services, Mail Stop 1F-048, 1000 Independence Ave., S.W., Washington, D.C. 20585.

WYO. IN HOT WATER

To help track the Cowboy State's switch to geothermal energy development, the University of Wyoming is publishing a monthly letter, *Geothermal News*. The latest issue announces an April 14 statewide workshop in Casper. For more info, on both contact the Geothermal Commercialization Office, P.O. Box 4096, University Station, Laramie, Wyo. 82071; or call toll free in Wyo.: 1-800-442-8334.



WILD STUDIES

Several Audubon Magazine editors are participating in a series of wilderness photography and writing workshops offered by the University of the Wilderness, P.O. Box 1687-S, Evergreen, Colo. 80439. There's also a 19-day wilderness politics course to be held in the Holy Cross Wilderness.

WYO. ENERGY FAIR

The Casper Energy Savers are having an Energy Fair to promote conservation and renewables March 28 and 29 in Casper, Wyo. For more info, on exhibition space contact the group at 307-237-3508.

BLM WILDERNESS

The latest phase of the Bureau of Land Management's wilderness study program was the publication of proposed Wilderness Study Areas (WSAs) in the March 3 *Federal Register*. Public comments on an associated draft planning schedule, published Jan. 19, are being accepted through April 15, by Director (430), BLM, 18th and C Streets, N.W., Washington, D.C. 20240.

IS UTAH THE PLACE?

For nuclear waste? That's what the state League of Women Voters wants to know and they're sponsoring a March 26 conference in Salt Lake to solicit answers. Some travel money is available from the League. Contact Sandy Peck at 801-266-7462.

INDUSTRIAL WILDLANDS

They may not appeal to the hiker, but industrial parks can provide needed jobs in a depressed urban or rural area. The General Accounting Office thinks the Commerce Department should be running a tighter ship in regulating the parks, however. Its report, "More Can Be Done to Ensure That Industrial Parks Create New Jobs," CED-81-7, Dec. 2, 1980, is available from the GAO, Document Handling, P.O. Box 6015, Gaithersburg, Md. 20760.

SAVING WATER

Conserving drinking water, through a complex of pricing changes, retrofit programs and treatment facilities is the focus of an April 14-15 workshop in Denver. Sponsored by the Environmental Protection Agency and assembled by Enviro Control, the conference includes workshops on supply systems, demand projections and a new EPA handbook on flow reduction techniques. For more info, EC, P.O. Box 827, Rockville, Md. 20851; 301-468-2531.

HUNTING DUMPS

Seen any suspicious looking trucks dumping of leaking their cargo on roads or fields? That waste may be toxic. The violator could be fined \$250,000 and spend two years in jail. The U.S. Environmental Protection Agency wants to hear about such sightings. They say they need hard facts, including the exact location, whether drums were leaking or smoking, and if there's a nearby water supply. Call toll free 1-800-332-3321.

PHOENIX BLM

Wild fire management, land use planning and budget priorities are at the top of the agenda for an April 3 advisory council meeting for the Bureau of Land Management in Phoenix, Ariz. The Phoenix District covers Maricopa, Yuma, Mohave and several other counties. Contact District Manager William Barker, 2929 West Clarendon Avenue, Phoenix, Ariz. 85017; 602-241-2908.

RADIOACTIVE HEALTH

Colorado's hazardous waste task force is holding a series of public forums this month to solicit information on a wide range of radiation health effects issues, including radioactive wastes sites, nuclear production facilities, transportation, and the rules and regulations that cover these problems. The task force is part of the statewide Health Coordinating Council, a purely advisory group. They will be meeting in Denver, March 27 and 28. Contact the Department of Health, 303-320-8333, ext. 3511.

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.

SOLAR ROUNDTABLE

A solar energy development and growth management seminar is to be held April 10-11 in Riverton, Wyo. Sponsored by Wind River Energy Consultants and the U.S. Department of Energy's Western SUN, discussion leaders include local architects, planners and politicians. Contact Lorna Wilkes, Box 1365, Lander, Wyo. 82520; 307-332-6742.

