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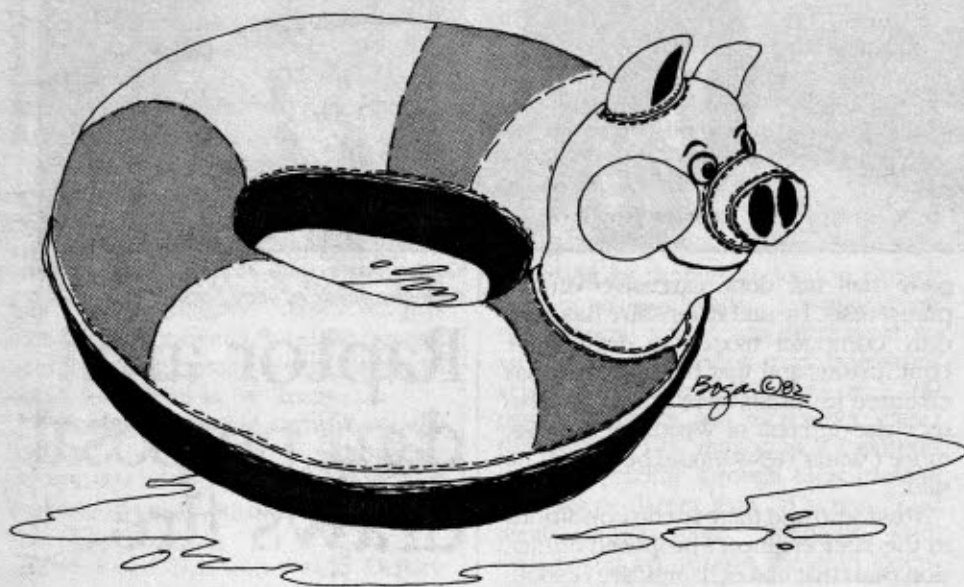
High Country

news

Friday, June 25, 1982

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The Wyoming water bill

A \$40 million pork barrel

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During the 1982 session of the Wyoming state legislature, Warren White of the State Planning Coordinator's office sat in the back of the House of Representatives chamber to make certain that Gov. Ed Herschler (D) got a good water bill through. Any legislator who wanted to amend the legislation had to clear the proposal with White to be sure that it met with the governor's approval before it went to the floor.

It didn't help. The law, which passed overwhelmingly, allocates about \$40 million for the study of 27 water projects, many of which are warmed-over versions of projects that have been before state water planners for years without action. The proposals have been criticized as political maneuvers by the governor to anticipate election-year attacks on his administration's inaction on water development.

In addition, the procedure being used to study and recommend the projects is shot through with irregularities. At least two of the nine members of the Wyoming Water Development Commission, which is administering the projects, have past or potential conflicts of interest with some of the projects they will be voting on. The commission has also held several closed meetings from which even staff and the attorney general's office were excluded — which could be in violation of the state open meetings law.

The commission's work has been further complicated by a sour relationship between the board and the WWDC administrator, who was hand-picked by the governor and whom the commission tried to have removed during the

legislative session. In addition, relations between the WWDC and the attorney general have deteriorated to the point that the commission has hired its own attorney to review the major contract which the board is negotiating.

The legislation, known simply as the "governor's water development plan," was announced with little advance warning in January of this year, just before the opening of the legislature. The bill established a four-stage process for the study and funding of water projects. Level I is reconnaissance of need, problems and other criteria; level II looks at feasibility; level III is development, including project design; and level IV is construction.

Eight of the projects included in the bill were placed in level I, 10 in level II, eight in level III and one in level IV. In addition, the WWDC was "authorized and directed" to enter into a contract with the Sheridan-Little Horn Water Group, nine water rights owners on the Little Big Horn River near Sheridan, Wyoming, for diversion and storage of the river's water. The project is far and away the most controversial of the ones in the legislation and has been a point of contention, in one form or another, for over four years.

Herschler, a savvy politician and legislative tactician, maneuvered the legislators into a position in which they opposed the bill at their own political peril. Rep. Charles Scott, a Republican from Natrona County, said, "The whole thing was beautifully orchestrated politically. There was something for every county in the state except Teton and Albany counties. The Democrats voted for it because it was the governor's program and the Republicans voted for it

because they didn't want to appear to be against water development.

"But when it comes to the projects themselves, there are no meaningful priorities established for determining what is a useful project. They opened the files and dumped everything in. The projects that get funded will be the ones whose promoters are most aggressive. It's a prescription for disaster." Scott was one of a handful of legislators to vote against the bill.

One of the broad criticisms of the bill by environmental groups is that the legislation does not address comprehensive or long-term water planning. Tom Wolf, director of the Wyoming Outdoor Council, a statewide environmental group, said "On one level, it should be obvious that there is no coherent policy, simply by the way these projects are scattered around the map.

"But a water policy is really an economic development policy, and since the state doesn't have an economic policy, it doesn't have a water policy. We would like to see a moratorium on all water projects until the state decides what economic direction it wants to go in."

One of the unanswered questions is whether state subsidies should go to industrial water projects. Several of the ones in the governor's legislation will provide some water to industrial users. The Big Sandy project will provide water for a slurry to Chevron; one of the Powder River development projects will provide Exxon with water for an unspecified use; and the Little Big Horn water, while not committed to anything specific, will be suitable primarily for industrial use because of its cost. Scott said, "I tried to introduce an amendment that would have barred the use of state money to subsidize large industrial projects, but the governor's office wouldn't approve it. Under pressure, they admitted that they wanted the flexibility to support industrial projects."

State Sen. Tom Stroock, also a Republican of Natrona County, said, "Obviously, what the Democrats did is look at their opinion polls, which are probably the same as ours, and they found that the issue the governor was most vulnerable on was water development. They cut and pasted pieces of some badly written reports, sent it up and called it a bill."

Stroock, however, voted for the legislation because he favored the direction given to the WWDC on the four-stage approach to the studies. "That was a forward-looking step," he said. He also favored the legislative oversight committee established by the bill.

According to White of the State Planning Coordinator's office, "The projects that get funded will be those that merit funding. The recommendations of the Water Development Commission will be passed upon by the governor and the legislature. We've been working on these proposals off and on for some time. Those that shouldn't see the light of day after being studied will be cancelled.

"The critics should remember that the main reason that these projects have

not gone ahead in the past is that the state didn't have the money. This bill tries to remedy that problem."

Regarding the governor's political strategy in getting the bills through the legislature, White said, "The governor did not present the bill as being set in concrete. The legislature had two opportunities, once in the House and once in the Senate, to delete projects or amend the bill. It chose not to do so, but it did add three, with the governor's approval.

"My opinion is that the bill is fairly clear-cut. Questions will have to be resolved. There is ample opportunity for the legislature to do something. Each time it goes through the system, they can look at each project."

Nevertheless, the governor's bill appears to have been assembled in haste and without much consultation. The project sponsors read of the proposal in the newspapers. One Water Development Commission member said that White talked to the commission members and said the governor had an ambitious program for developing the state's water. The member said, "We discussed the increased work level, but we never went over the individual projects. There was a general discussion." A random sampling of the sponsors of the major projects found that none of those contacted had been consulted before their projects were included in the bill, either.

All of the project sponsors are, of course, happy to see their proposals included. However, no effort was made to separate even the obviously bad projects from ones with more merit. And some projects appear to be contradictory (see accompanying story on page 10).

The project that has drawn the most attention has been the Little Horn. According to one source, "No one says it right out loud, but it is clear that the Little Horn project comes first and all the others can wait in line." A WWDC meeting scheduled for June 21, with 13 scheduled agenda items and Little Horn as the 13th, was canceled because the Little Horn contract was not ready.

The legislature has directed the WWDC to reach a contract agreement with the group for what is essentially an interest-free \$8 million state loan. The money is to be used to obtain base information for apportionment of water of the Little Big Horn River among the Crow Indian tribe, the state of Montana and the state of Wyoming; to obtain all permits and licenses that would allow construction "as soon as is reasonably possible"; to "optimize development of the entire Little Big Horn watershed; and to complete final plans and specifications for actual construction of the project.

In short, the state is giving the group money to do the things the state would have to do anyway to validate its water rights on the river. Stroock said, "We are going to pay them to develop their water rights. What does the state get out of this? If they don't go ahead with the

(continued on page 10)

WESTERN ROUNDUP

Hampshire synfuels plant a step closer

Hampshire Energy's proposed coal gasification plant near Gillette, Wyoming, is a giant step closer to becoming reality after it was recently named one of the two projects to receive Synthetic Fuels Corporation subsidies.

The need for the project, estimated to cost nearly \$2 billion, has been questioned by conservationists ever since the project was conceived. "Synfuels is a poor way to be going about clearing up our energy problems," said Jon Huss, staff director for the Powder River Basin Resource Council, a rancher/conservation group in Sheridan. "The cost of producing this energy will be too expensive to sell on the market without federal subsidies."

Even though the aid from the SFC was a victory for Hampshire, Richard Moore, director of the Wyoming Industrial Siting Administration, said the company must meet all the state's criteria for such a project. The ISA hearing to determine whether or not to approve the project will be September 21, after the state engineer has issued a final opinion on the project.

A citizens group, Citizens for Responsible Development in Gillette, is concerned about impacts the project will have on water resources in the area. The company recently received preliminary approval from the state engineer's office to drill 15 wells to draw 1.5 billion gallons of water annually from the operation which is expected to convert 15,400 tons of coal per day into 19,000 barrels of gasoline, plus by-products. The local group is concerned that the company's draw on groundwater could dry up some local wells.

Even though Hampshire studies indicated there will be no adverse impacts on other water users, Huss said the com-



Golden eagle with Morlan Nelson, raptor biologist, Birds of Prey Natural Area, Idaho

Raptor area dam proposal draws fire

A construction company in southwest Idaho is pursuing plans to build a dam in the Birds of Prey Natural Conservation Area, admitting it expects to prompt protest and a string of concerns from government agencies.

And that's exactly the response so far from several government agencies that say the so-called American Freedom Dam would harm fish and wildlife in the area.

A&J Construction Company of Homedale wants to build the 30-foot-high earthen dam to generate electricity, provide jobs and create increased revenue for the company during economic hard times, said Jeff Wakelam, company promotions coordinator.

The Birds of Prey is a 700,000-acre wildlife area that follows an 80-mile stretch of the Snake River and boasts

pany has not done extensive on-site pump tests. He said Hampshire has used only computer models to draw their conclusions and that the company has changed its results three times. "To protect the interest of Wyoming citizens, more (water) tests should be done," he said.

Huss also said there are no conditions in the state engineer's proposed mitigation plan that makes Hampshire responsible for any groundwater interference. Such interference is hard to prove, Huss added.

One representative of the state's ISA said that department is concerned about the aromatic hydrocarbon emissions from the plant. Such hydrocarbons are thought to cause cancer.

Another concern is over the Gillette area's ability to provide services and sufficiently handle the influx of workers that will be drawn to the area. According to the *Casper Star-Tribune*, the population of Gillette is supposed to jump from its current 15,000 to 22,530 by the year 1987.

The SFC's \$14.8 billion in price and loan guarantees will be distributed between the Hampshire project and the Breckinridge project in Breckinridge County, Kentucky.



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Tom Bell
Editor Emeritus

Jill Bamburg
Director

Dan Whipple
Managing Editor

Carol Jones
Associate Editor

Kathy Bogan
Design and Production

Marjane Ambler
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Typesetting

Jennifer Walford
Intern

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Dear friends,

We're happy to report that our annual footrace went off without a hitch, thanks to the organizational skills of associate editor Carol Jones, circulation manager Maureen Dempsey and volunteers Cyndy Simer and Ginger Tillemans. The start was almost squelched by the weather, when an afternoon thunderstorm struck. It lifted at 4:00 p.m., however, and registration began under dry and cool conditions.

There were 105 entries in the race. The first finisher was Tim Ervin of Riverton, Wyoming at 29:01. The first woman, in was Joni Weaver, 19th overall, with a time of 32:48.

One runner was George Scott, from Ann Arbor, Michigan. George is an *HCN* subscriber and he had been vacationing in Utah and Colorado. He said he noticed that our race was happening during his vacation, so he decided to drive up and participate. He finished second overall, five seconds behind the winner, proving, we suppose, that *HCN* readers are a hardy breed.

The staff's record of participation was less than illustrious. The only current staffer who ran was Carol. She edged out former editor Geoff O'Gara with a burst of speed at the finish line. Carol attributes her victory over Geoff to canny race strategy. Geoff called "Foul!" because he didn't know she was behind him. Carol finished second in her age group — female, 20 to 29 — as did former editor Joan Nice in hers — female, 30 to 39.

We are very grateful to the race committee and the other volunteers including staff members Phil Heywood, Jill

Bamburg, Kathy Bogan, Debbie East and Betsy Schimelpfenig. Also helping were Lorna Wilkes, Sherry Mikol, Laurie Thomas, Craig Smith, Langdon Long, Dan Hooper, Susan Bestor, Karla Lawrence, and Tony and Linda Martynuski.

In this issue you'll read Carol's report on the transportation situation in Denver. Equally interesting were her adventures in getting the story. She said, "I put my health on the line for this article."

Because the article was on transportation, Carol decided it was only appropriate that she ride the bus while in Denver. So she parked her pickup at a friend's office and walked the five blocks to the closest RTD stop. The five blocks happened to be through an industrial area, not the most pleasant strolling area. She somewhat silently accepted the "compliments" from male motorists passing by and didn't even break stride when she had to leave 8th Street and continue along a walkway beside the Platte River. After crossing the pedestrian bridge, she noticed there was no access back to 8th Street except by walking up an embankment and along some railroad tracks.

After a downtown interview and a return bus trip, she headed wearily toward her truck. As she started down the tracks she noticed two young men of questionable breeding coming toward her on the river walkway. As soon as they noticed her, they stopped, turned around and began preparing a

most likely well-rehearsed "exhibition."

Carol decided to return to the 8th Street bridge, where no sidewalk existed, and take her chances with the 5:00 traffic rather than watch the show.

Later that week, Carol decided she'd like some good pictures of Denver's rush hour traffic, so she called Bob Scott with Denver KHOW radio and asked if he would take her up in the small plane he uses for his daily traffic "sky spy."

Scott was agreeable and Carol met him for the ride shortly after tornado warnings had been reported in the area. Scott warned her not to spend much time focusing her camera, as that had a definitely adverse effect on a photographer's equilibrium. Carol assured him she would be all right. The first 15 minutes were quite enjoyable and provided plenty of good pictures. But the next 45 minutes were pure torture. Scott flew higher and made wider turns trying to smooth out the ride, but it didn't work — she was forced to utilize the conveniently located little brown bags. Embarrassed and humbled, she thanked Scott and decided such efforts were not worth the lousy pictures she takes anyway.

Chip Rawlins, a frequent *HCN* contributor and the author of our controversial piece on coyotes in the May 14 issue won first prize from the Utah Arts Council for a collection of poems on the theme "Western Portraits and Landscapes." The presentation ceremony was on June 18 at the governor's mansion in Salt Lake City. Congratulations, Chip.

— the staff

nesting areas for eagles and other raptors.

The planned site is several miles downstream from the Swan Falls Dam and the proposed Guffey Dam, a plan by the Idaho Power Company and the Idaho Water Resources Department that was shelved four years ago after controversy over its effects on wildlife.

Wakelam said the company has no illusions about opposition to its proposal. "We would be foolish not to expect controversy," Wakelam said. "I expect every environmental group in the country to come in with spiked shoes and jump down our throat."

The company has received a permit from the Federal Energy Regulatory Commission to conduct a study on the effects of the dam, but it would have to re-apply for permission to begin construction.

Meanwhile, the U.S. Fish and Wildlife Service is concerned the dam will eliminate white sturgeon in the Snake River and reduce the number of raptors.

In a letter to FERC, the agency said it has "serious concerns" about the project because it would flood 90 percent of the existing river bank vegetation and harm 54 species in the areas.

Flooding vegetation would cut the food supply to animals that raptors prey on, causing an undetermined amount of harm to the birds, according to the Fish and Wildlife letter.

The Idaho Fish and Game Department is worried about the effects on white sturgeon, a fish that has been wiped out by dams on other stretches of the Snake River. "Another dam on the Snake River would inundate one of the last free-flowing regions along the Snake, and white sturgeon need free-flowing water," said Will Reid, Fish and Game regional fishery manager.

The construction company's Wakelam said he thinks the project would be worthwhile because it would provide up to 100 jobs and 24 megawatts of electricity without greatly harming the area.

He vowed the company would meet the concerns of all the agencies to make the project viable.

— Ellen Marks



Lone Eagle Peak above Mirror Lake, Indian Peaks Wilderness Area, Arapaho National Forest, Colorado

Battles brew over Colo. forest plans

The proposed Arapahoe and Roosevelt National Forest Land and Resource Management Plan is registering deep concern among environmentalists. The 913-page draft document outlines the

approach to managing nearly 1.5 million acres of national forest and grasslands in Colorado.

Ray Franks, assistant director for planning in the regional forester's office, explained the plan is an attempt to integrate and update all the mandates of the various national resource acts. "We looked at water, recreation, timber," Franks explained, to guide administrative activity in those forests for the next 50 years.

The period of public comment ended April 26. "We have to develop what changes are necessary to the plan based upon those comments," Franks said. He estimated the record of decision will be made in August.

"That will not only be a miracle, but a shame," commented Jeff Rennie, field representative for the Denver-based American Wilderness Alliance. "They can't possibly make all the changes in that amount of time."

Environmentalists are concerned about the plan's recommendations: doubling of timber production during the coming decade; expansion of recreational use to add three new ski areas and increased off-road motorized vehicle traffic; establishment of 1,200 new campsites; and increasing water runoff from 1.97 million to 2.1 million acre-feet mainly through clear-cutting of plots no larger than 25 acres. "And there's much more," Rennie said. "We could go through the draft document page-by-page."

The draft proposal states that the cost of this management is an estimated \$9 million. "However, to fully meet projected demands for recreation, an additional \$5 million per year for recreation, construction and reconstruction and \$2.7 million per year for land acquisition are needed," the report states. The figures are interesting in light of the Forest Service's dwindling yearly budget — from \$6 million this year to \$5.1 million next year. "We'll just go as far as the money will let us in implementing the plan," Franks said.

