

Legislators and their conflicting interests...6

Viewing tips...8

# High Country

news

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HCN exclusive

## A talk with James Watt

Interior Secretary James Watt visited Lander, Wyoming, recently to participate in the annual One-Shot Antelope Hunt. During his stay, he agreed to talk with *High Country News* managing editor Dan Whipple.

**Q.** Early this year, you wrote to Senator Malcolm Wallop (R-Wyo.) that unless Congress acted this year on legislation prohibiting oil and gas leasing in the wilderness, you would consider there was no congressional mandate to stop this type of activity. Is that still your position?

**A.** Well, let me come at that in a couple of different ways. I have a commitment to fulfill the law. We've asked Congress to change the law to prohibit any mining or drilling in the wilderness areas. And I think Congress will be responsive to that. That's our hope.

I guess I'll say what I probably shouldn't say and that is I read in the paper this morning another cheap shot by those who say that Congress is trying to thwart our efforts to drill in the wilderness. We're trying to keep from drilling in the wilderness. The Reagan administration has tried to change the law and I think Congress will. I think there will be language in the appropriations bill that says no funds should be used to lease in the wilderness. We think that's fine. And anybody that calls that a slap at this administration is just trying to get a partisan issue started. If you look at who has proposed the only ban on drilling in the wilderness, it's the Reagan administration.

**When you first came into office, one of the things you were most interested in was the condition of the national parks. What has been done to upgrade the parks so far in your term?**

That's been a very successful program. As you're well aware, the General Accounting Office had told how mismanagement or improper management had been carried out for several years

allowing the deterioration of the parks to such a degree that they weren't even meeting health and safety standards. My view is that you've got to take care of the resource base. If you don't protect the natural resources of the parks, you lose the very essence that we're trying to preserve.

So, when I came on board, raw sewage was still being dumped into the streams and the lakes. Trails and walkways were not properly protected. People could go into where you didn't want them to go. You've got to keep up the walkways and keep people where you want them and keep them away from the extremely fragile areas that you're trying to preserve.

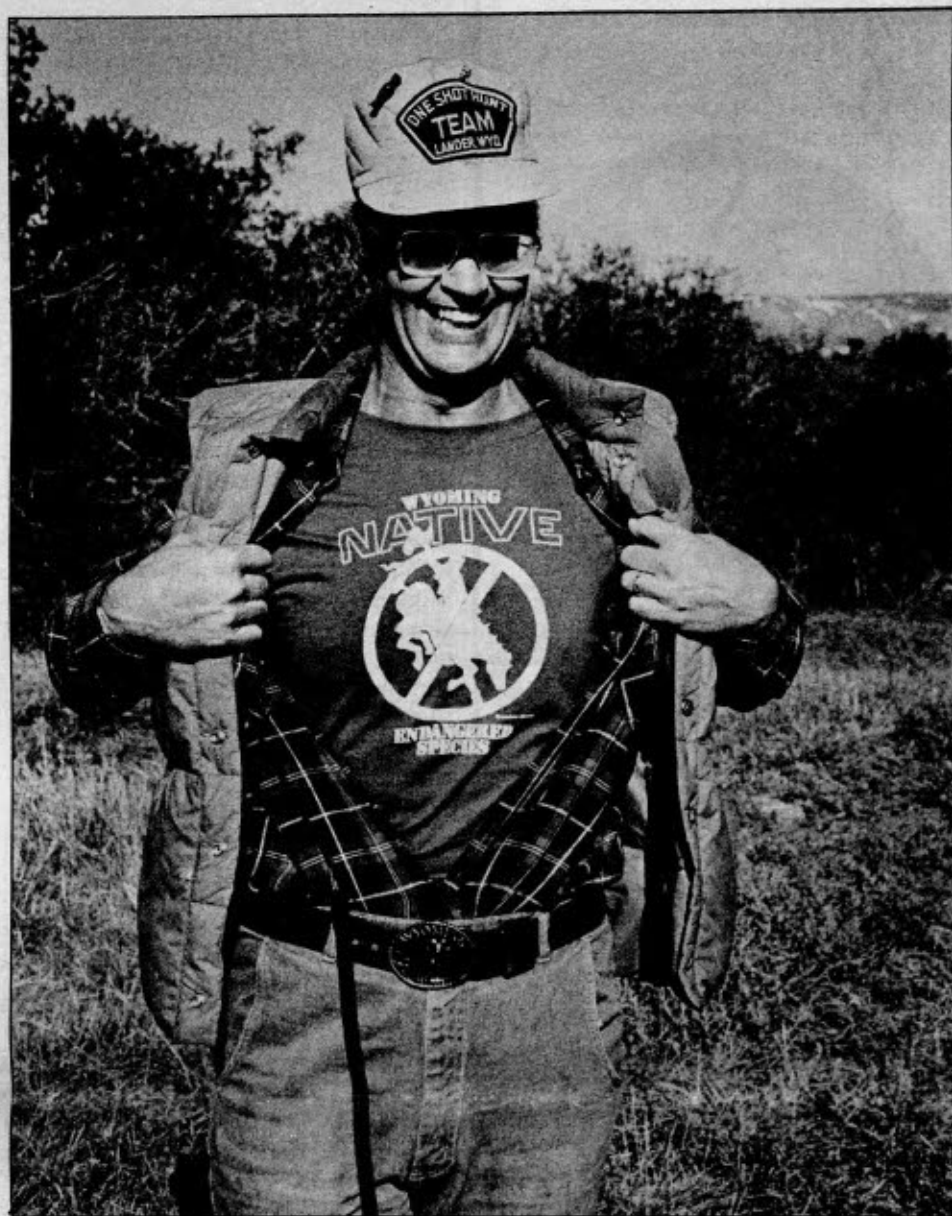
So we've committed ourselves to this billion-plus dollar program over the next five years. Congress has been basically supportive of that and we continue to ask for more money each year. We think we're making significant progress on it.

**You've said repeatedly that there won't be any mining or drilling in national parks. However, rules have been promulgated that would allow some mineral development in four national recreation areas — units of the National Park Service — and the Office of Surface Mining recently proposed a rule change that would allow mining on private lands within national parks. Are these actions consistent with your stated policy?**

We will not allow any mining or drilling activities on federal lands in the national park system. That's the law. That's the policy.

**What about private land?**

On private land, that right has always been there. Congress never changed it. I have a commitment to fulfill the law of the land. I took an oath of office. I've got to honor that whether the critics like it or not. Those property owners have the right to do what they want to do.



Mike McClure

**Now is it a real problem? Are we going to have mining in the parks? Who knows? It's another spook tactic. We have a mandate under court orders to develop rules and regulations and we're doing it.**

**Does the Reagan administration or the Interior Department through the Bureau of Reclamation plan to propose any major new water projects in the next two years?**

We hope so.

**Do you have any idea how many or where they would be?**

No. We need to build water facilities for people. We need to build water facilities to create jobs. You need to create water facilities for fish and wildlife purposes. Last night (at the One-Shot Antelope Hunt), there was a lot of activity to raise money for water for wildlife. The deer and antelope populations are so much greater today than when I was a kid in this state. Just talk to any old-timer, the hunting is so much better for antelope because there are so many more of them. And part of the reason is Bureau of Reclamation water resource development. Where are the antelope? Man-made improvements have enhanced wildlife habitat on our ranch in northern Wyoming. There are a lot more deer than there ever were when my father was a kid. So you know there are lots of advantages to water resource development, which is needed.

**On Indian reservations these days, unemployment has reached as high as 75 percent. Do you have any plans to assist tribes in reaching economic self-sufficiency?**

Yes, we've got several things going on that. I spoke to the joint tribal council here on the Wind River reservation about just those subjects. I've encouraged them to be more aggressive in managing their natural resources so they can benefit the most valued resource and that's the human resource.

We have appropriated funds that will be the seed money to get the private sector motivated to create jobs on the reservations. The Indian reservation problem is a serious problem and is the best example of the failure of socialism. On Indian reservations, generally speaking, you have high divorce rates, high unemployment rates, heavy drug abuse, heavy alcoholism, and every other social disorder because Washington, D.C. — the Bureau of Indian Affairs — has not allowed the Indian to have the self-dignity that the Indian is capable of having. These are talented people that have been abused by government institutions.

**Do you favor the right of states to tax tribally-owned resources?**

I think the Indians need to develop their own tax base as a tribal government so they can build the infrastruc-

(continued on page 10)



# WESTERN ROUNDUP



## High Country News

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## MT wilds bill close

If Congress approves legislation introduced by Sen. John Melcher (D), Montana will at last have a wilderness honoring the state's distinguished conservation advocate, the late Sen. Lee Metcalf.