BLM IN ROCK SPRINGS

The Kemmerer, Wyo., resource area of the Bureau of Land Management is soliciting public comments on the proposed 33,000 acre Raymond Mtn. Wilderness Study Area, as well as its plan for developing federal coal lands in the Kemmerer area. Contact Steve Howard, BLM Area Manager, Box 632, Kemmerer, Wyo. 83101.

BULLISH ON COAL

You might guess at their prediction, but for the written word on what the coal industry forecasts for U.S. coal consumption and production in the 1980s, send \$25 for the 48-page "A Forecast for U.S. Coal in the 1980s" to the National Coal Assoc., Publications, 1130 17th St., N.W., Washington, D.C. 20036.

PETRIFIED READING

For an illustrated guide to the petrified forests of Yellowstone National Park — a 25-square-mile area that is the most extensive known burial of living forests in the world — send \$2 to the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, and ask for *Petrified Forests of Yellowstone*, stock no. 024-005-00786-5.

ASPEN-COLOGY

From alpine ecology to land and water planning, mining history to youth wildlife programs, the not-for-profit Aspen Center for Environmental Studies is offering a series of field seminars this summer. A broad ranging seminar entitled "Philosophy of the Green World" will be recorded for Bill Moyers' PBS television show. Write the center at P.O. Box 8777, Aspen, Colo. 81612 for a brochure.



REINHABITING MINELANDS

For information on revitalizing mined lands with vegetation and wildlife, the Colorado State University is holding its 4th annual "Shortcourse on Vegetation-Wildlife Measurements" April 14-17. Contact Charles Bonham, Uniscale, P.O. Box 154, Loveland, Colo. 80537.

ALASKA CONTINUED

Passing the Alaska Lands Act preservation bill was only the beginning of a long process that will determine the fate of the northern wildlands, says the Alaska Coalition, and they're looking for help in watchdogging such management issues as park regulation, off-road vehicle control, and airplane use. Write the group at 530 Seventh St., S.E., Washington, D.C. 20003 to find out how to help.

HOME ENERGY

The Colorado Energy Extension Service in Greeley is holding a series of home energy workshops for northeastern Colorado residents. Write the service at 425 N. 15th Ave., Greeley, Colo. 80631 for a listing.



Photo by Michael McClure

Have a spring fling with an

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White with pine green print.

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Mail your order to HCN, Box K, Lander WY 82520.

Please send flyer(s) to:

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14-High Country News — Mar. 20, 1988

reporter's notebook

Awareness of fairness: answering the ads

Fade in:

Video cut to: Announcer on screen, holding lump of coal.

Audio: "This would just be a lump of Wyoming, except for the difference people make. Part of those people wear the Kerr-McGee name, because just as Kerr-McGee people were the first to drill a commercial oil well out of sight of land, just as Kerr-McGee was the first oil company to operate a uranium mine, Kerr-McGee people are a part of turning this lump of Wyoming into a much-needed fuel for generating electric power. Without Wyoming coal, maybe someday..."

Video: Announcer drops lump of coal; screen goes dark.

This commercial appeared on Casper, Wyoming's KTWO television station in early 1977. It caused something of a stir. Said KTWO station manager Bob Price, "People in the hinterlands started to think, 'Hey, if we don't dig the coal — boom! — there goes Laverne and Shirley.'"

Kerr-McGee, Amax Coal and Pacific Power and Light were all advertising heavily on KTWO at the time. One Amax ad said: "Many people look to the sun to solve our energy needs. Unfortunately, the harnessing of solar energy is still decades away...Look seriously at the available energy beneath our feet. Enough energy to meet our needs for hundreds of years."

At the time, Randy Cox was a staff member for the Powder River Basin Resource Council, a rancher-conservation group based in Sheridan, Wyo. "We got complaints from our members about ads promoting coal mining," he said. "They said, 'The coal companies are getting their point of view across in a sophisticated manner and we aren't.'"