If the recommended changes are not made in the final plan, Rennie said environmentalists stand ready to go through the administrative appeals process or civil litigation. "We don't know what we're going to do until we see how it complies to the public comments and to the National Environmental Policy Act," Rennie said.

"We don't want to go to court. We'd rather go to the public sector and get the public involved," he said. "The public is the boss of the Forest Service because the forests are public lands. The Arapahoe National Forest is the backyard for 1.6 million Front Range residents."

— Marice Doll

Alaska natives eye lower 48

Conservation groups in Alaska are now considering whether resource-rich lands in the lower 48 states should be given to an Alaskan native corporation in lieu of land in Alaska.

Under the Alaska National Interest Land Conservation Act of 1980, Congress provided for native corporations to receive federal lands in exchange for lands they once occupied in Alaska.

The Chugach Natives, Inc. considered timber lands in Washington and Oregon and coal lands in Utah, Colorado, Wyoming and Montana in case their first choices in Alaska would not be approved. In early June, however, they reached agreement with the Departments of the Interior and Agriculture on Alaska lands.

The proposed Alaskan lands include nationally important wildlife areas where development could lead to extensive problems for salmon streams, bird habitat and other wildlife, accord-

ing to Jack Hession of the Sierra Club. One is the Middleton Island National Wildlife Refuge.

While the Agriculture and Interior Departments are satisfied with the Alaska land choices, Hession said some members of Congress are concerned that a wildlife refuge would be opened for development by an administrative decision without congressional involvement.

During a 30-day public comment period, Hession's organization and other conservationists will be studying the choices and may recommend that some substitutions be made from lands in the lower 48 that are equally economically important but not as environmentally sensitive.

While other native corporations had chosen environmentally sensitive Alaska lands, no others had proposed selections in the lower 48, Hession said.

The Sierra Club circulated amongst its regional representatives a list of the Chugach options in the lower 48 to get their input on which would be acceptable. The other organizations that will be involved in making the recommendations are The Wilderness Society, the National Audubon Society, the National Wildlife Federation, and the National Parks and Conservation Association.

— Marjane Ambler

Tribes write their own EIS manual

Energy companies interested in siting major facilities on Indian lands may now be able to utilize an environmental review process that its creator says can reduce red tape without sacrificing environmental protection (HCN, 11/13/81).

The Council of Energy Resource Tribes staff in Denver prepared a manual with a model process under a \$105,000 grant from the Department of Energy.

Bob Siek, director of the project, said it reduces the time necessary to receive permits by providing for concurrent review by tribal, federal and state governments. The public is involved at early planning stages. Siek, who developed a similar process for the Colorado state government, said such early participation can prevent adversarial relationships from developing that often lead to litigation.

The manual uses the Crow synthetic fuels plant as its example (see Western Roundup, HCN, 6/11/82), but Siek said it could be easily adapted to different state or tribal environmental codes. The process would remain the same. The tribe, the proponent and each permitting agency sign a statement of responsibility. This team meets regularly for several months before any applications are submitted. Participation is voluntary. All information is reviewed concurrently, and inconsistent demands from different agencies are thus avoided, according to Siek.

While a legal study conducted as part of the grant indicates there is little likelihood that states have jurisdiction to issue environmental permits for projects on reservations, Siek advises project proponents to include state representatives in the review team. "The last thing you want to do is try to circumvent state standards and end up in a jurisdiction dispute. If you do that, maybe you deserve to be in court," he said.

Siek said the environment is protected on reservation projects principally through federal regulations. In addition, many tribes have adopted their own codes for issues such as land use, reclamation, solid waste, water and air. Few have their own permits, and their authority to issue permits is sometimes questioned.

— Marjane Ambler



Backyard habitat by Wildlife Systems, Inc.

Biologist landscapes for wildlife

Turning backyards, hospital grounds, business properties, city parks or any landscape into a wildlife sanctuary is the goal of a new service based in Ft. Collins, Colorado.

Wildlife Systems, Inc., created and headed by Kent Christopher, consults with wildlife biologists and landscape architects to create habitat for many different species of birds, fish, mammals and insects, such as butterflies, in backyards and commercial property. Christopher, who calls himself a "wildlife architect" and has degrees in biology and forestry, offers his service anywhere in the Rocky Mountain region.

Christopher said he knows of no other wildlife landscaping firm in the country. Since March 1, his fledgling business has developed sanctuaries for a couple of private homes in Ft. Collins and Aspen, Colorado. He said he has several proposals on the drawing board and is trying to land a project with a hospital in Denver. He also hopes to become involved in the initial planning of residential areas, creating wildlife habitat instead of conventional landscaping.

Christopher uses both native and exotic species in his landscaping, as well as fruit trees, berry bushes, ponds, rocks and some lawn areas. He said the planning and design considers all needs, including vegetable gardens, trees, sunlight and water.

"Every job is site-specific," Christopher said. "In city parks, we can develop streams for fish and ducks. In Aspen we can talk about deer and elk."

He said a wildlife sanctuary is designed to be mostly self-maintaining and uses less water than conventional landscaping.

(continued on next page)

BARBS

Innovative solutions department.

In order to produce uniform pavement wear, the state of Arkansas has begun encouraging truck drivers to use the left lane of interstate highways. At the same time, Florida banned trucks from the left lane.

Music appreciation dept. An anonymous man called in a bomb threat to KATI radio in Casper, Wyoming, because the disc jockey was playing too much disco music.

Only the wicked get no rest. The magazine *Aviation Week and Space Technology* reported that the scheduled July 4 landing of the space shuttle *Columbia* in California is being delayed by an hour and a half so that President Ronald Reagan will not have to be awakened early to watch the return.

WESTERN ROUNDUP

(continued from previous page)

In his own backyard, Christopher has 45 species of woody plants, 15 species of native grasses, flowers and a vegetable garden. Over 12 new species of birds have visited his yard in the one month since he established a sanctuary there.



Penstemon

Officials hit park price tag

The McGregor Ranch in Estes Park, Colorado, seems like a natural acquisition for Rocky Mountain National Park. The predominantly flower-covered meadow land would provide a buffer into the national park and the ranch trustees would receive an infusion of

needed cash. However, the parties cannot agree on a price tag.

When Muriel McGregor died in 1970, her will directed that the ranch, which is contiguous to the park, continue as a non-profit working ranch and provide an education facility. However, according to Tim Asbury, a reporter who wrote a series on the settlement dispute in the *Estes Park Trail-Gazette*, the McGregor Ranch Trust has been blocked for the last decade from operating at full efficiency because of the fee claims against the estate. (A settlement was reached recently.)

The five-member board of trustees has been forced to sell portions of the spectacularly scenic ranch to keep operating. The main ranch complex is 1,200 acres, with a remaining 2,500 acres in scattered parcels.

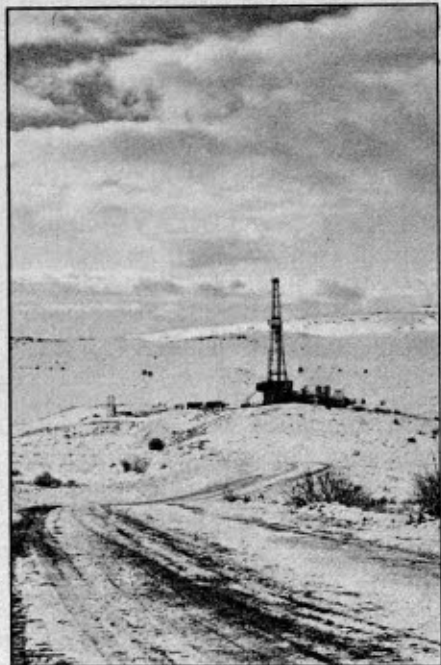
When the Reagan administration did not include funds to acquire the property in its budget request for 1983, the Park Service began negotiating with the trustees for a \$4 million "conservation easement," which would guarantee preservation of the natural values of the ranch. The final figure will probably be higher, according to National Park Service spokesman Jim Harpster.

An agreement must be reached by September 30, 1983, with the federal government, or the trustees can then search elsewhere for funding, according to the terms of the Colorado Wilderness Bill of 1980. That bill included the possibility of expanding the boundaries of Rocky Mountain National Park to include the McGregor Ranch until that deadline.

"The purchase mechanism is the Land and Water Conservation fund," explained Mike Scott of the Wilderness Society. "Congress allocates every year, until (Secretary of the Interior James) Watt came along, to purchase park lands from the money made off government leasing of oil reserves, not taxes." The society is one of seven environmental groups urging an agreement.

Scott explained that a conservation easement would allow the trustees to retain title to the ranch property, but would forbid any development incompatible with the national park.

— Marice Doll



Overthrust well site

Industry eyes Idaho for oil and gas

Idaho, the only state with no producing oil or gas wells in its portion of the Overthrust Belt, is receiving increasing attention from oil companies.

The Overthrust Belt is a geologic formation, running from the North Slope of Alaska to Mexico, which has produced many profitable oil and gas fields. The belt runs through the southeastern portion of Idaho, and discoveries have been

made in the adjacent portions of Utah and Wyoming.

Exxon Corporation has the biggest project in the state in northern Clark County, just south of the Montana line and west of Yellowstone National Park. Exxon has already drilled 17,000 feet of a projected 19,000 foot well. Exxon spokesman in Denver, Amos Plant, said no oil or gas has been hit yet, but the drilling is going according to schedule. The well is currently the deepest dry hole ever drilled in Idaho. The nearest known producing well is 185 miles to the southeast in Utah's Hogback Ridge Field.

Oil and gas leases and lease applications have been filed for the majority of the Overthrust Belt. In the Bureau of Land Management's Idaho Falls District alone there are leases or lease applications on about two million acres, according to Tim Carroll, Idaho Falls BLM District geologist. The companies leasing the potential oil and gas fields "run the entire gamut, from individuals that are speculating to the big oil companies that are seriously interested" in exploring, said Carroll.

In addition to the Exxon operation, current drilling projects in the Overthrust Belt portion of Idaho include:

— A Phillips Petroleum well south of Grays Lake in Caribou County that stopped at 16,300 feet.

— An Amoco well on Bald Mountain east of Grays Lake that was recently halted in order to bring in a bigger drilling rig.

— Another temporarily suspended well in southwestern Oneida County being developed by the High Plateau Company of Utah.

— A well in Franklin County being drilled by the James B. Forgonson Company of Louisiana.

In addition to the drilling, geophysical work in the area is heavy. "That country up there is being thumped and blown like crazy," said Medicine Lodge Resource Area BLM manager Dick Manus, referring to seismic testing operations.

Other companies with leases in the

HOTLINE

LAYOFFS, DELAYS AT AMAX

AMAX, Inc., has announced the shut down of operations at two molybdenum mines and the delay of another molybdenum project in Colorado. Operations at Climax and Henderson mines will cease for five weeks, laying off 2,615 employees for the summer. Employee Jack Cline, an ore-train operator told the *Denver Post*, "Everyone was jumping for joy at the end of the day shift. I'm really going to enjoy this vacation." This was the third major layoff in six months at the Climax mine (*HCN*, 4/30/82). AMAX is also delaying the start of the Mt. Emmons molybdenum project at least until 1986 because of soft markets and worldwide recession.

CLEARCUTTING UPHELD

The U.S. Forest Service is upholding a decision that allows clearcutting on Ward and Downing mountains in western Montana. Clearcutting is the Forest Service's alternative for logging the estimated 4.9 million board feet of mainly Ponderosa pine and Douglas fir according to Bitterroot National Forest officials. Timber on 1,215 acres would be cut. Clearcuts would amount to 123 acres, with the largest cut at 12 acres. Citizens Against Clearcutting Downing and Ward Mountains told the *Missoulian* they object to the cuts mainly because they would create "scars easily seen and essentially permanent."

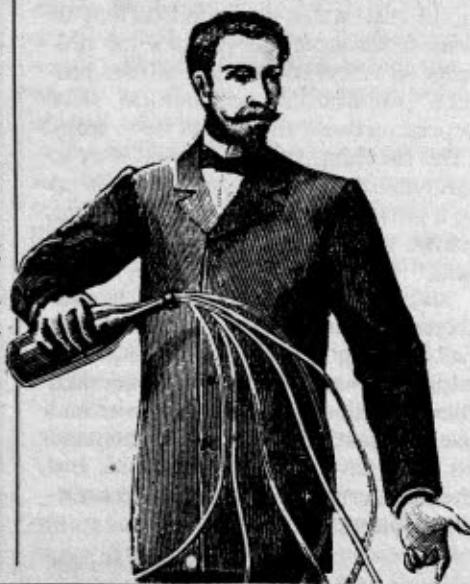
MORE OIL SHALE CUTBACKS

Chevron Shale Oil Company, a subsidiary of Standard Oil of California, is delaying its oil shale program in western Colorado for up to a year. Poor eco-

nom conditions and construction problems are reasons cited for the cut-back. Whether or not the company will go ahead with its DeBeque, Colorado, oil shale project will not be decided until 1985. That project is estimated to cost \$6 billion and produce 100,000 barrels per day by the mid-1990s.

BOTTLE BILL ON BALLOT

Coloradoans for Recycling were successful in raising the necessary 33,849 signatures to qualify the Beverage Container Reuse and Recycling Initiative for the November ballot. They have presented the Secretary of State with over 66,000 signatures. The bottle bill would require a five cent refund value on beer and soft drink glass, metal and plastic cans, bottles and cartons; require the containers be recyclable, and ban pop-top openers on cans (*HCN*, 3/5/82).



FACING SOUTH

The Boulder, Colorado city council has approved by a 7 to 2 vote an ordinance that requires all new houses in the city to be aligned along an east-west axis, giving them a southern orientation for the possible addition of solar collectors. Developers had opposed the rules, but architects, solar energy advocates and lenders praised it. One savings and loan official told *Engineering News-Record* that solar collectors often reduce energy costs and help homeowners cope with high interest financing. A developer said, however, that the regulations will simply lead to more bureaucracy and more costs.

OIL GROUPS FUND STUDIES

A group of oil companies may increase their funding for wildlife studies on Montana's Northern Rocky Mountain Front. The oil industry has contributed \$38,000 with plans to increase contributions up to \$500,000 for the study of oil development impacts on grizzlies, deer, elk and birds in the mountainous area from Augusta, Montana to Glacier National Park. In addition to the industry's \$38,000, about

\$460,000 has been contributed to the study from the state, the U.S. Forest Service, the Bureau of Land Management and the U.S. Fish and Wildlife Service. Don Allen of the Montana Petroleum Association told the *Billings Gazette* the oil companies want an impact analysis which will determine how to best proceed with development.

URANIUM REGULATION NEEDED

The Sunflower Coalition, a group of citizens organizations, is petitioning the Nuclear Regulatory Commission to reconsider its approval of the Colorado uranium radiation control program. The coalition said the state has failed to comply with the Uranium Mill Tailings Radiation Control Act and other state and federal requirements because it does not fine uranium mills and tailings disposal sites for license violations. The petition stated that enforcement of uranium mill and tailings regulations is impossible without the power of a regulatory agency to impose fines.

SEVEN NATURAL LANDMARKS

Two areas in New Mexico are among seven natural areas recently designated as National Natural Landmarks. Mathers Natural Area, located east of Roswell, New Mexico, is a 241-acre shinnery oak and sandhills bluestem grass community. Also in southeastern New Mexico, Mescalero Sands South Dune contains three sand dune areas and is a prime example of an active sand dune system in the southern Great Plains. The other National Natural Landmarks are in California, Connecticut, New Hampshire, Texas and the U.S. Virgin Islands. The new designations bring the total number of landmarks to 543. National Natural Landmarks are significant examples of ecological and geological features.

area will be watching to see whether any of the wells strike oil or gas. Idaho Department of Lands petroleum geologist W.R. Pitman noted that almost all of the fields discovered in the Overthrust Belt have been "big fields," with seven of them classified as "giant fields" which will produce one hundred million barrels of oil or the natural gas equivalent.

Exploration could also be expected to increase if and when the interest rates drop and the oil glut deflates, said Pitman. He noted, "In the Rocky Mountain area 43 percent of the drilling rigs are (mothballed)."

"The current drilling downturn is not because of lack of interest," Pitman said. He suggested Idaho may soon join the rest of the Overthrust Belt states in producing oil and gas, noting, "Idaho just hasn't had enough wells drilled yet."

— Glenn Oakley

WPPSS, in the eye of the storm

Directors of the Washington Public Power Supply System have given new life to nuclear power plant 1 by agreeing to continue construction until they can decide on a revised timetable for its completion (*HCN*, 6/11/82).

The WPPSS executive board in early June adopted a staff plan that would postpone the completion date for the \$4.26 billion plant at the Hanford Nuclear Reservation in southeastern Washington, for two to five years. A final decision on the duration of the delay won't be made until October, 1984. The plant, which is 60 percent complete, was scheduled to be finished in 1986.

In January, WPPSS terminated plants 4 and 5 of its five-plant nuclear project for financial reasons. Soon after that a Bonneville Power Administration study forecast a sharp decline in the growth of energy demand in the Northwest over the next two decades. Faced with that

forecast, WPPSS agreed to mothball plant 1.

In the eye of the storm, however, legal battles rage.

Twelve of the 88 participants in the WPPSS project are ready to join their suit over the validity of the Participant Agreements in plants 4 and 5 with a suit filed for the same purpose by the Chemical Bank of New York, a trustee for the revenue bonds that financed the two terminated plants.

Chemical Bank has asked the Superior Court in Kings County, Washington, to determine whether the resolution authorizing WPPSS to sell the bonds and the Participant Agreements the 88 utilities signed legally obligate them to pay off the \$2.5 billion debt on the plants.

In addition, the Clark County, Washington, Public Utility District is attempting to determine the BPA's liability for the debt. A General Accounting Office report, initiated at the request of Idaho Gov. John Evans (D) and other politicians in that state, says that BPA urged the WPPSS partners to become involved in plants 4 and 5 and thus shares the liability.

However, WPPSS has sued two small utilities that have balked at paying their share of the termination costs. The suits ask the Hood River Electric cooperative in Oregon and the Fall River Rural Electric Cooperative, Inc., in Idaho, to abide by agreements made early this year to provide interim financing of \$70.5 million for the plants' termination. Consortium members are not obligated to begin paying termination costs until early next year, but WPPSS had to raise the additional funds to meet costs at the two plants until termination payments begin. Hood River's share is about \$35,000 and Fall River owes \$16,000.