Melcher's bill would establish a 244,000-acre Lee Metcalf Wilderness in the Madison range south of Bozeman, headwaters of the Missouri River and a magnificent example of northern Rocky Mountain alpine ecology. The wilderness bill is the result of lengthy and heated controversy over the future of more than a half-million acres of roadless public lands.

In 1979, the Madison-Gallatin Alliance, a Bozeman-based conservation group, proposed that non-contiguous portions of the Madison and Gallatin mountains be preserved in a 536,000-acre wilderness named after Sen. Lee Metcalf. The proposal included Forest Service and BLM roadless units, areas identified for review by the Montana Wilderness Study Act and a Forest Service Primitive Area, or *de facto* wilderness, known as the Spanish Peaks. However, the bill now before Congress shows a wilderness pared down — largely by political compromise — to half the original proposal.

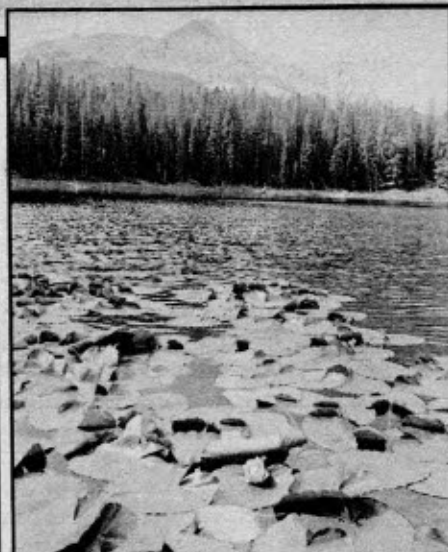
The bill does not include roadless areas in the Gallatins, a range parallel to the Madisons. Also missing from the bill is the Jack Creek drainage, a corridor separating the Spanish Peaks from the main stem of the Madisons. Jack Creek was released from wilderness review when Sen. Melcher attached a rider to the 1980 Alaska Lands Bill guaranteeing

private inholders access to their property within federal lands. The rider assured access for timber harvest by the Jack Creek area's largest private inholder, Burlington Northern. The Montana Power Company also plans to use the corridor for a transmission line to the Big Sky ski resort.

Cowboy's Heaven, connecting the Spanish Peaks with BLM's roadless Beartrap Canyon, is not part of the wilderness proposal. Conservationists considered Cowboy's Heaven, with its lower altitude topography, as crucial to wildlife protection and the ecological integrity of the Metcalf Wilderness.

The proposed wilderness does include 130,000 acres of the Taylor-Hilgard wilderness study area, 72,000 acres of the Spanish Peaks Primitive Area, and acreage in four other roadless tracts: Beartrap Canyon, Cherry Lake, Cedar Creek and Monument Peak. In Monument Peak, which borders the western edge of Yellowstone National Park, 30,660 acres are designated wilderness and 35,570 acres would become a "special management area," with the congressional directive that it be managed in accordance with the Wilderness Act. However, "motor vehicle use for recreation" would be allowed if it is compatible with wildlife management policies. The bill leaves those policies, as well as compatibility criteria, to the discretion of the Secretary of Agriculture.

Although he believes the Metcalf Wilderness bill is "reasonably positive," Madison-Gallatin Alliance chairman Dick Tenney is not pleased with the language describing the special man-



Lower Ulreys Lake, Madison Range, at the head of Jack Creek

agement area. "Rather than leaving it up to the Forest Service, we would like to see greater legal protection (of wilderness values) in the bill," he said. "Stricter language is needed to prohibit roading and logging in the special management area."

Tenney is also concerned about the bill's implied release of 60,000 acres of roadless land not designated as wilderness. Although the Forest Service's Gallatin Forest Plan, scheduled for publication in November, will address alternatives for those lands, Tenney feels that the prospects for protecting the wildlands from development are not good.

Melcher originally proposed a wilderness of 190,000 acres, but later agreed to include more land. In the meantime, Montana Governor Ted Schwinden (D) recommended an even larger wilderness. The final Lee Metcalf Wilderness bill reflects the efforts of Montana's congressional delegation to review all the proposals and reach consensus on the wilderness boundaries. As long as the delegation remains in agreement, the bill is expected to pass this session.

— Ellen Ditzler

## Dear friends,

After an intensive search *High Country News* has gotten itself a poetry editor. C.L. "Chip" Rawlins has agreed to serve in this largely honorary capacity, sneaking onto the masthead last issue as a contributing editor. *HCN* publishes poetry on a "space available" basis, and Chip will solicit poetry from poets and screen unsolicited material for potential publication.

*HCN* readers may already be familiar with Chip. He has written pieces for us recently on coyotes, aspen trees and lonely western winters. He works during the summers as a range officer in the Bridger-Teton National Forest. His poetry credentials include a first prize in poetry from a Utah Arts Council contest. He takes over the job from managing editor Dan Whipple, a self-confessed cretin in the poetry field, whose favorite poet is Lewis Carroll.

A few guidelines for prospective poets: all submissions should be made to Chip at P.O. Box 51, Boulder, Wyoming 82923; a self-addressed, stamped envelope *must* be included with all poems, or the work won't be returned. No exceptions. Now, have at it.

*HCN* had the distinction two weeks ago of talking at some length with Interior Secretary James Watt while he was here in Lander. Watt was participating in the One-Shot Antelope Hunt, a sporting event that has, in the past, attracted such luminaries as Larry Conka and Bob Hope's doctor. The object of the hunt is for three-man teams to dispatch three antelope in one shot each and...oh, never mind, you had to have been there.

As far as we know, *HCN* is the only environmentally oriented publication with which Watt has agreed to speak since he took office. He probably would not have agreed to talk to us either, but

for the intercession on our behalf by Wyoming's junior Republican senator, Alan Simpson. Simpson has known Watt for many years, ever since Watt was a Senate aide to Simpson's father, Milward. When we made our request to interview the secretary, Watt called the senator personally to find out whether *HCN* would do a "hatchet job" on him. As Watt's press aide (and Lander native) Doug Baldwin explained, "There have been a lot of people lying in wait for him."

Simpson told the secretary that even though we were an environmental publication, he would get a fair hearing from us. We hope this assessment turned out to be true. Readers can judge for themselves with the interview beginning on page one. We would like to take this opportunity to thank Sen. Simpson for going to bat for us.

The rug auction that we were running in the last two issues of the paper ended up working out quite well. High bidders were Lynn Kaeding of Grand Junction, Colorado, who won the laughing fish rug with a high bid of \$405; Thomas C. Savage of St. Paul, Minnesota, who took the modern fish rug for \$325; R. Rozier of Pinedale, Wyoming, who bid \$215 on the rug with the birds; and Betsy Schimelpfenig (our business manager), who bought the bunny rug for \$225.

As it turned out, we received no bids on the top-of-the-line Mimbres mountain sheep rug. We're not sure quite what to do with it and we'd welcome any suggestions from readers. Should we give it away scot-free as a premium for a large tax-deductible gift of, say, \$5,000? Run a raffle through the paper? Try to raffle it off in Lander? Hang onto it for another year?

While we're trying to decide, we'll extend the auction on it another two



Chip Rawlins

weeks. First bid at or above \$775 will buy it. Any takers?

And finally, at the risk of belaboring our fundraising efforts, we'd like to share some good news on the Publishers Fund. Thanks to gifts during the last few weeks — including one exceptionally generous anonymous donation — we are a mere \$500 from reaching our \$20,000. That's right, including proceeds from the rug auction, we've raised \$19,500!

Special thanks this issue to David Adlai Adamson, Atlantic Richfield Foundation, Stan and Glenda Bradshaw, Jacquelyn Diedrich, Michael Ehlers, Christian and Helen Haller, Kayo Robertson, Thomas Savage, Paula Schmittiel, Larry Smith, Sue Swan, Charles and Dorothy Vaile (an extra thanks — it was their second donation!) and, of course, our anonymous donors.

—the staff



## Heat on Idaho to rewrite water laws

A proposed northern Idaho timber sale, called unacceptable by the state Bureau of Water Quality, has resulted in attempts by the U.S. Forest Service and timber industry to rewrite the state water pollution law. If the proposed revisions are adopted, the Bureau of Water Quality says it will lose its ability to enforce non-point source pollution laws dealing with logging, landfills, agriculture and mining.