Cox and some other PRBRC staff members — including staff director Tom France and Robert Wiginton — looked at KTWO's public files and their program logs. They discovered that the energy companies were running "a big blitz." They also discovered that none of the public service announcements produced by PRBRC and sent to the station had ever been run.

For better or worse, television is today's most powerful sales medium. Thirty seconds of advertising time in the Superbowl costs more than they pay the quarterback a year and for a good reason — the ad can sell more shaving cream than Terry Bradshaw can. In the case of the KTWO ads, the companies were selling coal mining and selling it hard. No one was selling conservation over the airwaves.

Cox said, "They were running a great many coal industry ads and doing little to counterbalance their coverage." KTWO's Price agreed, sort of: "PRBRC said that industry does a great deal of advertising in Wyoming...most of it claiming that industry is doing a good job of protecting the environment and that Wyoming must do more to meet the nation's energy demand. That assessment of industry advertising is certainly true."

However, said Price, "The energy issue has been widely, thoroughly and actively discussed on both KTWO radio and TV. I've had ample opportunity to stumble over the name Powder River

Basin Resource Council' in our newscasts. And there's our daily coverage of the legislature when it's in session...there are our reports from our Washington correspondent...our program 'Report to Wyoming,' and our radio news hour-long broadcast in the afternoons."

Still, said Cox, there was no sales pitch for the other side. He said, "Their news programming sometimes covered the other side. After an exhaustive search, we found that their efforts to cover energy impacts were a pittance...but they were no worse than anyone else."

Under the Federal Communications Act of 1934, citizens have an access right to the airwaves. A television or radio station has the obligation to "seek out contrasting points of view" on controversial issues they cover. If they don't, they can be dragged before the Federal Communications Commission and, in extreme cases, their license denied or revoked. In August of 1977, Cox wrote to KTWO faulting KTWO for

specializing in citizen media access.

After several months of bargaining, KTWO and PRBRC reached an agreement formalizing procedures for public input into station policymaking and providing public access. The agreement established two advisory boards, one an agriculture-environmental board, the other a community board, representing a broad spectrum of citizen interests in the KTWO listening area. KTWO agreed to assist in the production of an annual television show about the boards' activities and analysis of KTWO's public service programming. The station also agreed to produce an additional five hours of prime time, locally produced news documentaries annually and telecast "a minimum of 60 minutes of public service announcements weekly." The agreement also specified some time slots for public service announcements so that they would be shown during heavy viewing and listening hours.

The agreement did not apply only to PRBRC but to all "bona-fide non-profit

said, "The interest of public interest groups in media access has been fairly spotty. There is not an enormous number of citizens' groups who care about what broadcasters are doing."

The issue could become considerably more important in the near future. Traditionally, the three major television networks have rejected advocacy advertising or "advertorials." Print media have generally accepted such ads and readers of *Parade* and other Sunday newspaper supplements are familiar with campaigns like Mobil Oil Co.'s, which regularly uses ad space to rail against government regulation, environmentalists, and other favorite topics.

The ABC Television network announced on March 10 that it "will accept for broadcast on a one year experimental basis, beginning July 1, 1981, a limited number of commercial messages that discuss national controversial issues of public importance." These "paid commentaries" will be shown during late night programming.

While the Rockies have been notably quiescent in media access projects, Sanchez said that California and New York have seen a number of challenges to stations. In Alaska, a group called Alaskans for Better Media took on virtually every broadcaster in the state. The group has reached agreements similar to the KTWO-PRBRC pact with two of the three major broadcasting companies and they are still negotiating with the third.

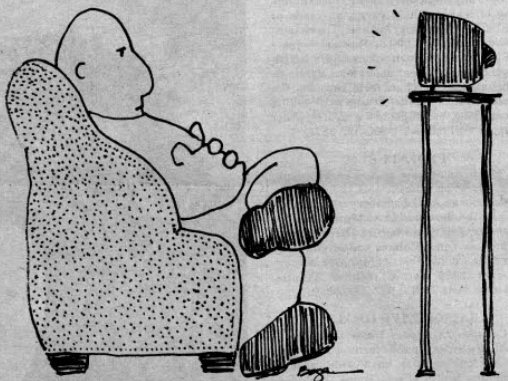
Harvey Shulman, former executive director of the Media Access Project, said, "The media are always interested in profits and are reticent to do anything that will cut into their profits. If you can convince a station it will be cheaper to give you what you want than to fight a legal battle with you, you have a very good chance of getting what you want."