While Hood River has indicated it may pay, Fall River has written to WPPSS saying it will not. Some of the utility's 6,700 customers sued when it raised rates to lend the money to WPPSS.

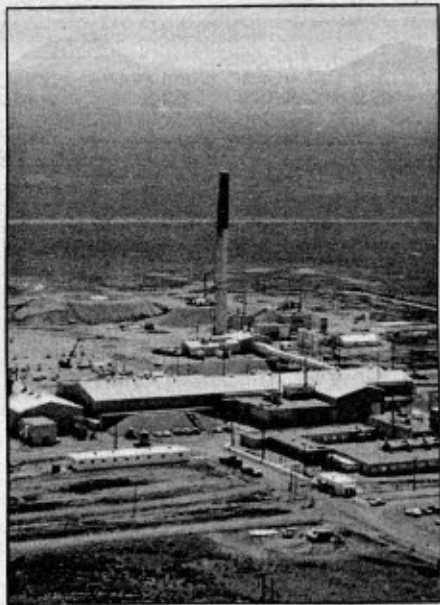
Meanwhile, the Rural Electrification Administration has written to the 11 Oregon REA co-ops involved with WPPSS informing them that the REA must have assurances that the co-ops

will meet "all financial obligations." Without the assurances, the letter said, the REA would not approve or advance loans and process applications for new electric power transmission lines in rural areas.

The co-ops have been asked to provide 10-year financial forecasts which will show how they will pay WPPSS debts, BPA bills, legal expenses associated with WPPSS, and normal operating expenses.

The REA letter was followed by another from the Co-Op Financing Corporation, a loan bank started with seed money from the REA, declaring that advances of funds on existing loans might be delayed until the 10-year statement is submitted.

— John Soisson



INEL chemical processing plant, site of proposed nuclear reactor

Steam rising over Idaho utility offer

Anti-nuclear groups in Boise are angry over a recent offer by Idaho Power company to purchase steam

from a proposed nuclear reactor if the reactor is located at the Idaho National Engineering Laboratory near Idaho Falls.

Government officials said the offer by the Boise-based utility may lead the Department of Energy to Choose INEL over two other possible locations as the site for the \$4.2 billion reactor, which would produce plutonium and tritium for nuclear weapons.

Idaho Power also has offered to help find other utilities to purchase the steam, which could be converted into up to 1,500 megawatts of electricity.

Idaho Power spokesman Larry Taylor said the utility wants to tap the energy source, which would be cheaper than producing electricity from a coal-fired plant.

He added that some Idahoans support construction of the reactor in the state because it would boost the economy. About 4,000 workers would be needed to construct the facility.

But Idaho Power's agreement follows recent protests in Boise over the nuclear arms race. More than 400 people attended a peace rally in early June, while city council hearings drew numerous people who said they support a freeze on production of nuclear weapons.

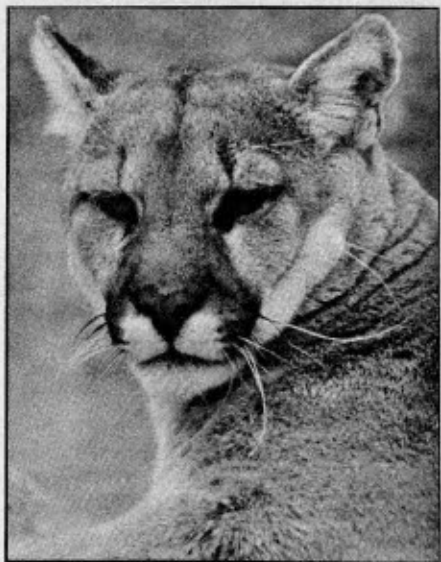
Snake River Alliance spokesman Mike Jones said the utility's action "is helping to underwrite the nuclear arms race escalation." The anti-nuclear group has opposed building the reactor at INEL.

"If Idaho Power is helping the federal government sell this project by generating electricity off of the steam, they would be helping to make more palatable a machine designed for mass destruction," Jones said.

A DOE task force in December will recommend that the reactor be located at INEL; Savannah River, South Carolina; or Hanford, Washington.

Idaho Power's offer makes INEL attractive because the steam purchases would lower the annual operating cost of the reactor, said Dick Blackledge, a spokesman for DOE, which operates INEL.

— Ellen Marks



Robert Hilgenfeld

COUGAR KILLINGS

The Defenders of Wildlife and the Sierra Club Legal Defense Fund are suing Interior Secretary James Watt for setting a policy that would allow the killing of mountain lions inside national parks. Texas and New Mexico ranchers who requested the policy believe park cougars have been killing livestock outside of Carlsbad Caverns and Guadalupe Mountains National Parks. The National Park Service is mandated by law to preserve wildlife in the parks except where specific federal exemptions say otherwise. Under the new policy, the Park Service must assist in killing or removal of the cougars.

SINGING FOR PEACE

A night of song and short speeches drew over 28,000 to the state capitol in Denver for "An Evening for Peace," a call for nuclear disarmament. Musicians John Denver, Judy Collins and Jimmy Buffet entertained the audience lining the Capitol's steps and downtown

Denver streets. A variety of speakers presented their hopes for nuclear disarmament and a softening of President Reagan's foreign and nuclear weapons policy. Governor Dick Lamm (D) told the *Denver Post* he attended the rally because the threat of nuclear war is "the ultimate moral issue of our times."

WATER PROJECT CONTINUES

Construction of the second section of the 58-mile-long Salt-Gila Aqueduct of the Central Arizona Project has been contracted out by the Bureau of Reclamation for \$10 million to Calton-McCutcheon-Superior of California. Construction of the nearly six miles of concrete-lined canal is to be completed in two years. With this project underway, 43 percent of the Salt-Gila Aqueduct will be under construction. The CAP will divert an average of 1.2 million acre-feet of Colorado River water a year to supplement central Arizona resources and for agricultural, municipal and industrial uses. Water delivery to various regions in Arizona is expected by the late 1980s.

IMPROVING BLM EFFICIENCY

The Bureau of Land Management is reducing a backlog of pending oil and gas lease applications. The backlog has been reduced by 43 percent in the past four months and should be eliminated entirely by the year's end. The BLM currently has 37,655 lease applications, of which 7,623 are in backlogged status (more than six months old). To combat the backlog, regulatory and streamlining practices were ordered by Interior Secretary James Watt at the first of the year. Reassignment of personnel to backlogged areas and an increase in personnel are also improving the processing of leases.

COAL LAND AUCTIONED OFF

Coal land auctioned in Wyoming and Montana this spring by the Bureau of Land Management totalled \$43.4 million. Four tracts auctioned in Wyoming contain 726 million tons of coal and the five tracts in Montana contain 303.6 million tons. BLM claimed these bids amount to the biggest federal coal lease sale in history. However, suits have been filed by several groups to block issuance of the lease because of speculations that the bids are below fair market value and an allegedly deficient environmental impact statement, according to the *Missoulian*.

SPECIES ACT PASSED

"Some parts of the Act needed to be fine-tuned," said Ginger Merchant about the unanimous and little-debated passage by both the U.S. House and Senate of the Endangered Species Act for three more years. Merchant, endangered species specialist for Defenders of Wildlife, considered the reauthorization of the Act a major victory for the 33 conservation groups working on this issue since last fall. Earlier viewpoints from conservation groups placed the revisions as compromises (*HCN*, 5/14/82). No amendments were placed in the Act, but several revisions were made that are considered to enhance enforcement and listing policies on endangered and threatened animal and plant life and to streamline processes concerning industrial projects.

VOTERS OUST CANAL

California voters recently defeated the \$5.4 billion Peripheral Canal that would have brought water from the northern part of the state to the southern regions. Plans to build the 400-foot wide, 43-mile long, 300-foot deep canal

would have diverted an extra 700,000 acre-feet a year from the Sacramento River and sent it to the central valleys and southern California. Defeat on the Peripheral Canal means southern California will continue, and possibly increase, demand for water from the upper Colorado River basin states, Colorado, Utah, Wyoming and New Mexico.

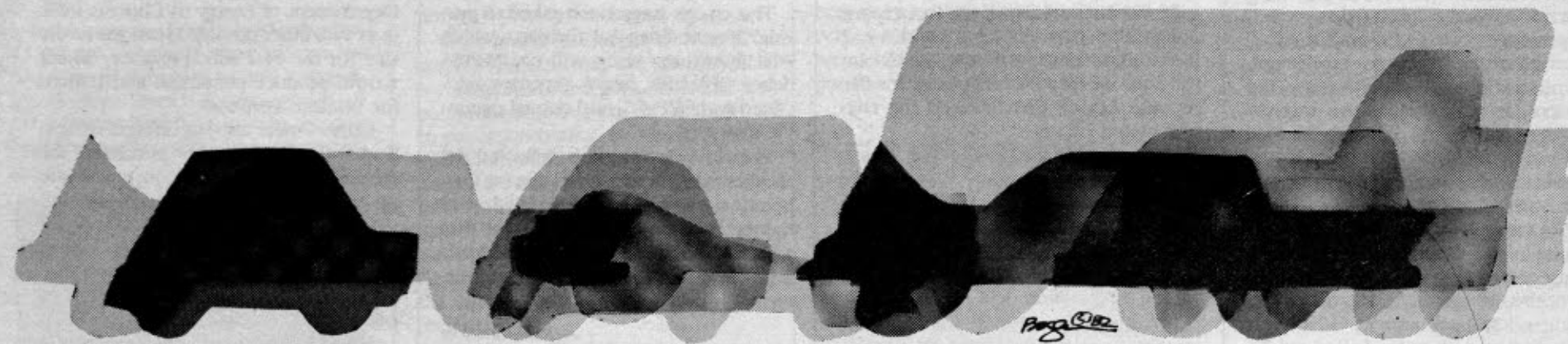
HUNTING BAN REQUESTED

Recently the Shoshone General Council of the Wind River Indian Reservation in Wyoming voted unanimously to write Interior Secretary James Watt requesting a hunting moratorium be placed on the reservation until the Arapaho General Council adopts a hunting code. Currently there is no hunting code and all registered Shoshone and Arapaho may hunt on the reservation at any time. The only restrictions are no hunting by spotlight and no selling of wild game meat (*HCN*, 2/5/82). The Shoshone have adopted a game code, but it does not become effective until both tribes agree to it.

IMPROVING BOISE AIR

The Planning Association Board of Ada County, Idaho, where Boise is located, recently endorsed the idea of a mandatory automobile emissions inspection and repair program. All local governments in the county must approve the proposal before it becomes effective. The planning association said such inspections are necessary to improve or maintain the county's air quality. The Environmental Protection Agency will pay \$350,000 of the initial cost of setting up the program. The program is expected to cost \$1 million per year to operate and would be self-supporting through car testing fees of approximately \$6.50.

Light rail commuting:



by Carol Jones

Denver — It's 7:45 a.m. on a typical workday as a Golden, Colorado, commuter enters I-70 eastbound enroute to downtown Denver. Already 10 minutes behind schedule, he is delayed further by congested traffic as he gets closer to the hub of the booming metropolitan area. He passes under the electronic sign that frustrates commuters with the warning: Caution, stop and go traffic next two miles.

That next two miles includes the cloverleaf intersection of I-70 and I-25 — affectionately known to Denverites as the mousetrap. With traffic almost standing still, the commuter knows he'll never make it to the office on time. He takes I-25 to Speer Blvd., then fights for the most economical parking, as close to downtown as possible. He hoofs it the remaining 10 blocks to the office. Late, frustrated and irritable, he's ready to start the day.

Across town, in Aurora, another suburbanite drives to one of the Regional Transportation District's Park and Ride facilities. Leaving her car, this downtown worker boards an RTD express bus with too many other people. Standing like a sardine in the crowded bus, she makes it to work on time and comes a lot closer to the office than 10 blocks. Still, the commuter, who held a heavy briefcase in one hand and an equally heavy purse in the other hand, and was smashed between other standers, flows with the mad rush off the bus and wonders if she should drive tomorrow.

Hanging ominously over the whole scene every day is Denver's notorious brown cloud.

Denver's rush hour traffic congestion is not much different than that of any other large metro area. In fact, Dennis Royer, design engineer for Denver's Traffic Engineering Division and a former transportation consultant for the cities of Washington, D.C. and Boston, said, "Right now, Denver is not as bad as other major cities. It's still easy to get around in comparison."

Many Denverites would wag their heads in disbelief at that statement, for clearly there is congestion and air pollution as hundreds of thousands of suburban commuters drive back and forth from downtown Denver. That congestion will get worse if the metro population soars from the current 1.6 million to the 2.3 million predicted for the year 2000.

The metro's transportation planners, including RTD, the Denver Traffic Engineering Division, suburban traffic divisions, the Colorado Department of Highways and the Denver Regional Council of Governments (DRCOG), have been aware of the advancing congestion and pollution for some time. Their answer to Denver's long-term transportation problems: light rail. No alternatives exist. Other mass transit, such as subways or monorails, have been studied, but light rail, even at its estimated \$1.5 billion cost, is the most economical, practical way to go. And the planners must convince commuters and metro voters that it has to be built — and built within the next few years to

"There are no new freeways planned, no new arterials...What the general public doesn't realize is that light rail will come."

— traffic engineer Dennis Royer

effectively dent the escalating congestion and pollution problems.

The idea of light rail — an electrically-powered streetcar that runs on tracks — is not new. From the end of the last century until the 1950s, U.S. cities and towns had electric streetcars and trolleys. Such transportation, according to a 1981 *Harper's* article by Jonathan Kwitny, was "relatively clean and energy efficient." But with the end of World War II, a new prosperity hit the country and as transportation engineer Royer said, "Americans fell in love with their cars." Gas was cheap, a car in every driveway was definitely progress, and it was convenient.

In his article, Kwitny told the story of an oligopoly consisting of General Motors, Standard Oil, Mack Manufacturing, Firestone Tire and Rubber and others, that pushed America in the direction of depending upon the private automobile for mass transit by illegally buying up all electric streetcars and trolley companies and replacing them with gasoline (later diesel) powered buses. In the process, tracks and overhead power lines were torn up to make way for the new buses. The parties involved were later convicted of anti-trust violations, but as Kwitny said, their token fines of \$5,000 apiece were hardly in line with the effect their move would have on mass transportation in this country. With the streetcars and trolleys gone, America began its near-total dependency on oil.

Denver, too, had its streetcars and trolleys. By 1955 they had all been replaced with diesel buses. Following that conversion, ridership fell drastically, mainly due to the popularity of private cars. In 1959 and 1960, the Denver Metropolitan Area Transportation Study concluded that "from a close examination of trends in Denver and nationally, (mass) transit would not be a significant factor in the urban transportation network."

In 1976, seven years after RTD had been created, Richard Thomas, chairman pro-tem and board historian for RTD in 1979, reported in his booklet, "The Ride, The Roots," that "buses alone, operating in the same mixed traffic which had eliminated the predecessor streetcars, could not acquire any significant share of the urban travel demand. Thus, the district's rapid transit plans were honed and polished, and a first segment rail plan was submitted to the federal government's Urban Mass Transportation Administration in 1976."

RTD's push for light rail has continued since 1976. In fact, the district is so convinced of its need, that Kathy Joyce, manager of communications for

RTD, said RTD has been purchasing rights-of-way and old track lines since 1976.

Together with regional transportation planning agencies and RTD, DRCOG developed the "Year 2000 Interim Transportation Plan," the area's long-range transportation plan that is required by the federal government for all large metro areas. Light rail is included in the plan.

"In the current plan (year 2000 Plan) there is practically no increase of roadways or street widenings other than those on the boards right now," said Royer. "There are no new freeways planned, no new arterials. Light rail is in the regional plan. It has been accepted by the public entities. What the general public doesn't realize is that light rail will come."

The general public was asked in November, 1980, to vote yes or no to a three-quarters of one percent sales tax to fund the proposed light rail system. At the same time, citizens were asked whether or not they wanted an elected RTD board. Richard Fleming, president of the Denver Partnership, a non-profit downtown development group, explained that the controversy at that time over the alleged corruption of the appointed RTD board overshadowed the light rail system. Kathy Joyce said RTD simply did not do enough public relations work on the subject. Walter Jessel, director of Colorado Open Space Council, said people weren't convinced then — and still may not be — that light rail is all that energy-efficient and non-polluting.

But whatever the reason, the people of the Denver area voted down the tax. However, they did vote to elect an RTD board.

"The vote in 1980 didn't kill light rail," Royer said. "They (the public) were only asked how to pay for it. The tax can be mandated by the legislature. The people don't even have to be asked if they want it. Light rail will come."

The voters will be asked again this spring if they want to be taxed for a still-to-be-determined amount to fund the rail. This fall they will elect their first RTD board. That board is supposed to set the date for the vote on the tax.

RTD's Joyce said her organization is spreading the word about the need for light rail much more than it did in 1980. She said RTD studies show that by the year 2000, mass transit will not be available to 95,000 commuters if the present bus system is the only system operating.

"We maintain and have always maintained that there will have to be a rail system," said Joyce. "We are wall-to-wall in buses now during peak hours in the downtown area and we're leaving

people at Park and Rides. We must build (light rail) immediately or we won't be on line before they (commuters) are paralyzed."

But before light rail can come on line, there must be funds to build. RTD, like most transportation companies, has trouble making money these days, given inflation, cost of maintenance, energy costs, etc. In recent years, both Boston and Chicago shut down their rail systems temporarily due to lack of operating funds. Birmingham, Alabama closed its entire transit system for a prolonged time because it couldn't bring in enough money to operate. Royer said even a system as big and as well-used as New York City's subway is in the red.

So it's not surprising that RTD had to cut back drastically in 1980 when the difference between its income from a one-half cent sales tax (mandated in 1972) and its costs was too great to continue at its expenditure level at that time.

The rider on RTD's The Ride — as Denver's bus system is known — pays only 30 percent of what it costs to run the bus, Joyce said. "The cost of keeping one bus maintained per year by 1985 will be \$155,000," she added.