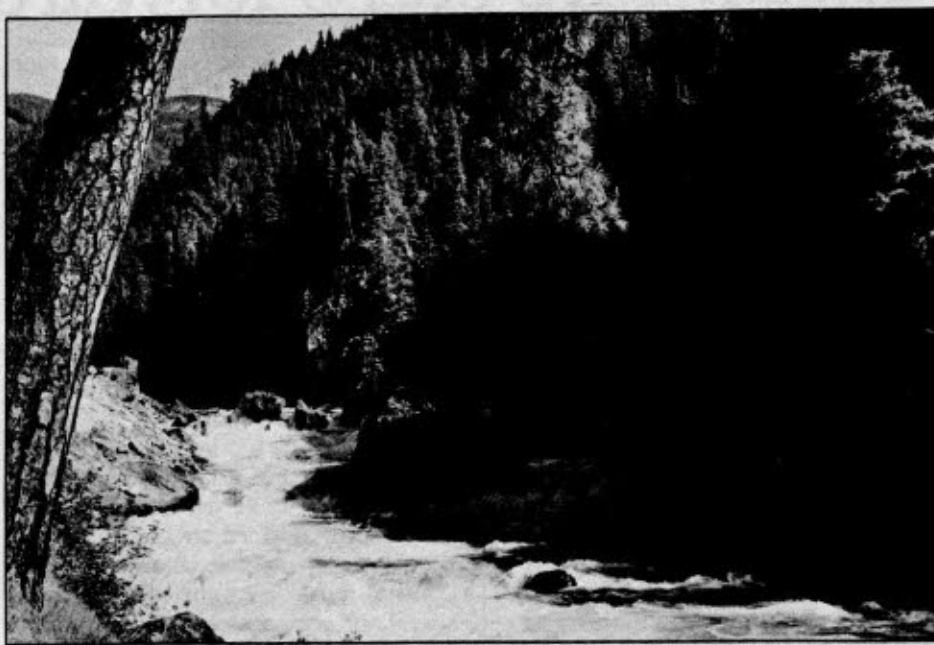
The Forest Service and timber industry object to a provision in the 1980 Water Quality Standards that prohibits injury to beneficial or protected uses of Idaho waters. Beneficial uses are determined by the designation of the lake or stream, and range from highly protected salmonid fisheries to less protected industrial waters. The Forest Service and timber industry are arguing the no-injury provision could halt all logging in roadless areas because some pollution — however small — will accompany road building. "If you drive a pickup across a road, you're degrading the stream," and thus violating the law, said Boise National Forest Supervisor Jack Lavin.

The Bureau of Water Quality, a division of the Department of Health and Welfare, protests that the law has been applied flexibly and is not intended to stop projects that would cause minimal pollution.

The controversy began when the Nezperce National Forest predicted that a 20 percent fish loss in Meadow Creek would result from logging road construction. The environmental assessment for the timber sale based the figure on the increased sedimentation which would end up in the stream. The Bureau of Water Quality noted that the stream is a salmonid fishery — a significant spawning ground for steelhead and salmon — and told the Forest Service its plan would violate the no-injury provision.

"The intent of our comments was to have the Forest Service rework its plan," said Carla Levinsky, state water quality analyst. Instead, the Forest Service instigated a successful resolution in the 1982 Idaho Legislature, asking the Department of Health and Welfare to change the law.

Following passage of the resolution — which is a request, but is not legally binding — the Forest Service petitioned the Board of Health and Welfare to abolish the no-injury provision and replace it with a section calling for the Bureau of Water Quality and the landowners (Forest Service or others) to mutually determine "appropriate control mea-



Clearwater River, Nezperce National Forest, Idaho

asures" after pollution occurs. The Forest Service or other operators would not be legally liable for damages if best management practices were used. Best management practices are general, voluntary guidelines for logging established by the Forest Service.

The proposed changes would loosen the pollution prevention requirements not only for logging, but also for agriculture, landfill operations and mines. The changes would affect any source of water pollution "that doesn't come out of a pipe," according to Levinsky.

Terry Keyes, manager of water quality planning and standards, said the existing law is not a zero pollution law; it allows pollution up to the point where the stream values are damaged. He said the bureau has no set figures for determining acceptable levels of pollution. "It's purely a judgment call...but the Meadow Creek one was obvious," he said.

The Nezperce National Forest officials were surprised that the Bureau of Water Quality used the no-injury provision to protest the Meadow Creek timber sale, according to Forest Service spokesman Steve Waterman. "We were aware of the law," he said, but "we weren't aware of the interpretation of the law." Waterman said, "We thought if we applied best management practices we were adhering to the law."

The Forest Service fears the interpretation means "zero pollution," and that some 40 percent of the timber sales in the Nezperce National Forest could be stopped, said Waterman. He said the Forest Service wants to "simply display the consequences of the interpreta-

tion." In a state beset with closing mills and mines (15 percent unemployment in northern Idaho), such predictions by the Forest Service generate alarm. In five public hearings held on the petitions in mid-September, passions ran high on both sides of the controversy.

While the Bureau of Water Quality is worried about losing its enforcement capabilities under the Forest Service's petition, Keyes acknowledged the department has very little enforcement capability now. Because of staff and funding shortages, he said, the bureau's enforcement on pollution resulting from logging is limited to reviewing environmental assessments.

The final decision on whether to change the law — and how to change it — rests with the politically appointed Board of Health and Welfare. If the board does change the law, the state legislature — which has already backed the Forest Service petition — has the right to review the law and make any changes it desires. The Environmental Protection Agency must approve any change in the law, and could override the state if the adopted changes were deemed to be too lax.

In the meantime the Meadow Creek sale has been halted by Forest Service Director Max Peterson after an appeal was made by Idaho conservation groups. The appeal was based on several objections, including economics, failure to address cumulative impacts, impacts on a wild and scenic river and pollution to Meadow Creek.

— Glenn Oakley

## Grizzlies lose in habitat study appeal

An attempt by three environmental groups to force the U.S. Forest Service and the U.S. Fish and Wildlife Service to take a longer, more comprehensive look at the effects of copper and silver mining in Montana's Cabinet Mountain Wilderness has been thwarted by a District of Columbia appeals court ruling.

The environmental groups, including the Sierra Club Legal Defense Fund and the Defenders of Wildlife, filed suit against the Forest Service after it granted ASARCO, Inc., an exploratory drilling permit in an area that is known grizzly bear habitat. Howard Fox, attorney for the Sierra Club Legal Defense Fund, said the suit was filed because the groups objected to the permitting process.

The D.C. court ruling declared that the Forest Service process of reviewing the application and permitting ASARCO was correct and complied with all requirements.

However, Fox said that ASARCO's first drilling proposal posed definite environmental hazards to the area. Instead of requiring an environmental

impact statement, the Forest Service attached conditions for mitigating impact to the proposal and approved the plan. The FWS also had to okay the plan because the area was habitat for an endangered species, the grizzly. FWS attached more conditions and the permit was granted.

Fox said the "crucial FWS mitigations were never given to public comment." He also complained that the original proposed by ASARCO should have been subject to an EIS that would have given rise to mitigations based on the study's findings, not the other way around. "The reaction shouldn't have been trying to knock down the (proposal's) problems by mitigation measures," he said.

Wayne Brewster, field supervisor of endangered species at the Billings, Montana, office of the FWS, said ASARCO has been drilling for three years now. Both the Forest Service and the FWS have been monitoring the effects on the bears. He said that even though there is limited data on the grizzlies, agency studies show there is enough habitat out-

side the drilling area to sustain the bears.

U.S. Borax Company is also drilling in the area and its permit was approved with similar conditions, Brewster said (HCN, 4/30/82).

Brewster said a distinction must be made between a bear refuge and a multiple use area such as the Cabinet area. He said there will be some effect on the bears, but at this time the area is being managed properly. He said there are only between 12 and 20 grizzlies in the area.

Brewster said FWS, Montana Fish, Game and Parks and ASARCO started air surveys this fall in an effort to study the grizzly population.

Fox said there will be no further appeal of the case because the U.S. Supreme Court is the only place left to appeal. He said several environmental groups will continue to watch the Cabinet area and will insist on thorough investigations of impacts if other companies apply to drill.

— Carol Jones

## HOTLINE

### Savings claims refuted

President Reagan's plans to abolish the Department of Energy would not create any savings, a four-month study by the General Accounting Office concluded. The administration claimed that merging most of DOE's functions with the Commerce Department would save more than \$400 million a year. GAO reported the administration failed to consider "numerous" expenses the shift would involve. Most of the planned reductions in personnel would be "primarily related" to cutbacks in federal energy programs and not in the proposed reorganization, GAO said.

### Slowing down Getty

Getty Oil Company's plans to drill for oil and gas in the Little Granite Creek area near Jackson, Wyoming, have come to a temporary halt. The U.S. Forest Service has postponed a decision on whether or not to let Getty build a road to the drilling site because the state has made it clear it opposes the road (HCN 8/20/82). The *Casper Star-Tribune* reported that the Forest Service's "postponement is an effort to avoid a federal-state confrontation." The Forest Service will re-study Getty's plans, consider the state's objections, and then let the regional forester in Ogden, Utah, make the final decision on the road. Getty hopes to begin road construction by June, 1983.