The arrangement reached with KTWO has not been without criticism. Price said, "The energy industry first had a knee-jerk reaction. They viewed many of the advertisements and public service announcements with the same enthusiasm that farmers hold for leafy spurge. I know of one prominent Wyoming mining firm where an executive recommended that the company stop all advertising on KTWO because of PRBRC's air time."

The KTWO agreement has recently had a broader statewide effect. When the Wyoming Outdoor Council wanted time to respond to advertising by the Little Horn Water group, which was pushing coal slurry pipeline legislation in the state legislature, KYCU in Cheyenne and a number of other state radio and television stations granted the request and consulted with KTWO on implementation of the Fairness Doctrine. KTWO helped produce spots for WOC to play in Cheyenne and Sheridan.

KTWO is Wyoming's largest television and radio station. Price said, "They come to us because we are the largest facility. They should be knocking down the doors of the local stations. I don't know of any other facilities doing as much as we're doing."

Dan Whipple



In the KTWO ads, the companies were selling coal mining. No one was selling conservation over the airwaves.

running advertising voicing "one side of a complex and controversial issue." KTWO's license renewal was due on Oct. 1 of that year. PRBRC and KTWO entered into intense "negotiations," in Cox's words. Price called it "blackmail."

Price said, "They were holding our license renewal over our head. If someone had asked for time to respond to those energy ads, we probably would have afforded it to them. PRBRC never came to us with a Fairness Doctrine request." The Fairness Doctrine — not to be confused with "equal time," which applies only to candidates for public office — requires that a broadcaster provide a "reasonable amount" of time for discussion of public issues and give "reasonable opportunity" for the presentation of contrasting points of view.

Cox said, "License challenges are very protracted. They are expensive for both the licensee and the complainant and they put a cloud on the (station's) investment." PRBRC retained the Media Access Project of Washington, D.C., a public interest law firm

organizations." But PRBRC did get \$4,500 to cover its expenses in negotiating the agreement, and \$16,640 worth of broadcast time and production assistance for television and radio ads. In a special arrangement, the agreement also provided High Country News with time for a weekly or bi-weekly radio program on environmental news. Lack of funds has kept HCN from ever exercising this option.

The community response to KTWO's "open door" policy has been very good. Cox said, "There has been a tremendous amount of community use. KTWO has also shown a great deal of interest and I think a lot of the credit goes to Bob Price."

Perhaps the most remarkable thing about the PRBRC-KTWO agreement is that it is the only one in the Rocky Mountain West. Despite the pervasive influence of the electronic media on daily life, it is an outlet virtually overlooked by public interest groups as a method of "selling the product." Heidi Sanchez of the Media Access Project

Opinion



Letters

PARKS DIVISION OK

Dear HCN,

Your article on Colorado's nongame income-tax check-off program (HCN, 2-6-81, p. 10) was somewhat misleading.

Although HB 1014 intended to divert half of the nongame wildlife cash fund to state parks, the bill was not asked for or supported by the Colorado Division of Parks and Outdoor Recreation. The bill was designed and sponsored by legislators who perhaps felt that the Colorado Division of Wildlife gets more money than it needs anyway.

Many, if not most, legislators are completely baffled by the interest their

constituents have in wildlife, particularly nongame wildlife.

I agree with Vim Wright, it's not fair to devastate a program the citizens of Colorado worked so hard to set up and I am overjoyed to report that HB 1014 was killed in committee on February 27th.

However, there's no need to bad-mouth the Division of Parks for a bill they really had no part of. The Division of Parks is the lowest item on the Colorado legislature's priority list for funding, and is barely getting by as it is, without gaining a poor image from newspapers such as yours.