If light rail is funded and built, it would be about 73 miles long in final form, connecting major points in the region. It would work in conjunction with the present bus system and RTD thinks it could increase daily ridership by three times what it is today. RTD also predicts, with the rail, five million gallons of diesel fuel would be saved that would otherwise go to buses carrying the same number of passengers. Joyce said RTD estimates show light rail would need only one percent of the current electrical generating power of Public Service Company of Colorado to run the rail in the year 2000. RTD contends light rail will not pollute and will be much quieter than buses.

Even with light rail, George Scheuernstuhl, DRCOG's director of transportation services, said, "The Year 2000 Plan does not give a free flow traffic situation in the year 2000. Thirty to 40 percent of the network will be congested. This plan says we'll have to live with congestion."

In the meantime, RTD's job is still to provide mass transportation for the metro area. One of its short term answers, a "way to buy us time," according to Joyce, is the 16th Street mall. The mall, when completed this fall, will have turned 13 blocks of 16th Street through the heart of downtown Denver into a pedestrian/transit thoroughfare. The purpose of the controversial mall is to ease bus traffic in downtown during peak traffic times.

The mall will have two transfer facilities at each end where express buses from outlying areas will dump their passengers. Large, low-floored, multi-windowed shuttle buses will move those people up and down the mall, leaving the terminals every 70 seconds. Six buses will be battery-powered; the others will run on diesel fuel. The light rail system will eventually intersect the mall somewhere near the middle.

RTD is quite proud of its \$73 million mall. Eighty percent of the funding came from the federal Urban Mass

Beating the rush in Denver



Transportation Administration, the same group that Scheuernstuhl said would not initially fund the light rail because Denver is not "dense" enough to qualify.

However, the city's Dennis Royer is critical of the mall and RTD's construction of the project.

"The 16th Street mall doesn't do anything to move traffic," he said. "It creates a pedestrian area, takes a street out and makes it an enjoyable place to walk."

"RTD will tell you their buses can't carry enough people now," he continued. "With light rail intersecting the mall, they'll have three to four times the people coming in to use those shuttle buses."

In addition, Royer said RTD made many mistakes in the construction management of the mall. "They aren't in the construction business," he said, adding his skepticism of RTD's ability to supervise construction of a 70-mile rail system when it had trouble with 16 blocks.

The advantage Royer sees to the mall is the two terminals, which give focal points for drops and pick-ups.

Richard Fleming, president of the Denver Partnership, Inc., a non-profit organization composed of Downtown Denver, Inc. and Denver Civic Ventures, Inc., which addresses city issues, disagreed with Royer and feels the mall will improve transit into the downtown area.

"The mall is a superior product in terms of physical appearance," he said. "If it is managed the right way, both transit problems and the revitalization of the downtown area will be enhanced. It won't solve Denver's access problems, but it will help."

Fleming's organization works to make downtown Denver more attractive to individuals and businesses. It worked with RTD on the planning of the mall, has encouraged historical building preservation, and has worked to bring in small specialty businesses and unique restaurants to downtown to offset the big department stores and high rise bank buildings.

The move to make the inner city more attractive does seem to be working. The mall, even though it's still under construction, is a much more pleasant place to walk than other downtown streets. Trees are planted; benches, fountains and open spaces are going in place. It will be a place for musicians and artists to gather, while it already attracts its share of Hare Krishnas and other groups with something to say.

Condominiums are also developing on and adjacent to the mall — giving those who can afford them the ultimate solution to transit problems. Writer's Square, a good example of the downtown condos, advertises its least expensive unit, between 1,734 and 1,880 square feet, for \$220,000.

The condos, the light rail, the mall, and buses aren't the only way to ease congestion problems. Alternatives like car pooling or van pooling (in which companies provide a van for their employees), and staggered work hours can also lessen the burden on Denver's roads and its air. But as Joyce said, those

incentives "have to come from elsewhere."

Business are giving incentives to car and van pools, said Fleming. He said many corporations, like his own Denver Partnership, offer to pay bus fare for employees. He said 76 percent of Mobil Oil's 1,000 employees working downtown come in by car or van pool, or mass transit. He said Mobil actively encourages ridesharing and provides incentives.

Along most Denver highways are small signs that list a phone number for carpooling information. The number belongs to DRCOG which brings interested parties together. Scheuernstuhl said he feels the program has been successful. He said the 1980 census revealed a four percent increase in car pooling over the last 10 years. But he agreed it is up to companies to provide incentives for their employees to ride-share. "Companies can reduce parking," he said. "It is beneficial to them to get their people efficiently to their location."

Royer said building up "employment centers" outside the downtown area is another way to reduce congestion. The Denver Technological Center located in the southeastern sprawl of the metro area is a good example. He also said suburbs like Aurora are trying to build up downtown business districts.

Scheuernstuhl said staggering work hours may also be a partial solution if congestion increases to an unbearable level.

All of these transportation ideas are important, not only because they are part of the Year 2000 Plan, but because Denver must reduce its air pollution to meet the federal Clean Air Act standards by 1987. Denver's high altitude car emissions have created its dismal, choking brown cloud.

"Denver is the only city on record that has said it won't meet the 1987 clean air standards," Royer said. "There has been talk by the feds about no-drive days and mandated car pooling in order to reduce the pollutants."

Scheuernstuhl said carbon monoxide is the only pollutant that will exceed accepted levels — that is, if the standards remain as they are. The Clean Air Act renewal is currently being debated in Congress, with the easing of standards as a possible outcome. If the standards are relaxed, it will help Denver meet the levels, but it will do little to reduce the brown cloud.

Scheuernstuhl said DRCOG's projections of reducing pollutants from the current 21.3 parts per million to 11.1 ppm by 1987 (still short of the 9.0 ppm clean air standard) are dependent upon at least one branch of the light rail system. Without that one branch, the pollutants will probably be higher. The light rail system will need to be under construction soon in order to be in use by 1987.

Also helping to lower pollutants is the required auto emissions test that went into effect in January of this year. According to DRCOG, "All 1968 and newer passenger cars and light duty trucks fueled by gasoline or gasohol" must not exceed a certain level of emission output. If they do, the car owners are required to have adjustments made

to their vehicles to bring them into compliance. However, Scheuernstuhl pointed out that the car owner is not required to spend over \$75 on those adjustments. If \$75 has been spent and the car still does not meet the emission standard, the owner is given the "you tried" okay.

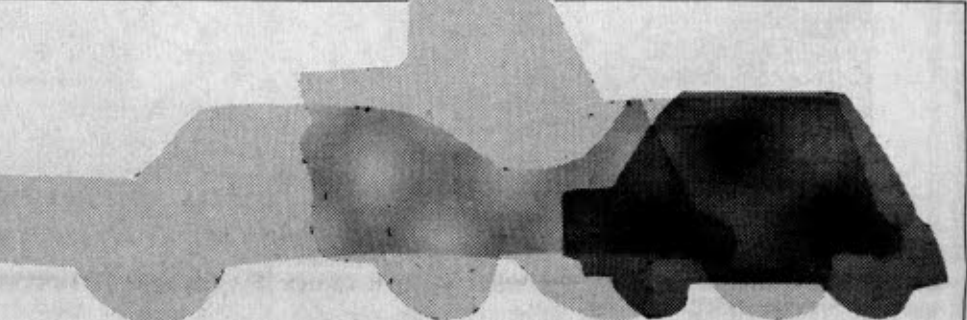
Even though Royer maintains that Denver's congestion problems are not too bad yet, they are still irritating to most commuters. But convincing those commuters that they need light rail, that they need to share rides, and that they need to keep their auto emissions down is more than a political question. It has to do with a change in lifestyle. "The American trend is to live somewhere and commute," Royer said.

"We (RTD) feel we can handle the transportation problems of the future,"

Joyce said. "But we probably won't get the chance until traffic problems hit the point where no one is able to get around."

Metro Denver residents will have to decide that for themselves. DRCOG, RTD and the agencies involved are warning them now that things are going to get a lot messier if they don't build light rail. But as Walter Jessel of COSC said, the people are not totally convinced yet that light rail is the answer — it's just the only answer the planning departments are offering.

In the meantime, more people move into the area, the mousetrap stack-ups get longer, the downtown parking gets more scarce, the available peak hour bus rides get more crowded and the brown cloud continues to grow along the Front Range. □



No rush in Salt Lake

Running second to Denver in size in the Rocky Mountain region is metropolitan Salt Lake City with its current population of 619,000. A city of that size also has its share of traffic problems, but all of the area's transportation planners agree the problem isn't much to worry about at present.

The Utah Transit Authority, the Wasatch Front Regional Council and the Salt Lake City Transportation Division have all been considering what the area's projected population of 1,025,000 by the year 2005 will bring in terms of traffic congestion. Their long-range transportation plan is just being completed and Doug Hattery, transportation engineer with Wasatch Front Regional Council, said they have developed a list of options to consider in long-term planning.

The study emphasizes the maintenance, improvements and expansion of existing roadways. But it also considers some mass transit alternatives.

One option, Hattery said, is to create express bus lanes on major arterials and roadways into Salt Lake City. Another option would be to improve I-25, possibly developing it for a light rail system and/or exclusive express bus lanes. Simply expanding the present bus system is also an option, he said.

However, Norm Barnett, city transportation engineer with the Salt Lake Transportation Division, said there will not be a need for light rail in the future because Salt Lake's streets can handle the projected bus capacity increase. He explained that the space in downtown Salt Lake is greater than it is in Denver. Denver's streets are 40 feet wide and there is about 60 feet between buildings, he said. Salt Lake's streets are 90 feet wide with about 132 feet between

buildings and the blocks are four times larger.

"We can carry all the projected increase in traffic by surface streets," he said. "In my opinion, it's just not reasonable, in the long run, for people to drive to light rail parking lots and then ride into town."

Barnett also said Salt Lake's minor pollution problems will probably be kept under control simply because automobiles manufactured now are much less polluting than those of the past.

The Utah Transit Authority's ridership has dropped in the last couple of years, said Mike Allegra, manager of planning at UTA, but he feels it is picking up again. Even though he said he's not sure why ridership dropped, he named fare increases and lower gas prices as probable causes. But, he said, "There's lots of demand we can capture if we have the funds to do it."

UTA is asking the legislature to ask the voters for a one-half of one percent sales tax for funding. That is a one-quarter increase. Apparently the Utah legislature hasn't been convinced yet of the need. Allegra said he hopes the tax will be approved next session.

Allegra also said UTA has become very efficient in the last four years and views itself as an area-wide transportation system that would encourage ride sharing and other alternatives. "We are working toward a balanced transit system," he said.

By the year 2005, Salt Lake's population will be close to what Denver's is today. Denver has problems now and is desperate to solve them. What Salt Lake does today could save headaches tomorrow.



ADOBE



*Photos by Dale Schicketanz
Story by Carol Jones*

Adobe is probably the oldest building material ever used, according to P.G. McHenry, an Albuquerque, New Mexico architect and adobe historian. Even though adobe is symbolic of the Southwest, it has been used in some form all over the world.

The earliest known adobe-type brick construction was about 8,000 B.C. in desert Mesopotamia, in what is now Iraq, McHenry said. "Today, more than 50 percent of the world's people live in mud-adobe dwellings," he said, mainly because it is the only economic and available building material.

There are different types of adobe. The most common is that found in the Southwest — adobe bricks, made from soil mixed with a little water, shaped into a brick and dried by the sun until hard.

McHenry said there are two other common types of adobe. One, called wattle and daub, or jacal, is a combination of sticks and mud. The other is called rammed earth — a method in which the mud material is rammed between a form, such as two boards.

The adobe ruins of the Anasazi Indians of the Four Corners area and the Spanish/Mexican adobe ruins throughout the Southwest have given the impression that the Southwest has the American monopoly on adobe. But McHenry said, "Adobe was used in some form to build farm and ranch buildings from Montana to New Mexico." He said the idea that adobe suited for arid regions only is not true; it can be — and has been — used everywhere. He mentioned an adobe house in Rochester, New York, built in 1850, as well as several ancient rammed earth buildings in North Carolina.

McHenry said adobe is an energy-efficient material in terms of costs. "It requires about 35,000 Btu of energy to manufacture a concrete block," he said. "But adobe requires only 2,000 Btu, one pint of sweat and some sunshine."

Even though adobe is not as efficient an insulator as many other building materials, it does have excellent heat-storing capacity, making it a perfect companion to passive solar design. McHenry said adobe tends to average out a day's temperatures, and in the Southwest, where days run into the 100s and nights drop into the 60s, that averaging keeps a home comfortable all day. He said a government study is currently under way to measure the exact energy efficiency and quality of adobe.

McHenry also said the idea that adobe easily erodes in rain is not true. In areas of 25 inches of rain per year or less, adobe erodes about one inch every 20 years, he said.

McHenry explained that adobe has been caught between the "poor people's material" stigma of its past and the "very rich people's" image it enjoys in places like Santa Fe or Albuquerque, New Mexico, today. But he believes its popularity is gaining. The same natural shapes, forms and colors that first attracted McHenry are attracting interest from people all over the United States.

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Carol Jones

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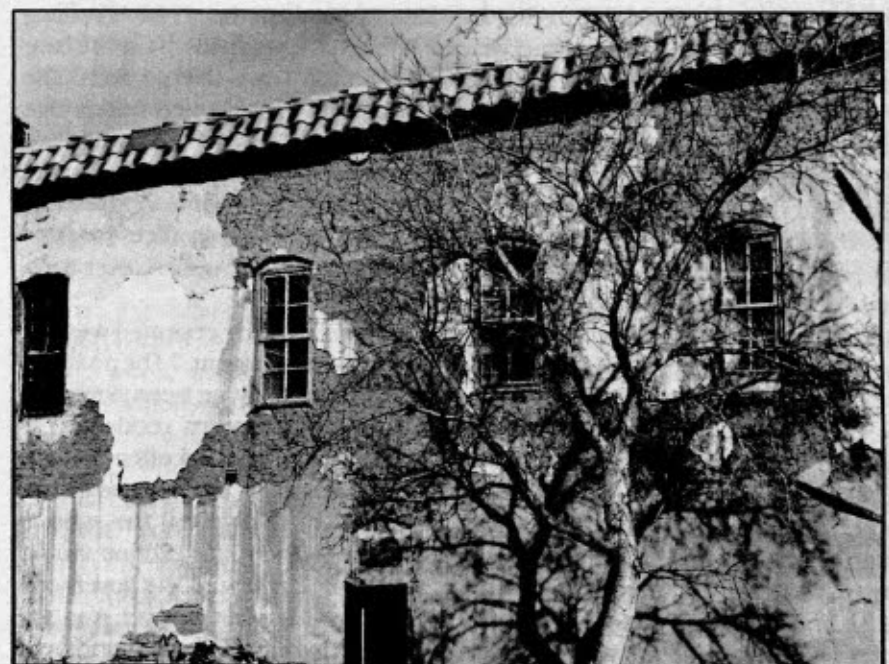
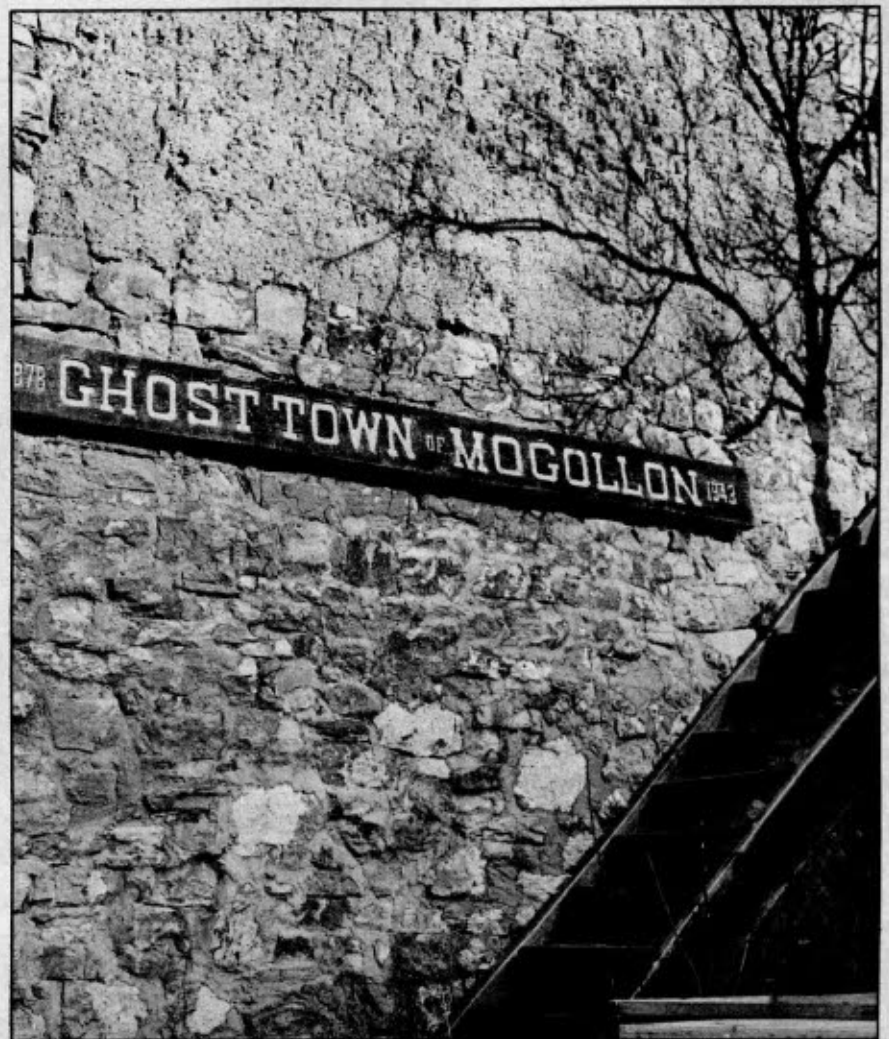
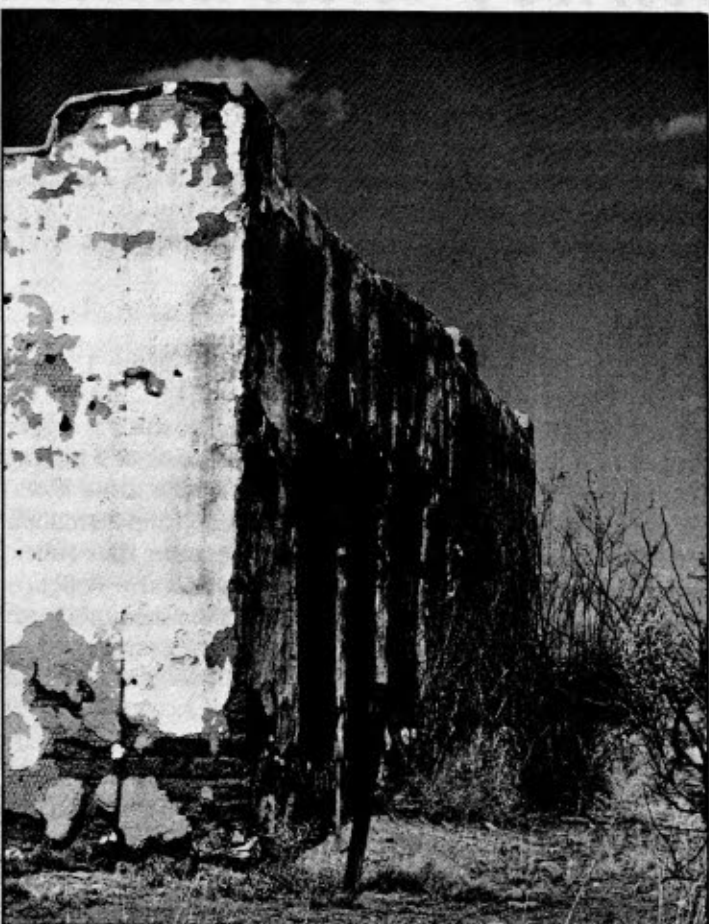
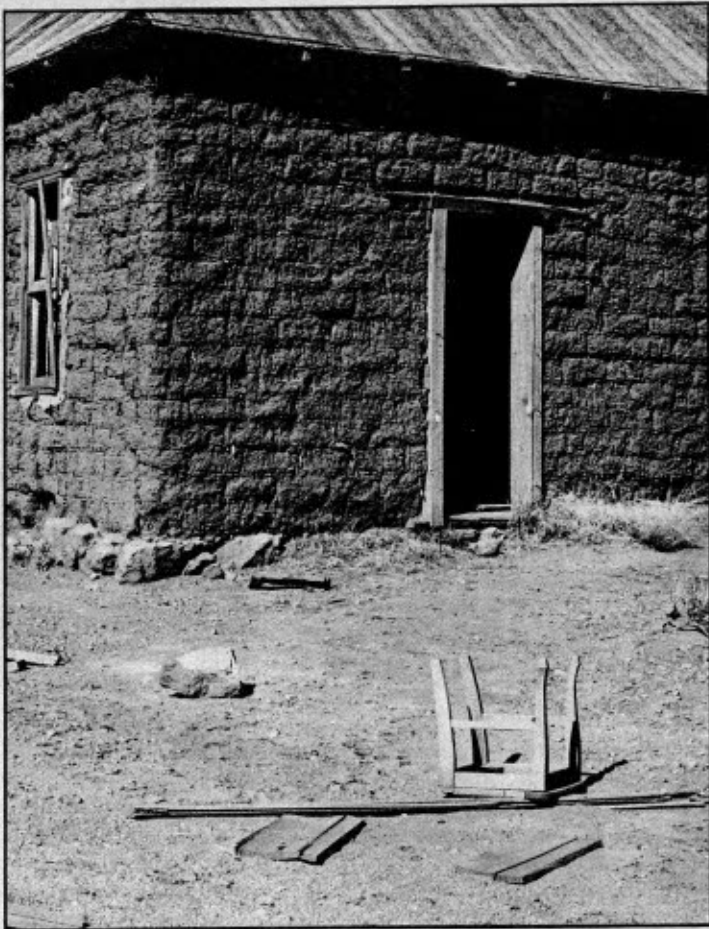
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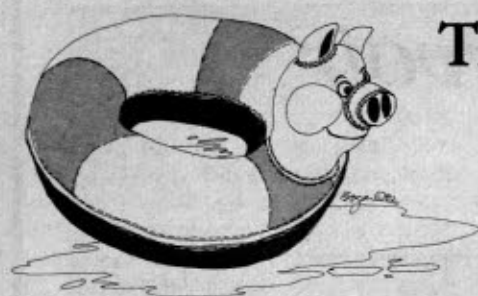
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Far left, upper and lower photos: old stage stop, Auberry, California
Left, all photos: Old Concho, Arizona
Right, upper and lower photos: Mogollon, New Mexico
Right, center: near Holbrook, Arizona