### Dam to enhance skiing

A proposed dam on the Colorado River just west of Rifle, Colorado, would enhance the success of planned Rifle ski area. The dam, which would create a reservoir and produce electricity, is supported by the West Anvil Water and Power Corporation, backers of the Rifle ski area. The corporation holds conditional water rights to 32,800 acre-feet of water from the reservoir if built. A U.S. Army Corps of Engineer official said an environmental impact statement will have to be completed before a permit to build would be granted.

### Taking the initiative

The Montana Supreme Court dismissed a suit challenging the constitutionality of an initiative that proposed to use state coal tax funds for economic development. The initiative will be on the November 2 general election ballot. Opponents of the initiative, represented by Montana Bankers Association legal counsel George Bennett, claimed the initiative attempts to amend the state's constitution and therefore requires 18,000 more petition signatures than proponents gathered. In an Associated Press report, Justice Daniel Shay commented in a concurring opinion, "I am irritated...at the constant efforts of certain powerful interests in this state to defeat the initiative process by trying to use the courts in a last-ditch effort to prevent the vote of the people."



## HOTLINE

**In-stream out**

Wyoming residents won't be voting on a ballot initiative guaranteeing water in streams and rivers for fish and wildlife this year. The Wyoming Supreme Court, in a 2-1 decision, overruled a District Court judge's decision which would have allowed the voters to decide the issue this November. The Supreme Court upheld Secretary of State Thyra Thompson's ruling, which declared that 4,934 of the 30,822 signatures collected were invalid. About 28,000 signatures were necessary for the initiative to qualify. The in-stream petition was the only referendum that has ever come close to qualifying for a vote under Wyoming's stringent initiative requirements. Proponents have already begun to gather support for the 1983 legislative session.

**EPA sanctions banned**

The U.S. House of Representatives voted to prohibit the Environmental Protection Agency from levying financial sanctions on states that fail to impose exhaust emission tests on their motorists. Supporters of the action said the ban would save motorists millions of dollars but would not undermine clean air standards. In other action, the House decided to maintain current air quality standards for carbon monoxide although the EPA had proposed weakening them. The House also voted to increase 1983 environmental protection funds by \$77 million more than the Reagan administration had recommended.

**Wilderness victory**

Negro Bill Canyon, east of Moab, Utah, has recently been designated a wilderness study area by the Bureau of Land Management. The designation is a reversal of the BLM's earlier decision to exclude the area in its wilderness study. The Sierra Club had appealed the BLM's exclusion of the area. However, off-road vehicle advocates now plan to appeal the BLM's new decision because they claim the area has lost its natural appeal due to roads created by four-wheel drive vehicles.

**Water polluter fined**

The Copper Mountain Water and Sanitation District, which serves the ski resort town of Copper Mountain, Colorado, has been charged \$132,000 for discharging too much phosphorus into a river that flows into Dillon Reservoir. The Colorado Department of Health, which ordered the fine, said it was the largest civil penalty imposed in the 10-year history of wastewater discharge permits, according to the *Denver Post*. Phosphorus is suspected of speeding up algae growth in lakes, which can lead to oxygen depletion and health hazards (*HCN*, 9/17/82). Lake Dillon is the principal water supply for Denver. The district has almost completed a major expansion of its system, including facilities to remove phosphorus.

**Audubon wins delay**

A lawsuit seeking to overturn an order enlarging Idaho's Birds of Prey Area has been delayed pending a decision on whether to allow the National Audubon Society to participate in the suit. The U.S. Court of Appeals in San Francisco ordered the halt after Audubon appealed a district court decision denying the society's request to become a co-defendant with the federal government. Sagebrush Rebellion, Inc., filed the suit after a 1980 executive order by then-Interior Secretary Cecil Andrus enlarged the bird refuge by 483,000 acres, claiming Andrus' order did not comply with laws requiring public notice. A decision on Audubon's appeal should be made by year's end.

## Hampshire steps forward, then back

Hampshire Energy, the frontrunner for the first funding from the U.S. Synthetic Fuels Corp. in November, took a major step toward satisfying local concerns when it signed an impact mitigation agreement with the city of Gillette, Wyo., last week.

However, the firm also suffered a significant blow to its public image when information from a confidential marketing feasibility analysis was leaked to the press.

Hampshire hopes to weaken the arguments of the project's most vocal opponents by its plan to use city wastewater, which would also save the city \$14 million that it would have spent on expanding secondary treatment facilities.

City officials, who initiated the wastewater idea, are so happy with the agreement that they sent letters to the U.S. Synthetic Fuels Corp. and a state agency urging prompt approval of Hampshire's project.

Gillette would also be getting \$5.65 million for capital improvements needed to serve the increased population caused by the coal-to-gasoline plant, which would be located 10 miles south of Gillette and thus outside its tax base. Bids are already being sought on a new city hall, which Hampshire would build and lease back to the city, at a savings to the city of about \$5 million. Hampshire promises 3,700 jobs during construction of the synfuels plant.

However, the fears of the Citizens for Responsible Development have not been allayed. The group of ranchers and homeowners is concerned about the project's effects on groundwater. The city produces only 1.7 million to 1.9 million gallons of wastewater a day now, according to City Administrator Alan

Tandy. It has promised up to 2.9 million gallons a day to Pacific Power & Light for use in its coal-fired power plants.

With growth stimulated by Hampshire, the city projects producing much more wastewater in the future. But Gerald Fuller of the citizens group said too much water would still have to be taken from the aquifer, and no one has enough information to know the effects on other aquifers, which are the only source of water for many area communities, ranches and industries.

Water will be a prime consideration at the state siting hearing, which starts October 21. While the state engineer has already decided to grant a water permit to Hampshire, the state siting council must determine whether total social and environmental impacts of the plant are acceptable.

To Hampshire's advantage, it has already negotiated impact mitigation contracts with a local school district, county commissioners, a nearby town and an intergovernmental council on community services, as well as Gillette. It hopes to have other contracts before the hearing.

To its disadvantage, the siting staff has been upset by Hampshire's lack of cooperation in the review and the federal Synthetic Fuels Corporation's attempts to rush the state's process.

Decisions are expected in November from the federal corporation and in December from the state siting council. Hampshire is seeking \$1 billion to \$2 billion in federal price and loan guarantees for its plant, which would convert coal to synthetic gasoline and other byproducts.

After economic information was leaked by a local environmental group,

more Wyomingites voiced their objections to such subsidies. The Powder River Basin Resource Council, a rancher group that has consistently opposed the plant, received a copy of a confidential marketing report filed by Hampshire with the SFC and shared it with reporters.

Subsequent stories in the *Casper Star-Tribune* quoted representatives of two area refineries as saying Hampshire could put them out of business. According to the *Star-Tribune*, Hampshire would be producing more unleaded gasoline than consumers in the entire state of Wyoming now use at prices that, as a result of the subsidies, would be competitive with area refineries.

But economists and other experts quoted in a *Denver Post* story questioned some of the basic assumptions made in the Hampshire report, saying the plant would require perpetual government underwriting or fold.

Cutting the price to where it could compete would require price guarantees of \$87 million a year, according to an alternative fuels expert from Merrill Lynch quoted by the *Denver Post*.

Tom Williams, Hampshire's project manager, said the plant will displace imported crude oil products now used in the region, causing some reshuffling in marketing but not threatening area refineries.

Gillette City Administrator Tandy scoffs at the criticism. He points out that the federal subsidy program was designed to reduce dependence upon foreign oil. "It's absurd to think that a local disruption in marketing is more important than reducing foreign oil imports," he said.