B.J. Graham
Legislative Intern
Colorado Open Space Council
Denver, Colo.

"Opening up" coalfields when mines are shut down

Anyone who wants to see what happens when you "open up" an area of public resources to extensive private development should watch the Powder River Basin during the next decade. The Department of Energy, and now the Department of Interior's Powder River Basin Regional Coal Team, is recommending an enormous boost in new federal coal leasing.

On the face of it, this fits with the Reagan Administration's avowed intent to remove all hindrances to domestic energy development. It has private industry excited — "Give us a chance to lose our shirts," said one executive at a recent coal team meeting in Billings. It has environmental watchdogs like the Northern Plains Resource Council upset over further development of a delicate region that they feel is already being eviscerated at a furious pace.

The Department of Interior's present coal leasing target for the area is 776 million tons by 1990.

The coal team has recommended leasing over one billion tons of federal coal in Powder River next year alone. The Department of Energy is pushing for the raise, and it looks like they'll get it.

The timing is interesting. DOE projections have a way of flying in the face of reality. The market for Western coal is depressed. Mines have cut back or failed to open.

In addition, the inflated leasing target comes only weeks before a report is due from the Office of Technology Assessment, which reportedly concludes that expected production and capacity at mines already leased is enough to meet the nation's needs through 1990. Some 300 existing leases on federal land are not being mined today, according to former Assistant Interior Secretary Guy Martin.

The existence of a coal glut, and the recognized inaccuracy of DOE projections, seem genuine. Why else is there so much talk — from the coal companies and state commerce regulators — of opening up export markets? Are we going to dig up our chief domestic energy resource, publicly-owned coal, and export it to Japan?

The quotation cited above — "Give us a chance to lose our shirts" — came from Steven Jones, representing the coal arm of Standard Oil of Ohio (Sohio), courtesy of the *Billings Gazette*. The oil companies are showing an avid interest in coal. Gulf Oil recently purchased Wyoming's Kemmerer Coal; and other energy conglomerates are buying up coal leases all over the region.

The time is opportune for investment in coal by companies with big profits to write off. Coal is a loser today. Prices are down, and, logically, more leasing should drive them down further. In a glutted market, the bidding for leases will not go high.

A revenue-rich corporation can afford to buy cheap and wait for the market to rebound. The only problem might be the "diligent development" requirements on federal coal, which now say a lessee must begin digging within ten years of obtaining a lease. That may not be an obstacle. The *Billings Gazette* quotes John Broderick of DOE's leasing office, saying there should be "flexibility" in applying federal diligent development rules. So much for that.

The Interior Department seems to think that maximum leasing translates into maximum coal production. We're inclined to see it instead as a quick give-away of resources that further enslaves our energy future to the profit-ladders of a few big energy conglomerates. They may get rich in the Nineties off leases that sold cheap in the Eighties, and if they want to dig up more ranchland in order to sell our most crucial public energy resource to the Japanese...It will be their lease, and their right to do that.

— GOG

PSST...COMING SOON IN HCN...DON'T LET YOUR FRIENDS MISS OUT...PASS THE WORD!

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() I know you can't tell me now but I'll take it on your past record that you'll soon be publishing another hot scoop — one of the many stories you get before anyone else in the region. So send me HCN. Here's my \$15.

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books

A Brush With The West

by Dale Burk, Mountain Press Publishing Company, Missoula, Mont. 1980. \$19.95, hard cover, 135 pages. Photographs, drawings and reproductions.

Review by Peter Wild

Frustrated that he couldn't catch the "majestically grande scenery" of the northern Rockies in "wrighting," Meriwether Lewis lamented that his expedition had no artist. Time has compensated us for Lewis' lack. The early trickle of artist-explorers begun by George Catlin and Karl Bodmer has turned into a flood of painters, who now sell their visions of the region's cowboys and snowy peaks to enthusiasts across the nation.

A Brush With The West deals with the development of Western art in the northern Rockies, which Burk defines as Colorado, Wyoming, Idaho, Montana, and the adjacent portion of southern Canada. The region's long-neglected art now is experiencing a re-

naissance along with the booming oil, skiing, and tourist businesses.