The projects that get funded will be the ones whose promoters are most aggressive. It's a prescription for disaster."

— State Representative Charles Scott

Water projects...

(continued from page 1)

project, they have to turn over to the WWDC, without charge, the information developed with the funds expended. The water group is not at risk at all. The state risks everything and gains nothing. That's a very bad deal. I wouldn't put my money on it, you wouldn't put your money on it and I don't think the state should either.

"I'm not against developing the Little Big Horn water — I just want to see it developed in a way that's fair to the taxpayer."

Scott said, "It is improper for the state to subsidize a large industrial project, and that's what this amounts to."

In addition, the project will produce some very expensive water. Estimated costs run about \$1,500 per acre-foot, which is about \$500 more than normal for industrial water. A memo prepared by WWDC staff during the legislature also estimated that, without the water group's involvement, the cost of the water would be about half that.

Herschler's sudden enthusiasm for the Little Horn project is also somewhat difficult to explain. This is essentially the same project and the same group of water rights owners that came before the legislature a year ago with a proposal to export water in a coal slurry pipeline. Herschler was vigorously opposed to the project then. However, in January, he proposed a \$25 million loan for the group, later pared down to \$8 million by the legislature.

White said, "The main hang-up before was the slurry project. Now the water is not for export, so the governor is supporting it."

During the legislative debate, the WWDC staff prepared a blistering memorandum criticizing the project. The memo said, "A detailed review of the enabling legislation...leads to the inescapable conclusion that the state of Wyoming is being asked to take the entire risk of a major water development project, with the Sheridan-Little Horn Water Group reaping excessive

financial rewards while contributing only water rights of minimal value." The memo also outlined objections to the water's cost and raised a number of other problems. The memorandum was never officially presented to the WWDC members or to the legislature.

WWDC administrator Mike Reese is also a source of controversy. Reese was appointed as administrator by Herschler, even though he had no previous experience in water development. The WWDC conducted a nationwide talent search for a director, but Herschler rejected six candidates chosen through that process and settled on Reese, who had been working in the state Department of Economic Planning and Development (DEPAD). The commission members have been unhappy with him, feeling that his loyalties lie with the governor rather than the commission. They tried, unsuccessfully, to have him replaced during the legislature.

On April 30, a memorandum from DEPAD highly critical of the Little Horn project was circulated, then recalled. A few sentences charging that the contract was a unilateral agreement and that the group was "nothing but a group of brokers with nothing at stake but their time, for which they expect to be handsomely rewarded, regardless of the end result," were excised, allegedly by the attorney general's office. However, Larry Wolfe, the attorney general's WWDC liaison, denied that his office did any editing of memos.

Nevertheless, relations between the attorney general's office and the WWDC have seen better days. Sources at the commission said the members feel uncomfortable with advice the attorney general's office is giving them. One WWDC member said, "If I don't like the advice I'm getting from one place, I look someplace else." So, the commission has hired Houston Williams, a Casper-based water law expert, to review the Little Horn contract for them.

In the course of reviewing the Little Horn contract, the WWDC has held a number of private meetings from which the public, WWDC staff and the attor-

ney general's representatives have been excluded. Some of these meetings, at least, would seem to violate the state open meetings laws, which requires that these meetings be open to the public except under certain limited circumstances. However, unless someone sues for access, no definitive answer to that question will be forthcoming.

According to Assistant Attorney General Larry Wolfe, on one occasion the commission met in executive session to interview the attorney it hired to review the Little Horn project contract, a move allowed by the open meetings law. On another occasion, they met to negotiate with principals of the Little Horn group, which may be exempt from the open meetings law, according to the attorney general's office. However, on a number of other occasions, the commission met in private. No one can say whether these meetings should have been open under Wyoming law, because no one outside the commission was there to observe what was discussed. Commission members said they wanted to discuss the Little Horn contract in a forum in which they could speak frankly, without the glare of publicity.

Some of the commission members themselves have had a number of personal dealings with the water projects that they are now being called upon to evaluate. Walter Pilch, a retired engineer from Sheridan, is the vice-chairman of the WWDC. He voted in favor of the Park Reservoir project, built last year, as a commission member. At the same time, he was serving as a consultant to the project, for which he was paid \$7,000 in 1981 and will receive an additional \$12,000 this year, according to information obtained by Casper's KTWO radio and television.

Pilch said he told the other commission members about his involvement when the project was first discussed. He told the *Sheridan Press*, "If anyone felt there was a conflict, I would either resign from the Water Development Commission or not continue to have this job as coordinator. The members at that time felt there would be no conflict."

Charles Scott called for Pilch's resignation, saying that he had probably just made an honest mistake, but that retaining him on the commission set a bad precedent for such actions in the future. Herschler refused to ask Pilch to step down.

William Kirven is a Buffalo, Wyoming, attorney and a WWDC member. Kirven has represented the Powder River Irrigation District in its negotiations with Carter Oil Company, a subsidiary of Exxon Corporation, to help secure financing for a dam on the Middle Fork of Powder River. The project would deliver 25,000 acre-feet to Exxon and about 8,000 to the irrigators.

The dam is one of several potential sites in the Powder River drainage. The entire basin will be the subject of a \$500,000 study of its water development potential. The study was to have been considered at the cancelled June 21 meeting.

The Middle Fork project, as it is known, would cost an estimated \$20 million, according to Don Meike, one of the sponsors. It has already received a state commitment of \$8 million from the Farm Loan Board. However, the Middle Fork project will compete for water rights with other proposals in the basin, notably the Cadiz proposal, a water development plan by a consortium described only as "a group of Wyoming water users." Kirven's firm currently represents the Powder River Irrigation District, and, as a water development commissioner, he may also decide the fate of the competing projects in the drainage. Asked whether he would view that as a conflict of interest, Kirven said he was unaware that the project was being considered by the WWDC.

These potential conflicts of interest are not illegal; Wyoming has no code of ethics governing these matters. In addition, the WWDC members apparently have a fairly *laissez faire* attitude about such things. J.W. Myers, an Evanston rancher and WWDC member, was once a member of the Whitney Reservoir irrigation group, the same group that is promoting the Upper Bear River development project in western Wyoming, now before the WWDC. Myers said that he is considering buying stock in the group and rejoining it, though he hasn't yet and hasn't been a member for more than 10 years. However, he said, "If I was a member and I thought I could help those people get some water by voting for it on the Water Development Commission, I'd do it and I wouldn't consider it a conflict of interest." □

Water projects menu: A turkey and ham feast

The water projects contained in the legislation passed by the 1982 Wyoming state legislature have various faults and virtues. But, as the few critics of the bill have pointed out, it makes no attempt to separate the meat from the pork fat. The legislation contains some projects that shouldn't be in it at all and others that probably should go ahead without much further ado.

The most serious flaw in the whole process is that it does not create a mechanism to take a systematic look at the resources, needs and economics of water development. A number of old projects that have been lying around state offices for years have been gussied up and trotted out, but there is no attempt to assess, river basin by river basin, water availability and demand.

Instead, the program is proceeding along the lines of the much-repeated western sentiment that "any water development is good water development." The prospect of a few drops of water crossing the state boundary without having been slowed by one or two dams along the way is a call to arms to many western residents.

Proponents of the governor's water program point out early and often that the projects are simply being studied, not built. The implication is that no one can be against studying something to determine its feasibility. However, the state is spending a considerable sum of money to study these projects and caution should be exercised regarding where this money is being spent. A few of the governor's projects shouldn't even be studied for various reasons — at least not yet. And any study has a limited usefulness when there is no baseline information or comprehensive plan against which to evaluate it.

Each sponsor, of course, thinks his project is worthy of study — particularly if it is at government expense. The legislators are pointing with pride at the legislation they passed, though none of them were consulted about it in advance and few knew anything about it, beyond some limited information about those projects that will be built within the borders of their own county.

In this regard, it is a pork barrel program in the worst sense of the word. One legislator said in private during the session, "Nobody is going to vote against his

own water project." And the bill contained at least one water project for every county except Teton, which doesn't need one, and Albany. Why Albany County was left out is a mystery.

The bill was unveiled by the governor in late January. The legislature met in early February and passed the bill during its regular 20 day session, along with such other minor matters as the biennial budget. Herewith, a brief analysis of some of the major projects:

The Little Bighorn-Fuller Project

This is a project that would divert water out of the Little Big Horn River for eventual delivery for municipal, industrial and agricultural use. The project is proposed by Dave Fuller, a rancher in the area. The study is suggested for funding at a level of \$400,000, with eventual completion costs of \$143 million.

The study is a complete waste of money. In the same wave of the hand, the legislature gave the Sheridan-Little Horn Water Group \$8 million to do little more than prove up their water rights on the same water that Fuller proposes to use. Thus, the legislature has virtually guaranteed that the Fuller project won't have enough water — regardless of the outcome of the study. According to one legislator, "The only reason this project got funded is because nobody had the guts to tell Mr. Fuller, 'Forget it.'"

Wind River-Blue Holes

This is a \$156 million project — authorized for \$500,000 — that would provide a firm annual yield of 174,000 acre-feet of water from a dam on the main stem of the Wind River to the city of Riverton, LeClair Irrigation District, Midvale Irrigation District and the Riverton Valley Irrigation District. While there is considerable question about the need for the water and there appear to be some acceptable alternative sites, the main problem is that the dam would inundate 4,600 acres of land owned by the Shoshone and Arapaho Indian tribes. In addition, all the water

Case study: Blue Holes reservoir

Opposition to the Wyoming water projects on the local level has been slow in forming. But, as in physics, for every action there is an equal and opposite reaction, and large-scale water development is no exception.

In Fremont County, a group of ranchers in the Wind River valley have questioned the need for the Blue Holes project, a proposed reservoir on the main stem of the Wind River below Dubois. The reservoir would have a firm annual yield of 174,000 acre-feet.

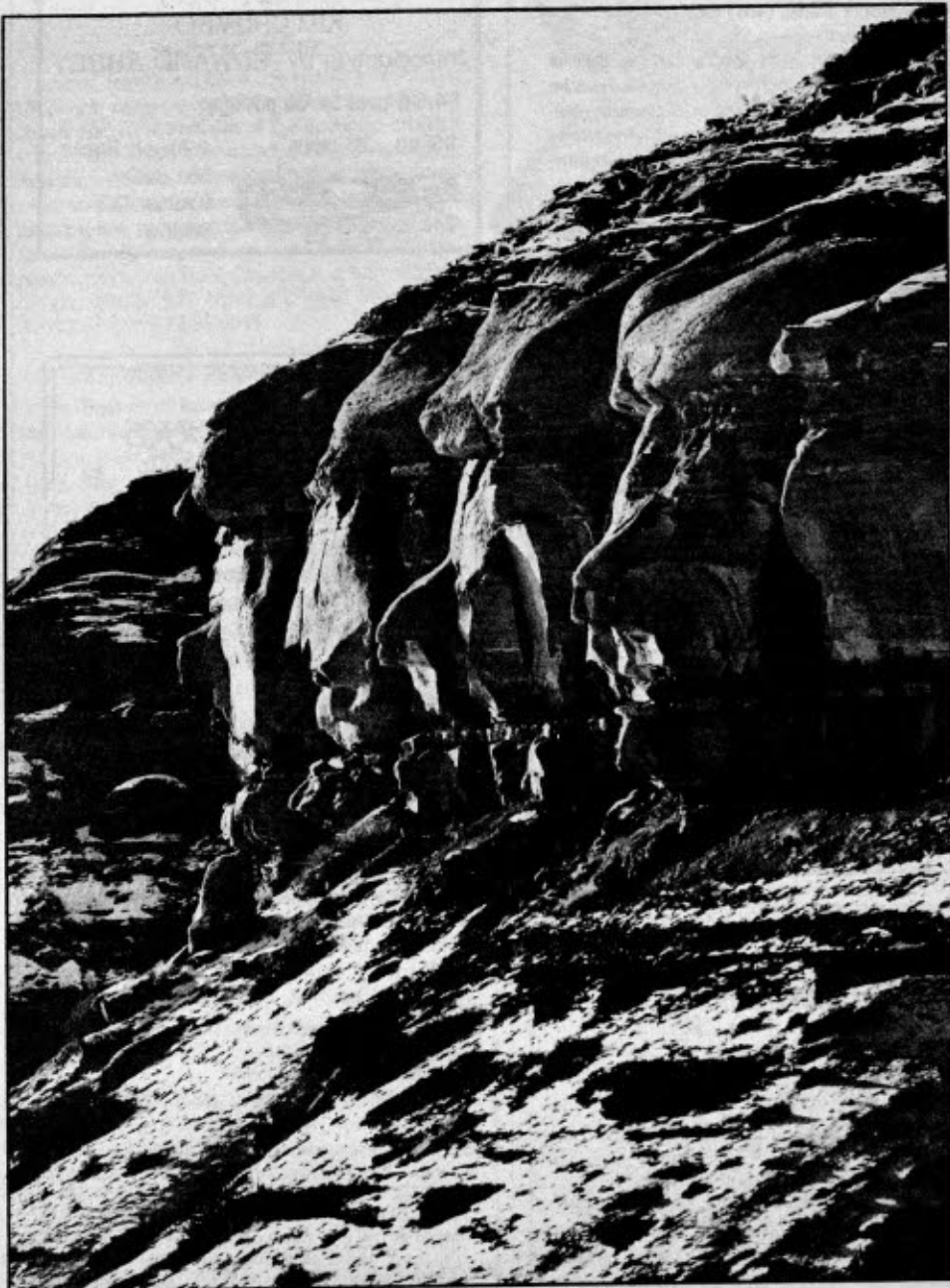
There is nothing sinister about the progress of the Blue Holes proposal, but it is a good example of how a large water project moves through the bureaucracy.

Blue Holes was first proposed in 1977 by a 12-member Wind River Development Group, which was interested in promoting upstream water storage on the Wind River. One of the 12 was Gary Jennings, a Riverton area rancher who was a Republican legislator from Fremont County at the time.