— Marjane Ambler

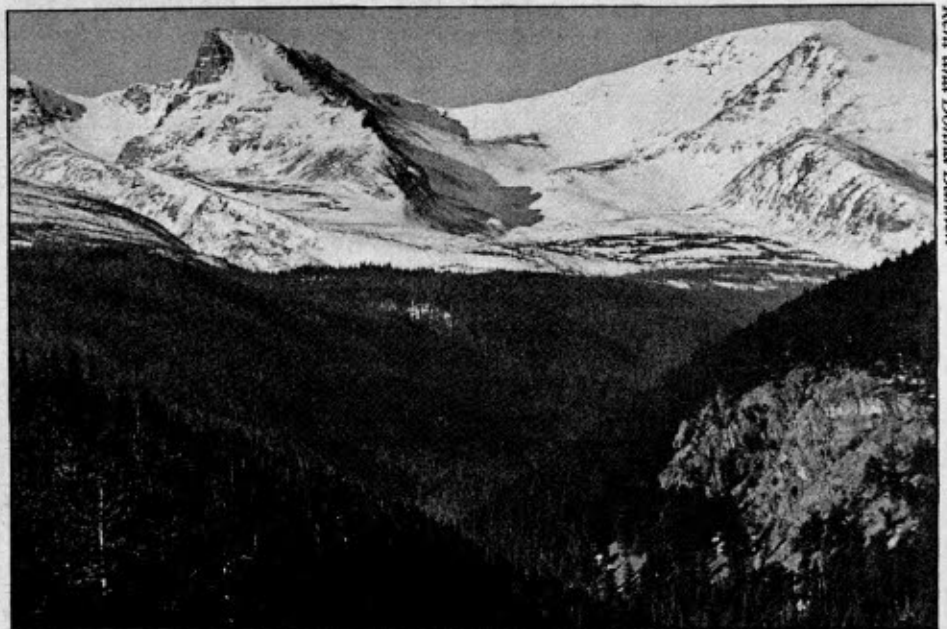
## Leasing ban in wilderness likely

The signs are good that Congress will pass some sort of legislation to prohibit oil and gas leasing in wilderness areas before the end of this year's session.

Legislation introduced by Sen. Henry Jackson (D-Wash.) to withdraw all wilderness areas and all U.S. Forest Service lands recommended for wilderness or further study under RARE II (Second Roadless Area Review and Evaluation) has been co-sponsored by 54 senators, and proponents of the bill feel its chances are good. The House passed an identical bill in August. Under the current Wilderness Act, a ban on leasing in the wilderness does not begin until January 1, 1984.

The bills are efforts to block Interior Secretary James Watt's previous proposals to allow oil and gas exploration in wilderness areas.

And now, even Watt seems to be going along. Bruce Hamilton, regional representative for the Sierra Club, said Interior recently asked the Senate Appropriations Committee to prohibit leasing in wilderness areas until Congress approves a final appropriations bill, probably in a lame duck session. Hamilton said the change of heart was



Indian Peaks Wilderness, Colorado

due to an amendment tacked onto a continuing resolution bill passed by the Senate Appropriations Committee that will bar the government from spending any money on processing lease applications. The Senate must pass the continuing resolution bill to hold the

government over financially until an appropriations bill is passed. Hamilton said Watt changed his mind when he realized Interior would have its funds cut with the passage of that bill.

In Watt's letter to the Senate Appropriations Committee, he did not ask for a ban on leasing in areas proposed for wilderness or further study areas, as the Jackson bill does.

*Federal Lands* reported that the Wilderness Society discovered the Forest Service will have 43 wilderness areas ready for leasing the first three months of 1983 if no legislation to protect the areas is passed. Hamilton said the Forest Service is currently making such lease applications ready because the agency would be in "a real crunch" if the protective legislation is not passed. The Forest Service would have less than a year to review and ready applications for leasing in wilderness areas throughout the country.

— Carol Jones

## BARBED WIRE

*Hope he wasn't hurt.* A headline in the Powell, Wyoming, *Tribune* read, "Mouse in beer suit dropped."

*Of course, they say it's in the eye of the beholder.* Two industry consultants told United Press International that Idaho is a "beautiful" place to build nuclear power plants.

*Well, every kid can't grow up to be president.* Harry Reems, pornographic movie actor and star of "Deep Throat," told the *Deseret News* that he'd rather

be playing second base for the Brooklyn Dodgers.

*No, that's genes!* The weekend supplement of Moscow's *Izvestia* said that young women in Russia walk ungracefully because they have spent too much of their lives in jeans.

*Foot fertilizer.* The Early Winters mail order catalogue is offering insoles for shoes crammed two inches thick with sphagnum moss.



## Eco groups protest new coal regs

Eight conservation groups have filed suit in federal district court in Washington, D.C. to halt implementation of the new federal coal leasing regulations which went into effect August 30.

The groups charge that the rules restructure the underlying premise of federal coal leasing because leasing will be done to meet coal companies' demand for reserves, rather than production goals. They also say that no environmental impact statement was prepared on the new rules and that further leasing is unnecessary because of the large amount of private and federal coal already available.

The lawsuit is reminiscent of one filed in the early 1970s by the Natural Resources Defense Council against the Interior Department which resulted in the court-ordered suspension of coal leasing for several years. This lawsuit does not ask for an injunction against leasing, but asks either that the new rules be suspended until an environmental impact statement is completed, or that the department return to the previous rules. According to John Huss of the Sheridan, Wyoming-based Powder River Basin Resource Council, one of the plaintiffs, "We didn't like the old rules, either, but they are better than these."

In addition to PRBRC, the suit was filed by the Northern Plains Resource Council of Billings, Montana, the Western Organization of Resource Councils, the National Audubon Society, the National Wildlife Federation, the Environmental Policy Institute, the Sierra Club and the Natural Resources Defense Council.

"Leasing to meet demand for reserves" is the central component of the Interior Department's new coal program (HCN, 3/5/82). One of the main criticisms of the rulemaking was that it did not explain what was meant by that phrase.

The specifics of Interior's policy are emerging now, however, as the department formulates lease targets for the Green River-Hams Fork Coal Region of northwest Colorado and southwest Wyoming. With coal sales slated for early 1984, it will be the first region with lease targets explicitly designed to "meet demand for reserves."

Draft Bureau of Land Management documents show that Interior will use four methods, or "algorithms," to calculate the demand for reserves. Two of the methods are straightforward: one looks at past BLM coal sales in the region and nation; the other analyzes industry expressions of interest to get an idea of how much coal the companies want.

The other two are quite complex. Like its predecessor under the old coal regulations, the "inventory method" relies on the national coal model to predict production levels necessary to meet national energy needs. The new twist is that Interior now will be leasing to meet "demand for reserves" not "demand for production." The Washington, D.C. BLM office has calculated that nationwide, operating coal companies hold 2.4 times as much coal as they will produce. BLM will seek to maintain this "reserve-to-sustained production ratio," or "R/P ratio," when it sells federal coal.

Under this scheme, DOE production goals are multiplied by 2.4. The resulting figures for annual shortfalls and leasing targets are thus much higher than under the previous rules.

BLM figures for the Colorado portion of the Green River region, for example, show that no new leasing is needed to meet production goals. Existing leases can fulfill 1995 production needs. However, since mining coal will reduce industry's stock of reserves, BLM recommends leasing 461 million tons in Colo-

rado to make up the reserve shortfall. To 1979, all federal leasing in northwest Colorado had amounted to 488 million tons of recoverable coal. This would be nearly doubled by Interior's new program even though none of the additional coal would be leased for production purposes.

In the Wyoming portion of the region, BLM under the inventory method proposes to lease nearly 3.3 billion tons of coal, quadrupling the amount of coal leased there as of 1979.

Practical considerations, however, will limit the quantity of coal which BLM can lease in the near future. BLM is planning to delineate 13 tracts in each of the two states for the 1984 sale. Those tracts would make available 1.4 billion tons of coal, far short of the 3.6 billion ton mark calculated under the new regulations. By contrast, using the old regulations, the target would have been 930 million tons.

A fourth algorithm, based on the rate at which contracts for an area's coal are being signed, also uses the "R/P ratio" but introduces another variation — the "competition factor." BLM has determined that five coal companies should be able to bid on any given contract, making the competition factor equal five. BLM, then, will lease five times as much coal as it ordinarily would to ensure that each of the five companies has an adequate stock of reserves.

Using this method, the BLM came up with targets ranging from 479 million to 519 million tons, even though the agency has characterized recent contracting in the region as "very light" and has projected that new contracts will be signed only for 500,000 tons annually.

The Green River-Hams Fork Regional Coal Team may establish leasing targets at its October 13 meeting in Denver.

— Brad Klafehn

## Park Service favors air waivers

In what may be a precedent-setting case, the National Park Service has recommended allowing the construction of five energy projects near Theodore Roosevelt National Park and Lostwood National Wildlife Refuge in western North Dakota. The plants will violate Class I air quality increments in those areas.