First of all, then, A Brush With The West is a survey of the area's artists. The oversized book takes us all the way from Catlin, through luminaries Charles Russell and Frederic Remington, and right down to contemporaries Marv Enes of Lolo, Mont., and Veryl Goodnight of Englewood, Colo. Over 100 black and white and 16 full-color plates help tell the story.

How we see and experience nature has much to do with how others teach us to see it. Albert Bierstadt's misty "Last of the Buffalo" is a bittersweet portrait of ecological change and an early expression of the impulse to conserve. As for today, James Bama of Wapiti, Wyo., links his art with environmental concerns: "The rape of the Old West is here, but there is still a chance to capture some of what once was." No doubt the passing of the cowboy, the assault against the West's wilderness and wildlife, have much to do with the popularity of these subjects in art. We love what we are on the verge of losing.

And if we are "loving to death" some of our overused wilderness areas, a similar danger applies to the art of the

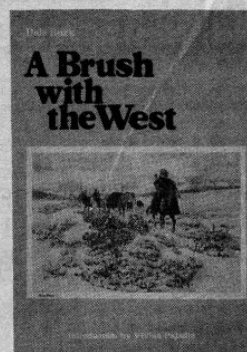
northern Rockies. In presenting the current state of the region's art, Dale Burk doesn't hesitate to ask some difficult questions.

To what extent is Western art a lucrative spinoff from the popularity of country swing, cowboy boots, and the superficial appeal of the Marlboro Man image? One recent art auction featured the ballyhoo of a quick draw contest and a chuckwagon brunch.

Some artists don Stetsons to attend their openings and leave chucking up the sleeves of their fringed leather jackets as they count their greenbacks. Others, poorer, but their dignity intact, refuse to take part in a carnival atmosphere that wildlife painter Robert Bateman dismisses as "games that have nothing to do with art."

The hype and high prices have produced armies of talentless amateurs, art scams and forgeries. One sculptor looked up from his lunch in a Browning, Mont., restaurant to see unauthorized replicas of his castings on sale. They were made in Taiwan.

Whatever the pressures on the artists to pander to mass taste, A Brush With The West is generally positive about its subject. Burk feels that the quality of work is improving. Artists are band-



ing together. Members of the Northwest Rendezvous Group set high standards of authenticity and craft for each other. As artists become more sensitive to history and sympathetic to the natural environment, their work is casting a wide and sophisticated light on the heritage of the northern Rockies, he says. The full-color plates Burk has chosen to illustrate his text give reasons to agree with his assessment.

George Catlin: Episodes from Life Among the Indians and Last Rambles.

Marvin C. Ross, ed., University of Oklahoma Press, 1005 Asp Ave., Norman, Okla. 73019; 1980. \$25, hard cover; \$12.50, paper. 354 pages. Reproductions.

Review by Peter Wild

In the 1930s, a Pennsylvania artist gave up his prosperous business as a portrait painter and headed West. Armed with brush and palette, he wandered for years through the unmapped territories beyond the Mississippi.

Today, Catlin has won the recognition of environmentalists, historians and art critics alike. Awed by wilderness, the lone artist was the first person to propose creation of national parks. His paintings and his book, Notes on the North American Indians, form a stunning record of the pristine West, especially of the Upper Missouri region, at the moment before European civilization surged over it.

However, Dame Fortune, as Catlin whimsically called her, smiled only intermittently on his efforts. Europe, like America, offered him a taste of fame but little money in return for his touring gallery. Growing old, hounded by debt, the artist took out a passport under an assumed name — the better to slip past

his creditors — and fled the Continent. For the next few years he zigzagged across South America, then sailed north to his old stomping grounds among the Crow and the Assiniboine.

Though lesser known than Catlin's first foray into the American West, his later travels were a bizarre interlude marked by wild searches for gold, narrow escapes, and the emotional ups and downs of a man nearing the end of his mental rope. Catlin's accounts, edited by art critic Marvin C. Ross and now available in an inexpensive paper edition, are sure to appeal to the romantic in us all.