Jennings said, "I had a personal acquaintance with state engineer George Christopoulos and Dan Spangler at the Department of Economic Planning and Development. We discussed the project and then approached Senator Wallop."

Sen. Malcolm Wallop (R-Wyo.) took the group's case to Congress and won approval for a Bureau of Reclamation study to evaluate nine sites in the drainage. Completed in 1981, the BuRec study concluded that the Blue Holes site was the most satisfactory of the nine, primarily because it was the largest and most cost-effective. Water could be stored in the reservoir for \$84 per acre-foot, while the next cheapest alternative was about \$104 per acre-foot.

There were problems identified with the proposal, though. The dam would inundate riparian habitat and six miles of stream that was incorrectly identified as a Class II fishery — it is actually Class I. The biggest problem, however, was — and is — that the water rights on the Wind River are currently the subject of a lawsuit to adjudicate them among the federal government, individuals, the state of Wyoming and the Shoshone and Arapaho Indian tribes. The reservoir site is almost entirely within the reservation boundaries and the tribes have not been noticeably enthusiastic about the inundation of 4,600 acres of their trust lands.



"The Four Uncles," a formation near the proposed Blue Holes project

In addition, the tribes claim all the water at the site.

After the BuRec study was completed, matters stood idle until January when Gov. Ed Herschler (D), without consulting any of the affected parties, included the Blue Holes project in his comprehensive water plan. If approved by the Wyoming Water Development Commission, the project will receive \$500,000 for a level II — or feasibility — study.

The activity on the project aroused the concern of 23 ranchers, most of

them from the Crowheart area. Organized by rancher David Neary, they reviewed the BuRec study and questioned a number of conclusions. Neary said, "We're for cost-effective upstream storage. But we're concerned about some inaccuracies. Construction cost estimates (about \$156 million) are way too low. Water development is not great if our water costs are going to double."

"We also question the need for the project. We don't think there needs to be any rush to develop. Downstream, all the obvious development sites have

been taken, so no one is going to appropriate our water downstream." Neary said there are also questions about the structural integrity of the site. His group favors further study of five other sites considered by the BuRec, as well as some sites the agency did not study. "There are lots of other projects that could be useful," he said.

Not coincidentally, Neary and the other members of his group are not among those ranchers who would receive irrigation water from the Blue Holes project. Neary acknowledged this bit of self-interest and said, "Why not develop water that will benefit the entire county?"

At a crowded meeting at the Fremont County Library in Lander, Neary's group, dubbed the Wind River Water Planning Committee, presented its objections to a group including Gary Jennings and three members of organizations sponsoring the project.

At the end of Neary's presentation, the project sponsors, after accusing the newer group of being "agin-ers" said, "Where were you people when we were first planning this project? We were never able to get this many people together for the project."

On the other side, a Blue Holes opponent charged, "You all have apparently decided that Blue Holes is the way to go. We feel like it's being rammed down our throats."

Tempers were barely controlled at the meeting. Blue Holes proponents felt that their work and research in promoting the project was being questioned by a group with only a late-blossoming interest in the program. The opponents felt decisions that would affect them and their ranches were being made without consulting them.

No accommodations or agreements were reached as a result of the meeting. The Blue Holes opponents have written to the WWDC asking that no action be taken on the Blue Holes study for the time being. The proponents contend that no harm and much good will come of the study.

However, this meeting undoubtedly presages others like it around the state that will foster some opposition to the state water plan. Water development may be a Western sacred cow, but somebody's ox still gets gored.

—DSW

that would be stored is claimed by the tribes under their Winters Doctrine rights. The Winters Doctrine stems from a 1908 U.S. Supreme Court decision that allocates to Indians all water they can use from waters flowing through or adjacent to Indian reservations. So far, the tribes have refused to even discuss the project with the sponsors. In addition, the reservoir would inundate six miles of Class I fisheries, riparian habitat and potential bald eagle nesting areas. (See accompanying story.)

Gooseberry Project

This proposed \$2 million project — \$200,000 study — would increase irrigation supply on Gooseberry Creek near Worland. About 20,000 acre-feet of water is needed to provide full water supplies to all adjudicated lands. The stream only holds 7,600 acre-feet.

One previous study concluded, "The project has limited possibilities of success." The Bureau of Reclamation said in another analysis, "There is little potential for solving the water shortage problem and providing a full season's supply for all the existing irrigated land along Gooseberry Creek." Any proposal to import water would be opposed by the users of the water to be imported.

Sheridan-Little Horn Project

This provides an \$8 million loan for a group of nine water rights holders on the Little Big Horn River in northern Wyoming near Sheridan. The loan is for several stated purposes, including obtaining permits and negotiating with the state of Montana and the Crow Indian tribe over water rights. As far as the actual diversion of the water goes, the project may have merit. However, the way it is currently designed, it falls in the turkey category for a number of reasons.

First, the state puts up \$8 million with no guarantee of any return. If the project proves unfeasible for any reason, the state is simply out whatever it costs, up to the entire \$8 million. If the project goes through, the water group simply repays the loan — at no interest — and the state has the right to purchase an unspecified amount of water. In short, the taxpayers take all the risk and the water group makes all the money.

Second, there is no demonstrated need for the water and no needs assessment has been conducted to warrant the outlay of such a large sum.

Third, the state has essentially empowered a private group to negotiate for it in dealing with the state of Montana and the Crow Indian tribe in adjudicating the

water rights to the Little Big Horn. This adjudication is a very tangled legal problem, and the water group's and the state's interests are not necessarily the same in these negotiations.

Muddy Guard Reservoir

This project was added by legislators during the session, one of the few added at their own initiative, though it had the governor's sanction. The legislature approved \$600,000 to bail out 12 Johnson County irrigators who had gotten in over their heads on two reservoirs, one storing 400 acre-feet and the other 100 acre-feet. The legislative action effectively took over the project and paid off the old debts. Said one legislator, "I can see buying the project, but it was a bit ridiculous to pay off their ill-considered debts." The cost of the water comes to \$1,250 an acre-foot. Agricultural water is economical at about \$100 an acre-foot and industrial water is expensive at \$1,000 an acre-foot.

The legislature approved a number of relatively small probably worthwhile projects that will provide municipal water to some growing towns and to some towns whose water supply has been chronically inadequate. These projects include water for Buffalo, Rawlins, Kemmerer and Encampment. Ironically, Encampment, one of the worthier projects on the list, is so incensed at the way the Wyoming Water Development Commission has handled its comparatively meager request — a total cost of \$1 million — that the town has written the governor asking that all WWDC work on the project be suspended and that the administration of the project be turned over to the town. Town Clerk Morna Milliken said the town has recently supervised a water treatment plant that cost considerably more than the proposed storage project. She said the town is concerned that with the way WWDC is proceeding, the report will not be ready for its scheduled 1983 delivery to the legislature.

Also on the agenda are some overdue repairs to existing dams that do not meet Corps of Engineer safety standards. Some of these present a hazard to life and limb. In fact, a case can be made that the legislature did not go far enough in this rehabilitation program because a substantial number of dams within the state do not meet safety standards and there are no plans for repair.

—DSW

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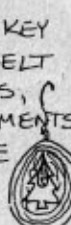


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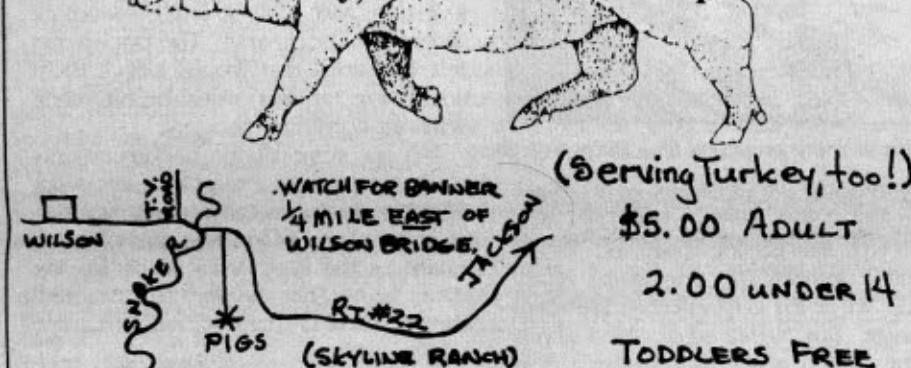
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Jackson Hole Alliance PIG ROAST Sunday, JULY 11 at 1:00 p.m.



BEFORE THE WYOMING INDUSTRIAL SITING COUNCIL

IN THE MATTER OF:
CHICAGO AND NORTH WESTERN
TRANSPORTATION COMPANY AND
WESTERN RAILROAD PROPERTIES,
INC.

the
APPLICANT
PERMIT APPLICATION TO CONSTRUCT
CERTAIN RAILROAD FACILITIES IN
CONVERSE, NIobrARA AND GOSHEN
COUNTIES, WYOMING

DOCKET NO. WISA-81-7

NOTICE OF PUBLIC HEARING

Pursuant to Wyoming Statute 35-12-109 and Wyoming Statute 9-4-107(b) of the Wyoming Administrative Procedure Act, NOTICE IS HEREBY GIVEN THAT THE WYOMING INDUSTRIAL SITING COUNCIL WILL CONDUCT A PUBLIC HEARING ON THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY AND WESTERN RAILROAD PROPERTIES, INC. APPLICATION FOR AN INDUSTRIAL SITING PERMIT TO CONSTRUCT CERTAIN RAILROAD FACILITIES IN CONVERSE, NIobrARA AND GOSHEN COUNTIES, WYOMING. The Council will convene at 9:00 a.m., Thursday, July 29, 1982 in the Niobrara County High School Auditorium, 550 W. 5th Street, Lusk, Wyoming. The Council will consider the application pursuant to the provisions of the Wyoming Industrial Development Information and Siting Act (Wyoming Statute 35-12-101 - 35-12-121), and Rules and Regulations adopted thereunder.

The Council and its presiding officer will conduct the hearing in accordance with Sections 13-15 of the Rules of Practice and Procedure of the Industrial Siting Council. The presiding officer will conduct the hearing and will make all procedural rulings.

Persons desiring to make a limited appearance statement shall do so in writing as provided by Wyoming Statute 35-12-112(c). Limited appearance statements will be received in the Office of Industrial Siting Administration, Cheyenne, not later than August 2, 1982, or may be submitted to the presiding officer at the hearing.

Dated this 9th day of June, 1982.

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

STATE OF WYOMING PUBLIC NOTICE

PURPOSE OF PUBLIC NOTICE

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

IT IS THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS TO (1) INDUSTRIAL FACILITY, (2) COMMERCIAL FACILITIES, AND (5) OIL TREATER FACILITIES, TO MODIFY (3) INDUSTRIAL PERMITS, (1) COMMERCIAL PERMIT, (1) OIL TREATER PERMIT, AND (1) MUNICIPAL PERMIT, AND TO RENEW AND (1) COMMERCIAL PERMIT.

APPLICANT INFORMATION

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| (1) APPLICANT NAME: | U.S. Department of Defense |
| MAILING ADDRESS: | Department of the Air Force
90th Civil Engineering Squadron
Francis E. Warren AFB
Cheyenne, WY 82001 |
| FACILITY LOCATION: | Laramie County, Wyoming |
| PERMIT NUMBER: | Wy-0030970 |

The U.S. Air Force has installed a coal fired water heating plant located at the Francis E. Warren Air Force Base, Cheyenne, Wyoming. There are a total of four potential discharge points from the plant into Crow Creek (Class III Water).

The proposed permit requires compliance with effluent limitations which have been determined by the State of Wyoming to represent "best available" treatment technology. Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1987.

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| (2) APPLICANT NAME: | Wyoming National Development Company |
| MAILING ADDRESS: | Gillette Overniter Park
5341 S. Douglas Highway
Gillette, Wyoming 82716 |
| FACILITY LOCATION: | Campbell County, Wyoming |
| PERMIT NUMBER: | Wy-0031291 |

The Wyoming National Development Company has proposed construction of a recreational vehicle park with 89 lots to be located south of the City of Gillette. Wastewater treatment will be provided by a stabilization pond system which will discharge into Antelope Butte Creek (Class IV Water). The proposed permit required the park to connect to the City of Gillette's sewage collection system as soon as such service is made available to the park.

In the interim, the permit requires compliance with effluent limitations based on National Secondary Treatment Standards and the state of Wyoming's In-stream Water Quality Standards. Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire May 31, 1987.

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| (3) APPLICANT NAME: | Mr. Michael Sims |
| MAILING ADDRESS: | Meadow Park Village
P.O. Box 733
Evanston, WY 82930 |
| FACILITY LOCATION: | Uinta County, Wyoming |
| PERMIT NUMBER: | Wy-0031348 |

Meadow Park Village is a proposed development of 40 permanent homes and 170 mobile homes located northwest of the City of Evanston. Wastewater treatment will be provided by an Ecotochief package treatment plant. The plant will discharge to the Chapman Canal (Class III Water).

The proposed permit requires immediate compliance with effluent limitations based on National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards. Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1987.

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| (4) APPLICANT NAME: | Marathon Oil |
| MAILING ADDRESS: | P.O. Box 120
Casper, WY 82602 |
| FACILITY LOCATION: | Harris Battery, NW, SE, Lot 61, T55N, R97W,
Big Horn County, Wyoming |
| PERMIT NUMBER: | Wy-0031283 |

Facility is a typical oil treater located in Big Horn County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Shoshone River (Class II) via an unnamed drainage.

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

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permit is December 31, 1983.

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| (5) APPLICANT NAME: | Midway Oil Corporation |
| MAILING ADDRESS: | Box 1144
Casper, WY 82602 |
| FACILITY LOCATION: | Lease C-048864A, NE¼, Section 23, T35N, R79W,
Natrona County, Wyoming |
| PERMIT NUMBER: | Wy-0031305 |

Facility is a typical oil treater located in Natrona County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Ninemile Lake (Class IV) via an unnamed stock pond.

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

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permit is December 31, 1983.

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| (6) APPLICANT NAME: | Petro Lewis Corporation |
| MAILING ADDRESS: | Box 336
Osage, WY 82723 |
| FACILITY LOCATION: | Sect #9 Govt., SW¼, Section 9, T46N, R63W,
Weston County, Wyoming |
| PERMIT NUMBER: | Wy-0031313 |
| FACILITY LOCATION: | Deadwood Osage, SE¼, Section 8, T46N, R63W,
Weston County, Wyoming |
| PERMIT NUMBER: | Wy-0031321 |
| FACILITY LOCATION: | Hole Lease, SE¼, Section 7, T46N, R63W, Weston
County, Wyoming |
| PERMIT NUMBER: | Wy-0031330 |

Facilities are typical oil treaters located in Weston County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharges are to Turner Creek (Class III) via an unnamed drainage, and Poison Creek (Class IV) via unnamed drainage.

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 discharge and, if necessary, will modify the permits if evidence indicates that more stringent limitations are needed.

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permits is December 31, 1986.

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| (7) APPLICANT NAME: | Antelope Coal Company |
| MAILING ADDRESS: | 111 S.W. Columbia, Suite 800
Portland, OR 97201 |
| FACILITY LOCATION: | Converse County, Wyoming |
| PERMIT NUMBER: | Wy-0030198 |

The Antelope Coal Company plans to construct an open-pit coal mine in Converse County, Wyoming approximately 45 miles north of the Town of Douglas, Wyoming. A discharge permit for the mine was issued in December of 1981, however, the company has now requested that the permit be modified to allow the discharges from two separate sewage treatment plants into settling ponds SPF-1 (discharge point 001) and SPF-2 (discharge point 002). The locations for discharge points 003 and 004 are also being changed.

The proposed permit authorizes the requested discharges but includes effluent limitation and self-monitoring modifications to reflect the inclusion of sanitary wastewaters into the ponds. All other permit limitations and requirements remain unchanged with the exception of the expiration date which is advanced from December 31, 1986 to July 31, 1987.

BULLETIN BOARD

PARK SYSTEM PASSPORTS

Three recreation permits for entrance to federal parks and recreation areas are now available from the National Park Service and U.S. Forest Service. Two of the permits, the Golden Age Passport and the Golden Access Passport, are provided free as lifetime passes. The Golden Age passport is for those 62 or older. The Golden Access Passport give those who are permanently disabled, blind, or otherwise eligible for Federal disability benefits entry privileges and a 50 percent discount on recreation fees. A Golden Eagle Passport good for visits to about one-third of the areas administered by the National Park Service is available to anyone for \$10. For information, contact the National Park Service, 1013 Interior Building, Wash., D.C., 20240 or a local federal facility.

SUMMER SEA TO SIERRA WORKSHOP

Two one-week workshops are being offered by the Audubon Society's Western Education Center. The trips, July 25 - 31 and Aug. 1 - 7, will be spent visiting areas from San Francisco to Yosemite. The workshops will focus on the natural history and ecology of the area. Cost of the tour is \$350, which includes transportation, lodging and meals. For more information, contact the center, 376 Greenwood Beach Road, Tiburon, Ca. 94920 or (415) 388-2524.

MONTICO COAL MINE EIS

The public comment period on the draft EIS for the proposed Montico coal mine near Ashland, Mont. has been extended. The Montana Department of State Lands announced the new deadline is July 10. The mine plan covers 10,171 acres out of which 186.1 million tons of coal would be surface mined over 24 years. The current permit application being evaluated examines only the first five years of mining and includes 490 acres. Draft EIS copies are available from the Department of State Lands, ATTN: EIS Team, 1539 11 Ave., Helena, Mont. 59620 or (406) 449-2711.

COLO. REVISING WASTE MANAGEMENT

The Waste Management Division of the Colorado Department of Health is seeking comments on revised solid waste regulations. The regulations, which apply to almost 200 landfills in the state, are being revised to meet new federal and state laws and to incorporate current knowledge about environmental and health effects of inadequate waste disposal. Comments can be made at two public meetings, one in Grand Junction at the Mesa County Health Dept., 1-5 p.m., July 7 and a Denver meeting at the Colo. Dept. of Health from 9 a.m. to 4 p.m., July 9. Written comments will be accepted until July 14 and should be sent to Ned Noack, Waste Management Division, Colo. Dept. of Health, 4210 E. 11 Ave., Denver, Co. 80220. Draft copies can also be obtained from Noack at (303) 320-8333 ext. 4364.