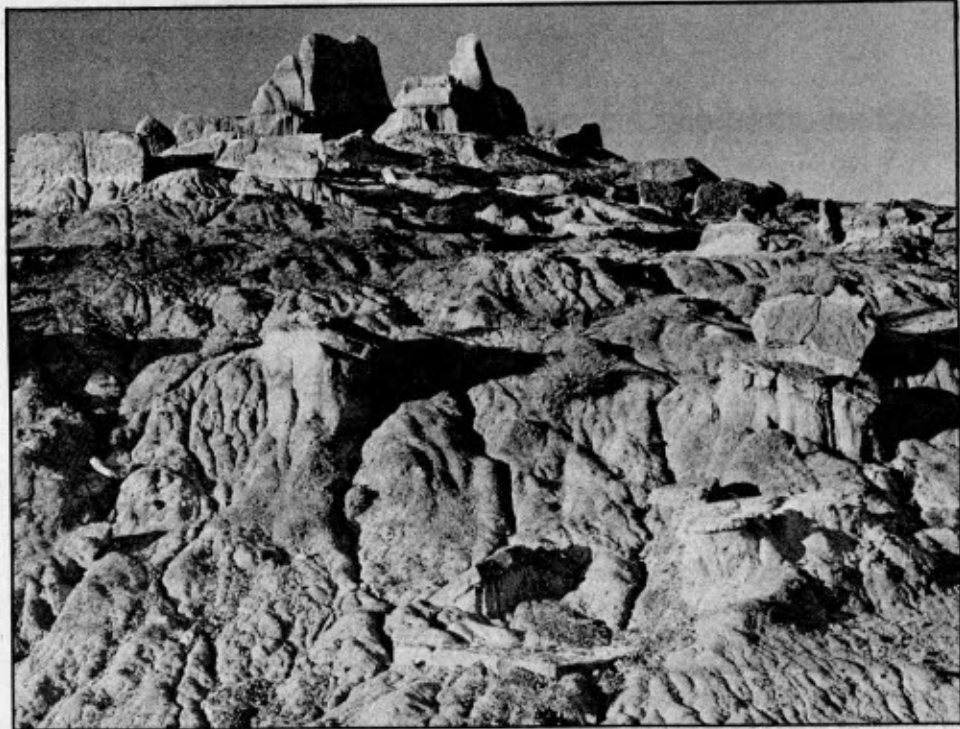
The park and 5,500 acres of wilderness in Lostwood NWR have been designated as Class I areas by Congress under the Clean Air Act. The designation allows little deterioration in air quality.

The five proposed projects are: a Basin Electric Power Cooperative 500 megawatt coal-fired power plant; a Warren Petroleum gas processing plant expansion; a 95,580 barrel per day Nokota Company coal-to-methanol plant; a Minnesota Power and Light 500-MW coal-fired power plant; and an Amoco natural gas processing plant.

The state of North Dakota reviewed the projects' Prevention of Significant Deterioration (PSD) permit applications and concluded that sulfur dioxide emissions would exceed Class I increments in the park and refuge. The Park Service determined that granting the permits would not cause any unacceptable adverse impacts in the areas.

This is the first time that Class I increments have been challenged anywhere in the United States. According to Environmental Defense Fund lawyer Bob Yuhnke, if industry finds it can steamroll the National Park Service into repealing Class I increments, other Class I areas will "start falling like dominoes."

John Christiano of the Park Service's Air Quality Division said that exceeding air quality increments is not an automatic cause for alarm. According to Christiano, increments are designed to



Theodore Roosevelt National Park

notify officials of a potential problem if they are exceeded. In this case, the finding that sulfur dioxide (SO<sub>2</sub>) concentrations would exceed Class I increments prompted the NPS to review the PSD applications. The Park Service concluded that the projects would not exceed actual national ambient air quality standards, Christiano said.

Nevertheless, EDF and other environmental groups are concerned that increased SO<sub>2</sub> over the park and refuge could change visibility and have adverse impacts on plant life.

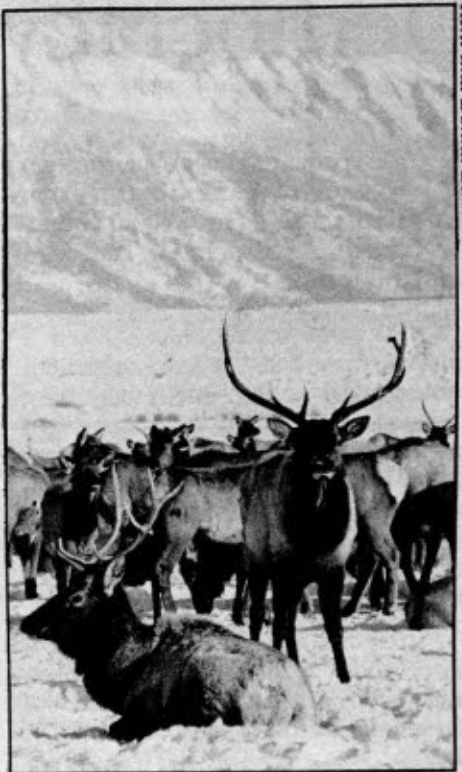
The Park Service performed only one of three visibility tests required by the federal Environmental Protection Agency, according to Yuhnke. It failed

to look at color and contrast, factors that could effect close to mid-range visibility, Yuhnke said. The review stated that visibility would not be adversely effected by the energy developments.

EDF said that the Park Service has not made documentation to support its claims of minimal impacts on plants and visibility public. "The Park Service has never put their data up front," Yuhnke said. He believes the NPS is acting illegally by not backing its conclusions with solid data. More importantly, according to Yuhnke, the Park Service may be setting a dangerous precedent by using what he calls "political science" to support its "pro-industry" decisions.

— Jeff Stern

## HOTLINE



National Elk Refuge

### Elk power

The National Elk Refuge near Jackson, Wyoming could be the site of a hydro-power generating facility if the town and the U.S. Fish and Wildlife Service decide its presence will not harm the elk. The proposed plant, which will generate about 1.3 megawatts of power, would be used to operate Jackson water pumps and provide electricity to the refuge and the fish hatchery on the refuge. The estimated cost of the plant will not be released until the study of the area is complete. If the plant is approved by the Federal Energy Regulatory Commission, an environmental assessment will be required by the FWS.

### Drilling Anaconda

The U.S. Forest Service has granted an engineering firm permission to drill 20 test holes in Montana's Anaconda-Pintlar Wilderness. The firm will use a hand-held, gasoline-powered drill on claims near Kelly, Little Johnson, and Ripple lakes. A soil scientist's report concluded that recovery of the thin, stony soils where the drilling will take place will be slow but, according to the Forest Service's environmental assessment for the project, the activity will have no significant impacts on the wilderness.

### Air quality jeopardized

A Bureau of Land Management study has concluded that air quality in eastern Montana and western North Dakota will fall below state and federal standards if the Fort Union Regional Coal Team's recommendations are followed. The team recommended selling 833 million tons of coal for new strip mining and 203 million tons for existing mines, according to the *Missoulian*. The BLM's report found that such development would cause excessive air pollution, possibly in the form of acid rain. The BLM and the coal team will discuss this problem further.

### Grizzly deaths

The Wyoming Game and Fish Department is quite concerned over the loss of two grizzly bears in the state during September, bringing the total number of downed Yellowstone National Park area grizzlies to 14 this year. One of the bears shot in September was apparently killed in self-defense after the hunter was attacked by a sow with two cubs. The other was shot by a Texan who mistook the grizzly for a black bear. He is facing a fine and jail sentence. Officials also fear that grizzlies and black bears are being killed by poachers for black market profits. Strict bear hunting policies may follow as a result.



# Democracy in action — or conflict of interest?

Last spring, while leafing through an issue of the *Denver Post*, I ran across a piece by political columnist Carl Miller that raised an eerily familiar question.

A Colorado legislator who owns a trucking firm had just led a successful fight to kill a bill that would have imposed stiff fines on overweight trucks. As Miller noted, "His company obviously could benefit from what happened. [His] colleagues know that. So do his constituents." And yet, said Miller, "All his testimony and votes were done openly."

For Miller and for me, the incident raised once again the perennial question of what constitutes a conflict of interest in a citizen legislature.

That is not the simple-minded high school civics question it might appear to be. The idea behind a citizen legislature is a basic democratic carryover from the early days of this yeoman-farmer's republic. Briefly stated, it is the idea that a group of just plain folks from all walks of life can sit down together once a year and come up with whatever good, sensible laws they need to solve whatever problems have presented themselves in the previous year.

For most westerners, the yearly production on the Potomac offers an annual affirmation of the wisdom of that choice over the professional alternative.

Nonetheless, by holding onto the citizen-legislature concept, the West has bought into a system with certain inherent conflicts of interest. These typically come up in a very casual, over-the-back-fence sort of way: A bill that affects ranching is introduced. The bankers don't know anything about ranching so they ask the ranchers, "Well, what do you guys think about this bill?" The ranchers, who in addition to representing their own interests, must represent the interests of their ranching constituents, go ahead and answer — in commit-

tee, on the floor and, more often than not, in votes on the bill.