Many of the 163 Catlin paintings that Ross includes are reproduced for the first time. Catlin's frequent comparisons of North and South American Indian customs are invaluable to students of native Americana, while his descriptions of the primeval Amazon Basin and the Rocky Mountains — two areas currently under heavy attack by developers — should pique our urge for wilderness preservation.

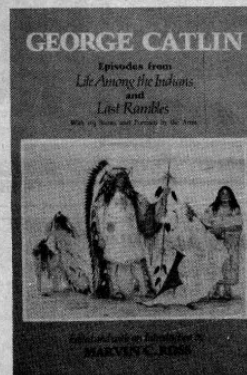
Often missed in the enthusiasm for Catlin as artist is his writing, with its painter's eye for details of natural history, irony and human warmth.

Catlin saw Indian ways as superior — more harmonious and rational than European civilization's. This cost him in the hardships of trekking through jungles and mountains. He endures the

ticks, snakes and blizzards stoically as though these struggles were a small price to pay for the richer life in nature. Now and then, however, he gives an exaggerated but marvelous account of the dangers — quite obviously for the benefit of the urban people who bought his books. Red-eyed, wetting their tusks, wild pigs menace him, "chafing their ivory, the sound of which was like that in a marble-yard when stonecutters are chipping marble."

At other times the joke is on him. Desperate for money, Catlin swallowed the rumors of fabulous gold mines abandoned by the Conquistadors and waiting somewhere in the Andes to be rediscovered by a daring American adventurer. In retrospect, he sees the folly of floundering hundreds of miles through swamps, lugging in his backpack "a cold chisel for cutting the nuggets which we might find too large to be transported entire." And he can't help but mention the irony of the forest dwellers who dip knitting needles obtained from "civilized traders" into poison for use in their blowguns.

Sailing to the West Coast, Catlin remarks: "San Francisco is a highly civilized place, so we have little interest there," a typically Catlinian assessment that John Muir echoed when he arrived in the City by the Bay. Like Muir, Catlin wastes little of his time among the busy proponents of "the glib gobbler school of economics" but



plunges off into the mountains. Months later, paints and brushes strapped to his back, the aging artist hikes through Wyoming's South Pass for an emotional reunion after an absence of 20 years with his Indian friends — "mankind as Nature made them."



classifieds

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DIRECTOR NEEDED for private land conservation organization. Duties will include fund-raising, public outreach, and land project activities. Relevant experience in fund-raising and public relations with business or agriculture background preferred. Located in Helena, Montana. Salary from \$16,000-18,000 depending on experience. Send resume to Box 355, Helena, Montana 59624.

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BUSINESS MANAGER for High Country News. Job includes bookkeeping, administration and financial planning. Begins May 15 at latest. Salary \$650 per month plus health benefits. Opportunity to steer a growing business. Send resume to Geoffrey O'Garra, HCN, Box K, Lander WY 82520.

HIGH COUNTRY NEWS needs black and white photographers. Energy-related topics, resources, wildlife in the Rocky Mtn. region. Ability to do assignments on short notice and/or accompany reporters on stories helpful. Please send sample of work to Kathy Bogan, HCN, Box K, Lander, WY 82520.

MY HISTORICAL BOOKS and novels about Wyoming. Send for list. Mae Urbanek, Lusk, Wyoming 82225.

"WIND RIVER TRAILS" by Finis Mitchell. Backpacking guide to the Wind River Mountains of Wyoming. Wilderness area of peaks, glaciers, forests, and lakes. \$3.50 postpaid. Wasatch Publishers, 4647 Idlewild Road, Salt Lake City, Utah 84117.

EXECUTIVE DIRECTOR WANTED. Full-time fundraising and managerial responsibility for statewide citizens' renewable energy educational association. Send letter and resume. Deadline May 10. Alternative Energy Resources Organization (AERO), 424 Stapleton Bldg., Billings, MT 59101. (406-259-1958).