MAPPING IT OUT

Several new pamphlets are available from the USGS on mapmaking. "Measuring the Nation" details the development of the geodetic control system, the first systematic approach to surveying. Accuracy of standards is outlined in "Map Accuracy" and 25 examples of different types of maps available are provided in the "MiniCatalog of Map Data." For information on these and other pamphlets, write National Cartographic Information Center, USGS, 507 National Center, Reston, Va. 22092 or (703) 860-6045.

COMMENT PERIOD EXTENDED

The Bureau of Land Management has extended the comment period in Utah for the proposed plans to raise certain recreation fees in fiscal year 1983. The new deadline is July 12. Criteria for determining fee increases include actual BLM costs incurred in authorizing or monitoring certain events or uses and the comparison of fees at BLM facilities to fees at similar private or other government-administered facilities. Comments or questions should be sent to Larry Lee, Utah State Office, BLM, 136 E. S. Temple, Salt Lake City, Utah 84114, by July 12.

MINING EXPLORATION APPROVED

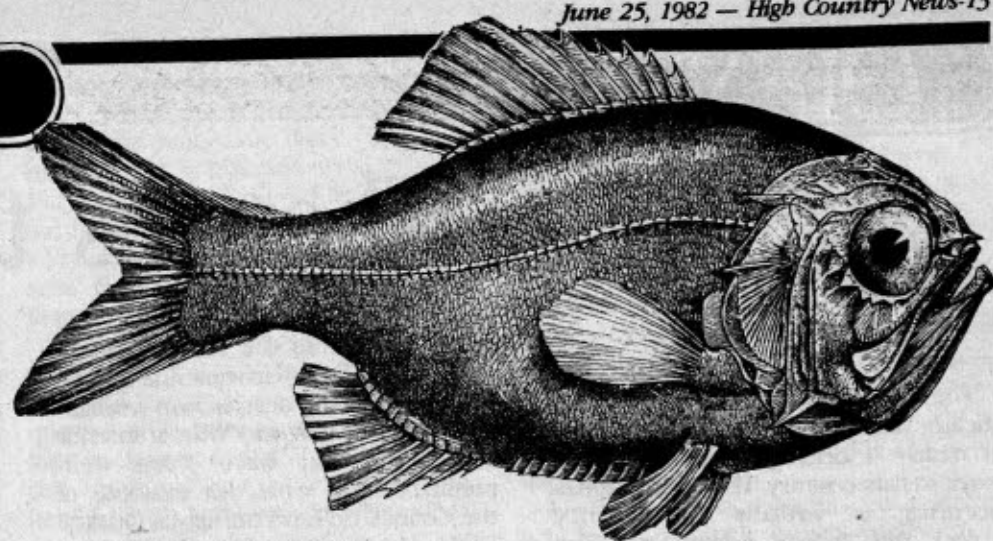
The Environmental Assessment for U.S. Borax's proposal to explore for minerals in areas of the Kootenai National Forest, Mont. has been accepted. Criteria for designing the assessment included effects on grizzly bear habitat, possible reduction of wilderness and the number of drill sites planned by U.S. Borax. Copies of the Environmental Assessment are available at the Kootenai Forest Supervisor's office in Libby, Mont. and the Cabinet District Ranger Station in Trout Creek, Mont. Or contact Sandy Matheny, Kootenai National Forest, P.O. Box AS, Libby, Mont. 59923 or (406) 293-6211.

REAGAN AND THE ENVIRONMENT

Friends of the Earth has issued a 144-page paperback, *Ronald Reagan and the American Environment*. The book combines an "Indictment" released earlier by 10 environmental groups, a study of the administration's energy policies by several of those groups, and a set of "Alternative Budget Proposals." Copies can be obtained for \$6.95 plus \$.70 postage from Friends of the Earth, 1045 Sansome St., San Francisco, Ca. 94111 or (415) 433-7373.

BLM ISSUES RULES

The BLM has finalized the rules governing the use of motorized vehicles on national scenic trails. The regulations implement portions of the National Trails System Act of 1968 and prohibit the use of motorized vehicles on designated scenic trails, except under certain circumstances. Copies of the final regulations can be obtained from BLM (420), 1800 C. St., Wash. D.C., 20240.



LEGHOLD TRAP BAN

There will be a hearing on July 20 before the Senate Subcommittee on Environmental Pollution concerning a ban on leghold traps. The ban would prevent interstate shipment of furs from states and nations that have not ruled the trap illegal. Friends of Animals, Inc., is asking residents of western states to write their senators about this legislation. For information, write to Friends of Animals, Inc., 1 Pine St., Neptune, N.J. 07753 or (201) 922-2600.

ASSESSMENT TO LIGHTEN BACKLOG

A large pile of unprocessed oil and gas lease applications for non-wilderness lands on the Lolo National Forest in Montana are about to be addressed. A draft Environmental Assessment, which determines appropriate areas on the Forest for oil and gas leases and applicable restrictions, is available for review and comment. The draft EA will incorporate the expanded oil and gas leasing analysis from the Revised Draft Environmental Impact Statement for the proposed Lolo Forest Plan. To review the EA or to comment, write Lolo National Forest, Building 24, Fort Missoula, Missoula, Mont. 59801.

"ORE DEPOSITS OF WYOMING"

The mineralization of Wyoming and a description of mineral deposits are provided in a new publication by W. Dan Hausel. Hausel is with the Geological Survey of Wyo. There is no fancy name for this descriptive publication, but is simply titled, Preliminary Report No. 19, Ore Deposits of Wyoming. To receive this free publication, contact the Geological Survey of Wyoming, Box 3008, University Station, Laramie, Wyo. 82071 or (307) 766-2286.

SOLAR LOG HOME WORKSHOP

The Denver Solar Energy Assn. will host a two-week construction workshop July 5-16 in Greeley, Co. and Arlington, Wyo. The cost is \$425, including materials and use of equipment. College credit can be obtained at an additional charge. Write to EES-NEC, 425 N. 15, Greeley, Co. 80631 or Earth Products Co., 933 E. 20 St., Greeley, Co. 80631 for more information.

NATURAL RESOURCES SEMINAR

The Wright-Ingraham Institute is sponsoring a series of seminars on the balanced use of natural resources. The seminars will be from 1 to 2 p.m. every Saturday in July at the Institute's field campus in Elbert County, Co. The outdoor meetings will present views from the legal community (July 3), the medical community (July 10), citizens and conservation groups (July 17), planners and developers (July 24) and the media (July 31). The meetings are free to members, \$3 for non-members. For information, contact Dan Robinson, Wright-Ingraham Institute, Colorado Springs, Co. or (303) 633-7011.

NATIONAL FOREST PROPOSALS

Comments on proposed changes to regulations for land and resource management planning for the 191 million-acre national forest system will be accepted until July 6. The regulations affect future planning by the United States Department of Agriculture. There will be a meeting to discuss the proposed revisions June 30-July 2 at the West Park Hotel, Rosslyn, Va. For information or to comment, contact Charles R. Hartgraves, Director, Land Management Planning, Forest Service-USDA, P.O. Box 2417, Wash. D.C., 20013 or (202) 447-6697.

FORMAL UTAH WATER POLICIES

The Utah Board of Water Resources is proposing adoption of its present guidelines for water use as formal policies. The rules call for state support of water conservation and coordination of a water quality plan and water treatment with other facilities. Funding of hydropower projects is proposed to be available only if it is associated with a water development project. Copies of the proposed policies are available from the Div. of Water Resources, 1636 W.N. Temple, Salt Lake City, Utah 84116 or (801) 533-5356. Oral questions and comments can be made at the public meeting on July 2 in Roosevelt and Aug. 6 in Cedar City. Written comments will be allowed until Aug. 13 and should be directed to Daniel F. Lawrence, director, at the above address.

(8)	APPLICANT NAME:	The Thunder Basin Coal Company, a wholly owned subsidiary of the Atlantic Richfield Coal Company
	MAILING ADDRESS:	P.O. Box 406 Wright, WY 82732
	FACILITY LOCATION:	Black Thunder Coal Mine Near Reno Jct. Campbell County, Wyoming
	PERMIT NUMBER:	Wy-0024091

Thunder Basin Coal is requesting a modification of the current NPDES permit to allow mining of low cover coal beneath a drainage playa used for discharge of Sediment Reservoir 17-SR2.

The permit modification will affect discharge points 005, 006 and 009. Affected discharge locations will flow into the North Prong of Little Thunder Creek (Class IV Water).

The discharges to the North Prong of Little Thunder Creek and the sewage treatment plant discharges must meet effluent limitations which are considered to represent best available treatment by the State of Wyoming, however, the permit also contains language which requires the permit to be modified if more stringent limitations are 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 July 31, 1987.

(9)	APPLICANT NAME:	Wyodak Resources Development Corporation
	MAILING ADDRESS:	RR81 Box G90 Gillette, WY 82716
	FACILITY LOCATION:	Wyodak Mine, Campbell County, Wyoming
	PERMIT NUMBER:	Wy-0001261

The Wyodak Resources Development Corporation operates an open pit coal mine approximately two miles east of Gillette, Wyoming. The present permit contains two discharge points. This permit modification will allow for an additional point, 003, which is the outfall from the South Pit Settling Pond No. 2. Discharge is to Donkey Creek (Class IV Water). The location of the discharge point is NW¼, Section 33, T50N, R71W.

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 July 31, 1987.

(10)	APPLICANT NAME:	Yellow Creek Estates Partnership No. 1
	MAILING ADDRESS:	P.O. Box 652 Evanston, Wyoming 82930
	FACILITY LOCATION:	Yellow Creek Estates, Mobile Home Park, Uinta County, Wyoming
	PERMIT NUMBER:	Wy-0028665

Yellow Creek Estates Mobile Home Park is a facility located east of Evanston. Wastewater treatment consists of a 3 cell stabilization pond system with the first two cells aerated.

The permit is being modified to reflect the change in fecal coliform limitations. There will only be limits for this parameter for the period May 1 - September 30.

The proposed permit contains requirements for periodic self monitoring of effluent quality with reporting of results quarterly. The permit is scheduled to expire May 31, 1987.

(11)	APPLICANT NAME:	Amoco Production Company
	MAILING ADDRESS:	P.O. Box 1400 Riverton, WY 82501
	FACILITY LOCATION:	Big Sand Draw Field Unit D, NE¼, NE¼, Section 15, T32N, R95W, Fremont County, Wyoming

PERMIT NUMBER: Wy-0002194
Facility is a typical oil treater located in Fremont County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Little Sand Draw (Class IV).

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

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permit is December 31, 1983.

(12)	APPLICANT NAME:	Town of Midwest
	MAILING ADDRESS:	P.O. Box 190 Midwest, WY 82643
	FACILITY LOCATION:	Natrona County, Wyoming
	PERMIT NUMBER:	Wy-0020273

The Town of Midwest operates two sewage treatment facilities. It has a non-aerated two cell lagoon which serves the main part of the Town and a small oxidation ditch which serves the area of Town known as the Gas Plant Camp. Both facilities discharge to Salt Creek (Class IV Water).

The existing permit for the Town authorizes a single discharge from both facilities. However, it has now been learned that the lagoon system actually has two discharge pipes and that it is therefore necessary to modify the permit to include this second discharge point.

In the proposed permit discharge point 001 shall be the outfall from the north side of the oil cell of the lagoon system, 003 shall be the outfall from the east side of the new cell of the lagoon system and 004 shall be the outfall from the oxidation ditch serving the gas plant camp. The 002 designation has been abandoned to eliminate confusion with the previous permits which used 002 to designate discharges from both the lagoon and the oxidation ditch.

The proposed permit requires that the existing facilities be operated at maximum capability and efficiency until such time as federal grants funds to replace or upgrade the systems are provided. Upon completion of new or upgraded facilities built with federal construction grant funds, National Secondary Treatment Standards and effluent limitations based on Wyoming's In-stream Water Quality Standards must be met.

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1987.

(13)	APPLICANT NAME:	Cherry Lane Homeowner's Association
	MAILING ADDRESS:	813 Cherry Lane Gillette, Wyoming 82716
	FACILITY LOCATION:	Campbell County, Wyoming
	PERMIT NUMBER:	Wy-0024295

Cherry Lane is a single block housing development located in the NE¼, NE¼, Section 23, T50N, R72W, which is just north of the city limits of the City of Gillette, Wyoming. The wastewater treatment facility serving Cherry Lane is an extended aeration package plant which discharges into an unnamed intermittent lake (Class IV Water).

The proposed permit requires compliance with National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards effective immediately. In addition, the permit requires elimination of the discharge and connection to the City of Gillette's Sewage Collection System as soon as the opportunity for such hook-up is made available by the City.

Because of present uncertainties concerning regionalization of wastewater treatment plants in the Gillette area, a permit with a short duration (expiration August 31, 1984) is proposed.

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 the State water quality standards and applicable provisions of the FWPCA will be protected.

PUBLIC COMMENTS

Public comments are invited any time prior to July 26, 1982. Comments may be directed to the Wyoming Department of Environmental Quality, Water Quality Division, Permits Section, 1111 East Lincolnway, Cheyenne, Wyoming 82002, or the U.S. Environmental Protection Agency, Region VIII, Enforcement Division, Permits Administration and Compliance Branch, 1860 Lincoln Street, Denver, Colorado 80295. All comments received prior to July 26, 1982 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-82-006

OPINION

Where is the anger?

by Barry Flamm

The Reagan administration is systematically tearing apart the contributions of nearly a century of environmental work in this country. This destruction is occurring in virtually every agency across the federal government. The administration is successfully attacking the institutions, the policies, the people, and, ultimately, the quality environment upon which we all must depend. The

GUEST EDITORIAL

attacks on environmental policies by the Reagan administration have been so large, so inclusive, and so out of character with a century of conservation direction in this country as to be nearly incomprehensible. Never before have we experienced such total reversals in the progress we have made.

It is becoming increasingly apparent that, despite the attention paid by environmental groups to Interior Secretary James Watt and, more recently, to Environmental Protection Agency Director Ann Gorsuch, even their dismissal would not reverse the insidious trend. For they are not the innovators; they are not plunging boldly forward to convince a reluctant administration of their anti-environmental views. They are merely carrying out the instructions and the ideals of the president who appointed them and who supports them.

The Reagan administration abounds with examples of anti-environmentalism. The most obvious blows have

been felt by those institutions that were established within the federal government to protect environmental quality. The stories of the destruction wrought by Gorsuch at EPA and Watt at Interior are legion and have been well-publicized. But what, for example, of the Council on Environmental Quality? Within the executive branch, CEQ was, for a decade an objective, effective forum for environmental quality. But the new administration cut the funds, cut the staff, and replaced the dedicated professionals with a handful of people who are less than enthusiastic about previous environmental direction. The quality staff that has been a tradition of the council throughout its existence was summarily dismissed, and the council now exists in name only.

Another example of the destruction of institutions is the abolition of the Office of Environmental Quality which I headed in the Department of Agriculture. A decade of growing need and responsibility within USDA finally had led to an office established by secretarial memorandum to coordinate, monitor and initiate environmental policies within the department. Secretary John Block insisted that abolishing the office was merely reassigning these tasks to the agency level. Yet, not one year later, the entire professional staff of OEQ has been forced to retire or has been dismissed through a reduction in force (RIF) or shunted off to other work, and the functions of the office have been essentially eliminated.

Along with the destruction of institutions has come the dismissal of the best

and most experienced people, and a breaking up of what was a limited but important core of advocacy within the federal government. A key feature of this dismantling has been a shabby disregard for people and ideals.

The policies of the Reagan approach to environmental quality are severely affecting the private consulting firms as well. Despite protests by the administration that private industry will police itself in the absence of government regulation, that is not happening. Private contractors who used to serve the environmental needs of industry in meeting responsibilities imposed by governmental regulations, are closing their doors for want of work and lack of interest. In the absence of governmental regulation, industry is not filling the gap and policing itself. In the absence of governmental concern, the work is simply not being done.

Another ominous sign is the weakening or elimination of the public involvement which had become such a critical element of the national environmental movement. This can be seen in several examples:

— Years of public concern over management practices on the National Forest led to the 1976 National Forest Management Act, certainly a compromise between conservationists and timber developers. The regulations to implement the act were carefully honed through a deliberate and open process. Now, abruptly and with little public knowledge, those regulations are being weakened by an assistant secretary — John Crowell — who came from the timber industry as a longtime foe of the regulations.

— Years of public involvement were invested in the second Roadless Area Review and Evaluation (RARE II) to identify suitable areas for inclusion in the National Wilderness System. That careful study currently is being ignored by those who prefer to exploit the wilderness heritage of our nation.

— The regulations of the Advisory Council on Historic Preservation are being revised in light of the direction of the new administration. When concern was expressed that the Office of Management and Budget insistence upon removal of all references to public involvement and appeals would effectively leave the fox in charge of the henhouse, OMB staff replied, "This is the foxes' house now; if the chickens don't like it, they can leave."

Public sentiment on environmental issues has had a moderating and positive effect, even on the most development-oriented previous administrations. But the Crowells, Watts, and Gorsuch do not have to listen to the sentiments of the people. They are shielded from citizen concern because it simply does not matter to them. Obviously, this can be true only because they are carrying out the real mission of the president; they are not the shapers of environmental policy, merely the executioners. And, frankly, as long as the deception can continue without anyone getting too angry, it will continue.

This cavalier disregard for the public good is not restricted to domestic policy, either. Our ignoring the serious concern about acid rain expressed by Canada is a telling example. We, as a nation, are ignoring and disregarding important information pointing to the seriousness of the problem which was developed by an international team of respected scientists.

The administration, of course, asserts that this degradation of environmental health is required in order to insure

economic health. This is patently fallacious from two angles. First, separation of environmental and economic well-being is a false dichotomy. Our nation's economic survival depends upon healthy, productive soils, clean air and water, healthy forests and farms, healthy people. Certainly, in all cultures there is a need for beauty, and that is an important goal of environmental quality. But the need goes far deeper; nothing is more basic and more vital than our requirement for environmental health; to suggest that we have a choice is cruel and naive.

Second, the issue becomes yet more phony when one sees the specific actions proposed, actions which can only promote profiteering, not money to the Treasury. Interior Secretary Watt has proposed offering for oil lease, tracts of off-shore land so large that even the companies have objected that they are unable to meet the demand. Crowell is actively pursuing his goal to harvest increasing amounts of timber from national forest lands — but this at a time when demand is at an all-time low. Can we really be so gullible as to believe that these are necessary actions motivated by anything other than greed and total lack of environmental sensitivity? Where is the anger?