Does such behavior constitute a conflict of interest? In the five states we surveyed, the answer to that question has been left to the conscience of the individual legislator. And legislators' consciences (those quirky beasts) have dictated every conceivable course, from complete abstention on all issues affecting the business in which a lawmaker makes a living, to fighting for and voting on bills that would have a direct — and in some cases exclusive — impact on an individual legislator's finances.

There is a certain romance — and a certain truth — to the idea that such matters are best left to individual conscience. But as a practical consideration, such a course creates enough ambiguities to cause problems. Not the least of these is that, in the absence of full disclosure laws, constituents and fellow legislators are often unaware of potential or actual conflicts of interest. And, in the absence of good, clear definitions of "interest," everyone suffers — from the conscientious legislator who feels compelled to abstain from voting on a matter of prime concern to his constituents to the equally conscientious legislator who does vote and finds his name smeared with the issue even in the absence of firm standards. Worst of all are the cases where less conscientious legislators go free from censure simply because there are no solid rules by which their colleagues may judge them.

For all that, there is an understandable — if unfortunate — reluctance to remove these matters from the realm of individual conscience. To do so is, in a sense, to question the honor of the men and women we send to our statehouses to represent us. And in the West, you question an individual's honor at your own peril.

It's almost as bad as calling someone a professional politician.

— Jill Bamburg

## Colorado

### Wrist-slapping in Denver

Instances of conflict of interest were relatively few during last year's Colorado legislative session. And those instances, rather than being appalling indiscretions, were of the wrist-slapping variety.

Bill Hobbs, attorney in the legislative drafting office, said, "In my four years here, it's never come up. There's never been a serious challenge to anyone's vote, although there have been a few general allegations."

Colorado's legislature is a citizen legislature in that lawmakers work only six months at the capitol, then return to their private businesses for the other six months. Many joke that their private jobs help to support them in the fairly expensive hobby of deciding the state's laws. Lawmakers last year were paid \$14,000 — a figure kept low intentionally so they can retain their "citizen" status.

The biggest conflict of interest issue during the last session concerned the business relationship between Sen. Jim Kadlecak (D-Greeley) and his personal friend, lobbyist Maria Garcia. It seems Garcia received two contracts worth more than \$100,000 authorized by the Legislature's Joint Budget Committee — a committee Kadlecak serves on. Garcia also has her office in a building in which Kadlecak has financial investment. The *Denver Post* did an investigation of their situation, but other than a

few controversial discussions, the matter largely was dropped.

Sen. Maynard Yost, owner of a trucking firm in Crook, Colorado, received similar treatment. When a bill that would have established heavier fines for overweight trucks was presented before the Senate, Yost spoke firmly and frequently against it. The bill that eventually passed was a watered down version. Despite allegations of conflict of interest, Yost went on, positive in his convictions that he could vote on any trucking issue that would affect the industry in general, but not when it would affect his company in particular.

Although there are no state statutes governing conflict of interest, there are rules, and the interpretations of those rules are substantially longer than the rules themselves. The Colorado Senate Rule No. 17C says, "Any senator having a personal or private interest in any question or bill pending, shall disclose such fact to the Senate and shall not vote thereon." Colorado House Rule 21C says much the same thing: "A member who has an immediate personal or financial interest in any bill or measure proposed or pending before the General Assembly shall disclose the fact to the House, and shall not vote upon such bill or measure." However those rules may be interpreted by lawmakers, the final interpretation by the citizens will

(continued on page 16)

## Idaho

### "Conflicts are inevitable in a democratic government"



There is no code of ethics for the Idaho Legislature, according to legislative legal adviser Myron Schlechte — nothing to direct the legislators on what is proper or improper conduct. There are rules against legislators creating state jobs and then appointing themselves to the positions. And legislators are subject to a state campaign contribution reporting act.

But there is nothing to say that Sen. John Barker (R-Twin Falls) should not have backed a bill in 1979 to save dam operators and irrigators money by lowering dissolved oxygen standards below American Falls Dam — even though he was president of the American Falls Reservoir District, and an irrigator himself. The bill lowered dissolved oxygen standards from six parts per million to five and passed despite opposition from fishermen, biologists and conservationists who warned of harm to the rainbow trout fishery.

The American Falls Reservoir District operates the dam in partnership with the Idaho Power Company. Electricity is generated by drawing oxygen-depleted water from the bottom of the reservoir and passing it through turbines. To meet the dissolved oxygen standards, water must be spilled — and thus wasted for electrical generation — over the top of the dam. Idaho Power Company biologist Wendell Smith said lowering the standard would save the dam operators "an immense amount of money."

The Idaho Conservation League (ICL) charged Barker with a "blatant conflict of interest." But Barker dismissed the allegation, arguing he was "an elected official" in the reservoir district and received only \$10 for each day of committee work. Barker acknowledged, "I own farms in Twin Falls County which get water out of American Falls Dam," but said other legislators vote on issues which affect their businesses. He noted that legislators who are teachers vote on education appropriation bills.

"There are 105 conflicts of interest" in the Idaho Legislature, said *Idaho Statesman* legislative reporter Larry Swisher — one for every representative and senator. In the 1982 legislative session, Swisher noted that "businessmen voted for tax breaks, ranchers voted for agriculture bills and the Idaho Falls delegation voted to endorse a breeder reactor" at the nearby Idaho National Engineering Lab.

That is the accepted and expected practice at the Idaho Legislature. "Conflicts (of interest) are inevitable in a democratic government," argues Senate

Minority Leader Ron Twilegar (D-Boise). "Most people have some financial interest in something," Twilegar said, adding that "sooner or later they will come across a bill that affects their interest."

But Twilegar said such cases are not a significant problem because they are "disclosed conflicts" — their financial involvement is public knowledge even though there are no specific disclosure requirements. "I've not seen anything that has been repulsive to me," he said.

In 1965, Twilegar, then a freshman legislator, introduced a bill to require all legislators to disclose their financial interests. Twilegar said the bill, which was meant to restrain conflicts of interest by making them public, was defeated 60 to 10. His fellow legislators felt the bill was an intrusion, he said.

Twilegar, who decided against running for office this year, said, "I see less evil in conflicts now than I did when I sponsored that legislation." But he said, "I would recommend there be a procedure that would permit more members to abstain from voting." Currently, House members may abstain from voting, but "in the Senate, if you are on the floor, you must vote," according to Twilegar.

"Once in a great while I've seen a legislator abstain from carrying a bill or voting," said ICL lobbyist Renee Quick. "But it rarely happens."

Quick concurred with Swisher, noting, "There is always conflict of interest on a low level. If you are a farmer or a realtor, you are constantly voting on legislation that could directly affect your business."

Indeed, if you are not a farmer or realtor, you might be considered a minority in the Idaho Legislature. Forty-one of the 105 legislators list their occupation as farmers or ranchers. Realtors numbered six in the 1982 session. Educators were the second most represented professional group, with seven members.