The blatant attacks on everything associated with environmental quality have inspired not fury, but a willingness to settle for far less than would have been acceptable during more reasonable times. Why are so many accepting the current state of affairs without protest?

First, the audacity of the administration's approach is overwhelming. They have staked out such a preposterous position that even middle ground is unacceptable. Everything is crumbling so fast that people are happy to cling to a shred of what used to be, and feel smug that they have not lost it all.

Second, the internal bureaucratic commitment to environmental quality was woefully shallow. Years of slow and tedious advances have rapidly given way to Reagan's anti-environmental crusade. That campaign began to advance fairly smoothly once they eliminated from the career ranks those officials who they suspected would be less than supportive in their moves.

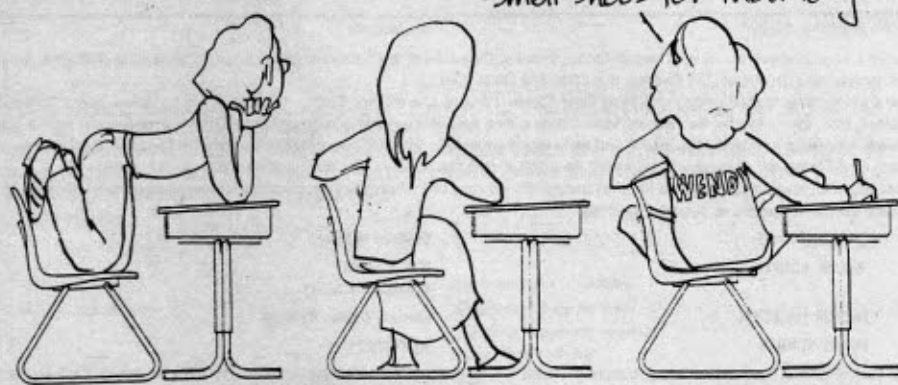
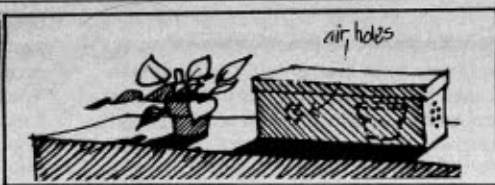
Certainly, a third explanation for the lack of anger is the fear factor created by the gestapo techniques calculated to reduce disagreement or will among civil servants. The fear which is instilled in everyone is reinforced by the serious economic conditions which have been exacerbated by the economic policies of the Reagan administration. People are finding their choices increasingly restricted. They fear for their jobs, their families, their ideals, their careers. And, unless they are industry fat cats, they have every reason to fear. This fear is manifesting itself in decreased contact, shrinking willingness or ability to talk.

Those who have devoted their lives and careers to the vital public concern of environmental quality feel a personal loss over that for which we have worked so hard, an anger that the long-term needs of our country are being sacrificed to serve the rich private desire for short-term personal gain. We have observed a history of this profiteering and now, after some encouraging progress, the forces of greed are again unleashed. It is time to speak out loudly. It is time to take action. It is time to be angry.

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Barry Flamm is former director of the Department of Agriculture's Office of Environmental Quality. He was senior staff on the President's Council on Environmental Quality under President Jimmy Carter.

BOOKS



The Children's Solar Energy Book. Tilly Spetgang and Malcolm Wells, 1982; \$11.69, hard cover; \$6.95, paper; 156 pages. New York: Sterling Publishing Company.

Review by Peter Wild

Working up to her pitch for solar energy, the teacher cautions that the spread of nuclear energy may bring nuclear destruction with it. A student interrupts her: "...if my paycheck comes from the power company, I may come to feel that a meltdown or two is a small price to pay for energy independence."

She pushes on to the energy crunch. "Yeah. It's a new candy bar," gibes another slouching member of the class.

Pretty much as its title indicates, this primer aimed at grades six through eight covers the basics of solar energy: a bit of elementary physics, active and passive systems, insulation, solar cells. A few easy experiments in the last chapter illustrate what has gone before. It's the approach that is different. The text runs across the top third of each page. Below is the sweetener to the medicine.

In this cartoon section of the page, kids nod off at their desks, make out or

listlessly bang away on their bongos. Strange creatures appear at the desks: a singing dragon, a Viking, a deep-sea diver. A girl takes a shower in the classroom — yes, right there in front of the class! All of this may or may not have anything to do with the lessons on solar energy going on in the text above.

Things can get witty. When the teacher talks about fighting to stop the killing of whales, a bear replies, "Fight to stop the killing." The wiseacre in front of him adds, "Kill to kill the killing." A girl takes up the chorus, "Kill to stop the fighting." And sometimes, as in the discussion of nuclear energy versus paychecks, the restrained hilarity can point to the more complex aspects of solar power.

Now, what twelve-year-old boy can resist a twelve-year-old girl taking a shower? Maybe in his panting he'll pick up something about solar energy. Says comedienne Joan Rivers on the back cover of the book, "What a wonderful way to learn!"

I think not. Suckering kids into learning is a cheat and an insult, both to them and the subject. Teachers and parents who feel otherwise may find this reasonably priced book an agreeable come-on.

LETTERS

BURN, BABY, BURN

Dear HCN,

Bart Trucano's remarks about comparative costs of silvicultural methods are well-taken. I would add that multiple entries into a stand are always very expensive, both in economic and in site quality terms. Most contemporary logging methods result in soil compaction that reduces the cut over area's growth potential. An exception may be at hand in the small Swiss cable logging systems now becoming available for the first time in the U.S.

I do not agree with Trucano about timber management and water production. The rule of thumb in lodgepole stands is to size clearcut diameters at five times the height of the surrounding trees. The point is to minimize windthrow, maximize edge effect for wildlife, minimize rodent problems, and cut down on the kind of canopy interception common in Wyoming's lodgepole stands.

If the snow sticks in the canopy, lots of the water simply sublimates directly back into the atmosphere, never attaining liquid form. If the snow makes it into relatively small openings where it can collect in the shade and not be blown away because of the surrounding and sheltering trees, then it will melt more slowly and not only increase water yield but space it out over a longer period of time. So the theory goes, anyway.

I like Trucano's point about trying to get the Forest Service to increase productivity within present budgets. I wonder if he would agree that recreation management should be subjected to the same kinds of cost-effectiveness criteria he proposes for timber harvest? It seems to me that both will have to work together to justify any sort of management at all for Wyoming's national forests.

That brings me to Dan Whipple's case against wilderness alternatives (HCN, 5/28/82, Opinion). The short supply of "pristine" land in America catches Whipple slipping from lyricism into elegy — just as Jacqueline Wolff suggests (HCN letters, 5/28/82). To avoid these sorts of stylish (and stylistic)

lapses, we need to think of wilderness (or roadless areas, or whatever you want to call them) as dynamic ecosystems. In other words, maybe *we* need to change our thinking.

I like John Turner's Wyoming Roadless Resource Area idea because it means we have the chance to use timber harvest as a tool to mimic ecosystemic change. The alternative is fire — hot fire — that would destroy a lot more resource values than logging ever would.

By suppressing fires in the West for over fifty years, the Forest Service has brought this problem on itself. We environmentalists can either moan about this sorry state of affairs, or we can join our natural allies in the Forest Service and admit that some areas, even in wildernesses, are too dangerous to be allowed to burn. They should be carefully harvested, and that is the positive side of John Turner's proposal. It is probably also the cost efficient side. Or are you willing to pay wilderness use fees at market value for recreational experiences?

Could the slide into HCN-as-epitaph-for-the-West be the result of a hardening of the ideological arteries? An unwillingness to "let burn" or to "cut" when old ideas need to change?

Tom Wolf
Cheyenne, Wyoming

BUFFALOED AGAIN

Dear HCN,

Thought you might be interested in the following excerpt from an article by Harriet Chalmers Adams for the June, 1921 *National Geographic* concerning the building of the suspension bridge over the Colorado River in the Grand Canyon near the foot of Bright Angel Trail:

"...we counted seven wild burros descended from pack animals abandoned by the miners...

"...up in the Kaibab Forest — 'the island forest', a great naturalist has called it — live wild animals which have developed on original lines. The Kaibab squirrel and its cousin, the Albert, with their broad feathery tails, are the only American squirrels with conspicuous ear-tufts. The herd of deer, variously estimated at from 12,000 to 15,000, are the mule deer, with large, broad ears

and rounded, whitish tails, tipped with black. Where there are deer, there are pumas, or mountain lions. They call them cougars in this part of the country. Uncle Jim Owens, an old-timer on the north rim, has hung out a sign: 'Cougars killed to order.' He has a record of 1,100 skins. His cabin walls are covered with them.

"Other beasts of prey are the big gray timber-wolf, the coyote, and the fox. A man who lives here and explores unfrequented cliffs tells me there are antelope on the green shelf under the north rim. 'Uncle Jim' has a promising buffalo herd, 64 in all. Isolated on a promontory and protected, the herd is sure to increase."

Give 'em hell!!

Pat Everett
Oakland, California



RAWLINS REPLIES

Dear HCN,

After reading the National Wool Growers Association reply, (HCN letters, 6/11/82) I stand corrected on one point: the cattlemen's association had joined the NWGA in their appeal. Insofar as deaths and injuries due to coyote getters and 1080, they are documented in *Slaughter the Animals, Poison the Earth* by Jack Olsen. One death in particular is recounted in detail as resulting from a getter which was set without the warning signs required by law at that time. To attribute the death to improper medical treatment is to dodge the issue almost completely.

The comments from NWGA representatives are directly quoted from the *National Wool Grower*, which is the

official information and policy organ of the association, specifically the January, February and March, 1982, issues.

As far as the USDA loss statistics go, I consulted them along with 15 scientific papers and government documents on the subject. The \$200 million loss figure cited in the *National Wool Grower* is deceptive because it includes losses from a number of causes other than coyote predation, but presents the figure as if the ban on 1080 has, in and of itself, cost the industry this amount. The actual figures, at least in my view, do not support this.

Finally, while my conclusions in the article may stamp me as an environmentalist to the NWGA, I personally belong to no organized environmental group. I have worked on both sheep and cattle ranches and have been otherwise involved with grazing for quite a number of years, and am aware of the problems of the industry and hopeful that solutions may be found for them.

My father's family were sheep and cattle grazers from about the 1860s onward and many of my best friends are currently involved in ranching. They are aware that my difference of opinion with them in some cases does not connote a lack of respect for their work or a lack of support for the grazing industry as a whole.

C.L. Rawlins
Cora, Wyoming

LAUD SPELLMAN

Dear HCN,

One minor correction to your Hotline reference to the Northern Tier Pipeline (HCN, 5/28/82). Washington Gov. John Spellman is a Republican, not a Democrat as the article mentioned.

Spellman should also be lauded for his rejection of a bill passed by the legislature designed to exempt the Chicago Bridge and Iron Co. from Washington State Shorelines Management Act regulations in Whatcom County. The firm had hoped to fabricate offshore oil drilling rigs on a 22-acre landfill located in one of the major herring spawning areas of the Puget Sound.

Tim Hosteder
Bellingham, Washington

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Tribes and energy companies

A taxing problem

by Marjane Ambler

After initial victory celebrations, Indian tribes with energy resources on their reservations are reeling from the backlash to the Supreme Court's ruling in January affirming their right to tax energy production on their lands.

The high court rejected several energy companies' challenge to the Jicarilla Apache Tribe's severance tax on oil and gas production. The move opened the door for new revenue for energy tribes, many of which had waited for the Jicarilla Apache decision before imposing their own taxes.

Now, five months later, the tribes are on the defensive. The industry reacted quickly and loudly to the *Merrion v. Jicarilla Apache Tribe* decision, pointing to arguments used in the case that the new taxing authority makes reservation properties uncompetitive.

With the drop in oil, gas and coal prices, exploration activity everywhere has dropped, and opinions vary about whether reservation exploration interest has slackened more than elsewhere. But the tribes are clearly nervous. Their energy offices prompt quick defenses about proposed levels of taxation, and some tribes have not begun collecting taxes that were approved months or years ago.

Industry's concerns seem to have both a financial and a philosophical basis. The companies say they cannot afford the higher cost of production. "Another tax off the top is the difference between going ahead with a prospect that may be questionable anyway," said Ken Monroe, tax director of the Rocky Mountain Oil and Gas Association.

The mining companies and oil and gas companies are also uneasy about the court's recognition of tribes as "sovereign governments." The petitioners in the *Merrion v. Jicarilla Apache Tribe* case said "to indulge government sovereignty by Indian tribes would effectively create foreign enclaves...governed by tribes unconstrained by the fundamental precepts of American law and thereby free to exploit, expropriate and expel other Americans as they see fit unless the Constitution limits their actions and infringes on their right to make their own laws and rule others by them."

Robert Nordhaus, who represented the Jicarilla Apache in the tax suit, thinks the industry got carried away by its own arguments concerning sovereignty. "Many of the major energy companies involved in the Merrion case operate in foreign countries where they are obliged to accommodate their operations to...governments over which they

exercise no control and little influence," he said.

In contrast, the Supreme Court made it clear that the secretary of the interior and the Congress have substantial control over tribal regulations and taxes. If companies are worried about taxation without representation, Nordhaus suggested they gain a constituency by hiring tribal members.

Frank Long, financial analyst for the Council of Energy Resource Tribes, thinks two uncertainties are now making companies adopt a wait-and-see attitude: the rate of tribal taxes to be adopted and whether state taxes will be ruled invalid on reservations.

The organization he works for, which is composed of 34 energy tribes, is trying to allay their fears. None of the mineral taxes imposed or proposed by tribes are as high as state taxes, he said. The Jicarilla Apache severance tax, for example, is equivalent to one percent of the value of each barrel of oil and two percent for natural gas, while the state of New Mexico levies four production taxes totaling eight percent for oil and five percent for natural gas, he said.

The tribes realize that unreasonably high taxes will make their lands less attractive for exploration than neighboring state lands and will endanger their most reliable source of revenue — royalties, Long said.

But, to be sure tribes don't break rank and further alarm energy companies, his organization and others are working with tribes to explain the legal and economic constraints on them.

Unlike state taxes, tribal taxes are subject to a series of federal check points, and thus judicial review is not necessary, according to the Supreme Court. In fact, some Indian legal experts criticized the ruling for saying Congress could limit tribes' taxing authority. Steven M. Tullberg of the Indian Law Resource Center in Washington, D.C., said the opinion reinforced the erroneous notion of "handout sovereignty" — an Indian right which exists by the grace of the federal government.

Congress has the ultimate power to abrogate tribal taxes if they are contrary to national policy or unfair, and the secretary of the interior can disapprove them in most cases, according to guidelines circulated to its tribal clients by the Washington, D.C., law firm of Sonosky, Chambers, Sachse and Guido. The firm's guidelines also said the tax rate must be related to the services provided by the tribal government, such as police and fire protection, health and welfare, and other "benefits of a civilized society," in the words of the Supreme Court.

In the Jicarilla Apache case, the com-

panies argued that levying a severance tax was just a back door way of increasing royalties without renegotiating contracts. However, the Jicarilla Apache convinced the court that royalty income is the only income available to support tribal members. With federal budget cutbacks on the reservations and the Reagan administration's emphasis on self determination, tribal governmental services need a source of revenue to provide such services.

Nordhaus said news of oil thefts on Indian reservations, which were undetected by federal agencies, illustrate the need for tribal money to monitor oil field activities.

Meanwhile, the Interior Department is developing its own guidelines for approving tribal taxing ordinances. The Supreme Court's statement that the Interior Department must review taxing ordinances to be sure they comply with the national interest came as a surprise to the department. While several tribes had submitted tax ordinances to the department in the past, the department had no consistent method for evaluating the ordinances.

A draft of the department guidelines says the tribes will prepare economic impact studies, such as the Jicarilla Apache did, to submit to the department with proposed ordinances. The department so far has ignored the Rocky Mountain Oil and Gas Association's suggestion that public hearings and publication in the *Federal Register* be required. Nor does the draft provide for waiving tribal sovereign immunity, another RMOGA suggestion. Tribes cannot be sued unless they waive this immunity, which the Jicarilla Apache did voluntarily.

Gary Sloan, director of the minerals office on the Fort Peck Reservation in Montana, thinks industry will be reassured when it sees the ordinances adopted by the Assiniboine-Sioux Tribes on the Fort Peck Reservation and by others. The Fort Peck tribes are currently revising an ordinance passed several years ago with the Sonosky guidelines in mind. While Sloan said the tax level has not been determined, it will not be as high as the state tax. "I'm really curious about why they are so concerned about tribal taxes when they don't seem to worry about state taxes," he said.

Monroe of the Rocky Mountain Oil and Gas Association said comparisons between state and tribal tax levels are irrelevant since industry must now pay both on reservation production. "It goes without saying that whenever you are looking at double taxation on the same production, you can see the economic limits advancing very quickly

...When we must abandon production, we abandon both royalty and tax payments," he said.

The legality of state taxes on Indian mineral production is expected to eventually reach the Supreme Court after both the Crow and Blackfeet Tribes challenge having Montana taxes imposed on their reservations. Kerr-McGee has challenged the New Mexico tax. The stakes are high: The state of Montana could lose more than half a billion dollars in severance tax revenues on Crow coal leased to Shell Oil alone.

The Rocky Mountain Oil and Gas Association has not taken a position on the issue of state taxation. Nor has it called for legislation limiting tribes' power to tax.

For now, the organization is concentrating on meeting with tribal councils and organizations and influencing Interior Department tax ordinance guidelines. Monroe said, "We're beyond litigation. We now have to compromise and communicate to find out how to comply."

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Marjane Ambler, a former editor of *High Country News*, is now a freelance writer based in Lander specializing in Indian energy issues.



What do feminism and appropriate technology have in common? Darned if we know, but Don Snow has promised to tell us two weeks from now when we present our special issue on appropriate technology. Also included will be a look at what's happening — or failing to happen — at the Solar Energy Research Institute in Golden, Colorado, and the National Center for Appropriate Technology in Butte, Montana. Has the Reagan administration left you any tax incentives for energy conservation? We'll give you the answer on July 9 when *HCN* publishes its *Appropriate Technology Special Issue*.