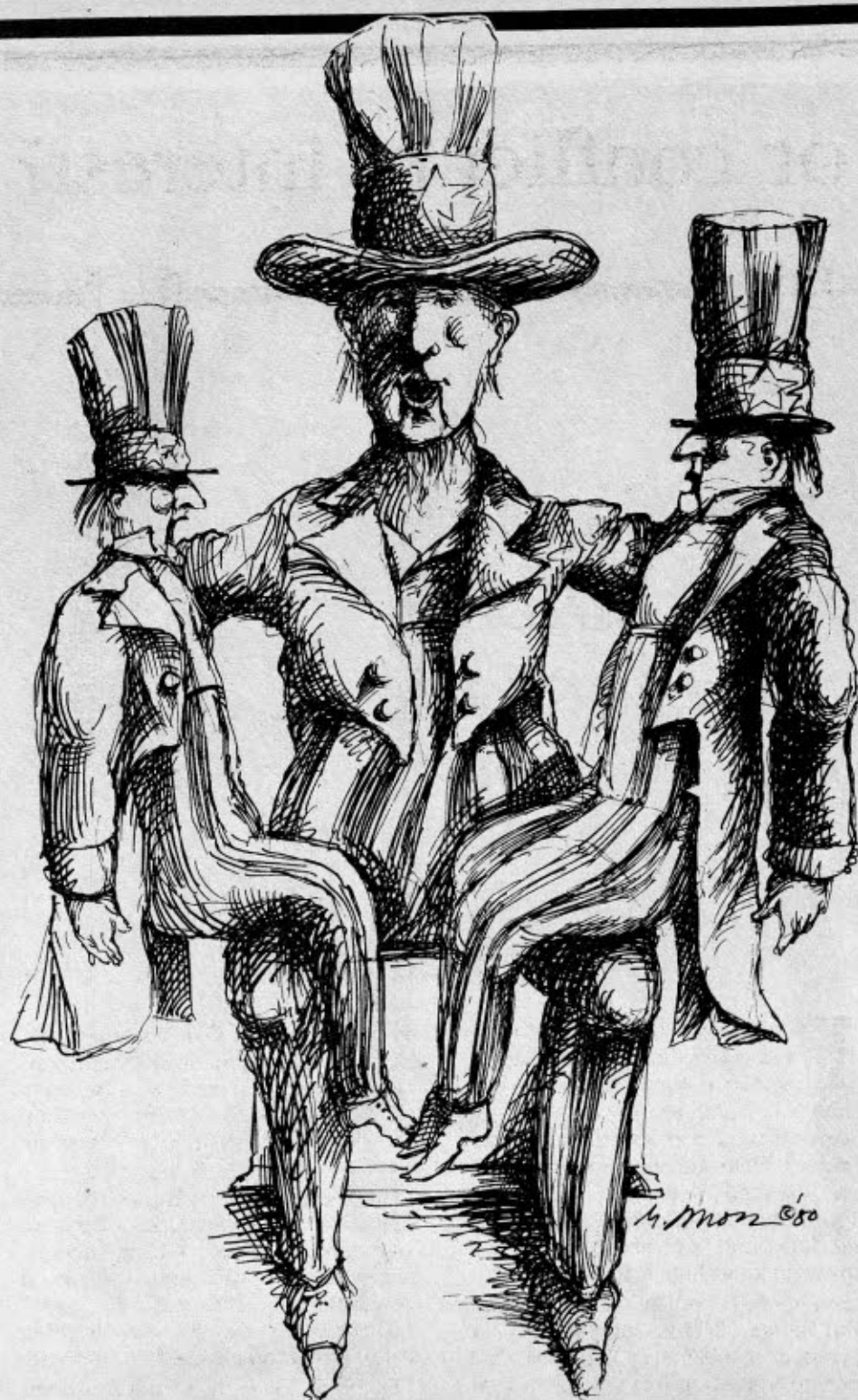
It is generally assumed that legislators are placed on committees according to their expertise. That ensures some "low level" conflict of interest, but is considered to be part of the representative process: Farmer legislators represent their farmer constituents by sitting on agriculture committees and voting for pro-farm bills.

But while that holds true for farmers and ranchers, it does not seem to apply to teachers in the Idaho Legislature.

The chairman and all but one member of the Senate Agricultural Affairs Committee are farmers and

(continued on page 16)





## Utah

### Union troubles grIPPed legislators

**P**at Brim of Utah Common Cause says the controversy over selection of project construction manager for the \$8.7 billion Intermountain Power Project is the "classic example" of conflict of interest in Utah state politics.

The IPP controversy began in August, 1981, and ended in an investigation by a specially formed Utah House Ethics Committee. At the heart of the issue was whether or not Bechtel Corporation of San Francisco, chosen as the construction manager of the huge IPP development, was a pro-union contractor. State Representative C. McClain Haddow (R-Salt Lake City), a protégé of arch-conservative U.S. Senator Orrin Hatch (R), instigated the challenge to Bechtel, a company he said would hire only union shop workers. Haddow preferred Daniels International of Greenville, South Carolina, a company he said practiced a merit shop policy of hiring both union and non-union workers on a competitive basis.

Haddow, the champion of anti-union state legislation and rulemaking, was the main mover in the fight against Bechtel. He enlisted the support of Senator Hatch and the rest of Utah's all-Republican congressional delegation in actively opposing Bechtel and supporting Daniel International. Haddow also arranged for the leadership of the Utah legislature, Senate President Miles Ferry and House Speaker Norman Bangerter, both Republicans, to join in. At Haddow's urging, the congressional delegation and legislative leaders tried to get Utah Power and Light, a major

purchaser of IPP power, to join the opposition against Bechtel. The delegation and the leadership wrote letters to UP&L degrading Bechtel. Senator Hatch, Utah Congressman Dan Marriot and Haddow together had a face to face meeting with UP&L officials, urging them to withdraw support for Bechtel — something UP&L ultimately refused to do.

At about the same time, Haddow conducted a radio advertising campaign against Bechtel, reportedly costing \$6,000. The ads accused California Governor Jerry Brown (D) of being pro-labor and using his office to influence the choice of project managers. The ads aimed at getting the public to call UP&L offices to pressure the utility into opposing Bechtel.

As Haddow's campaign was underway, the Salt Lake news media revealed a startling series of ties between Haddow, certain other state legislators and Daniels. In July, 1981, Haddow had arranged for himself and three other legislators, including House Speaker Bangerter, to fly to a national legislators' conference in Washington, D.C. in the private airplane of Robert T. Thompson, general legal counsel for Daniels International. While in Washington, the four legislators were entertained at a barbecue hosted by attorney Thompson and attended by Daniels officials. Thompson also contributed a reported \$8,000 to pay for a hotel hospitality suite used by the Utah legislators in their efforts to get Utah Senate President Miles Ferry elected to a national legisla-

(continued on page 16)

## Montana

### Insuring a controversy

**I**n Montana, where the state flag says *Oro y plata* — gold and silver, conflicts of interest in the legislature are as old as the Anaconda Company. The new state constitution, drafted in 1972, helped put a lid on corporate abuses of political power, but the political balance sheet still has the same bottom line — money equals power.

The 1981 biennial legislative session found Republicans holding both houses for the first time in three decades, and the wealthier party lost no time in pushing legislation that helped business interests in the state. One bill, introduced by insurance broker Mike Anderson of Belgrade, focused the wrath of minority Democrats in the Senate and led to widespread charges that Montana Republicans are merely out to feather their own nests at the expense of political ethics.

Anderson sees it differently.

The bill would have allowed insurance companies in Montana to sell variable life insurance policies and variable annuities, two types of policies that offer paybacks tied to stock market fluctuations. More like stock investments than traditional insurance policies, these contracts allow for varying rates of return rather than fixed assets to accrue to insurance investments.

Only two states — Montana and Hawaii — and the District of Columbia still forbid variable annuities and life insurance policies. The Montana Department of Revenue drafted the bill and asked Mike Anderson, an insurance expert, to carry it.

After the bill passed second reading, Senate Democrats uncovered new information that they said merited more debate. The bill went back to second

reading when Democrat Pat Regan, a 10-year Senate veteran from Billings, took the floor and read from a handwritten letter that Democrats were not supposed to have seen. All Senate Republicans had received it.

The letter read:

Dear Fellow Republicans,  
Please destroy this after reading. Why? Because the Life Underwriters Assn. in Montana is one of the largest Political Action Committees in the state and I don't want the Demos to know about it!

In the last election they gave \$8,000 to state candidates...of this \$8,000 — Republicans got over \$7,000 — YOU PROBABLY GOT SOMETHING FROM THEM. This bill is important to the underwriters and I have been able to keep the contributions coming our way. In 1983 the PAC will be \$15,000. Let's keep it in our camp.

(signed) Mike Anderson

The bill died on second reading, its backers fleeing like the neighbors of Three Mile Island.

Pat Regan commented on why she read the letter. "I just feel that things like this should be read. Sen. Dorothy Eck (D) thought the bill was tainted and made the integrity of the entire senate suspect, and I agreed with her. The way the letter was written it was almost like buying a vote," she said.

In spite of the infamous letter, Mike Anderson admits no wrongdoing. "I don't sell that product so my business had nothing to gain from the bill's passage," he said. "I was just carrying the bill for the department."

Anderson points out that, after the legislature, he was the target of an ethics investigation by the Montana Secretary of State, a Republican, who found no clear violation. "It was really much ado about nothing," Anderson said.

In fact, he is dismayed that no one

(continued on page 16)



## Wyoming

### The lambs lay down with the lions

with legislators representing both geographical and economic constituencies.

In the most recent session, the conflict of interest question arose in a more pointed form in connection with a \$3.5 million low-interest state loan for a lamb processing plant in the eastern part of the state. One of the bill's sponsors, Sen. Eddie Moore (R-Converse-Niobrara Counties) had a direct financial interest in the project in the form of a stock agreement to purchase one \$5,000 investment unit. As a sheep rancher, he also stood to gain financially — as did the rest of the state's wool-growers — from the development of a new lamb market close to home. Currently, the closest open market for Wyoming woolgrowers is in Albert Lea, Minnesota, with two co-op markets located in Denver. Moore estimated that the Wyoming plant could have netted Wyoming ranchers an additional two to five cents a pound for their lambs.

Moore said that he signed the stock agreement to show his support for the plant and that it never occurred to him that it might be a conflict of interest because of the small size of the invest-

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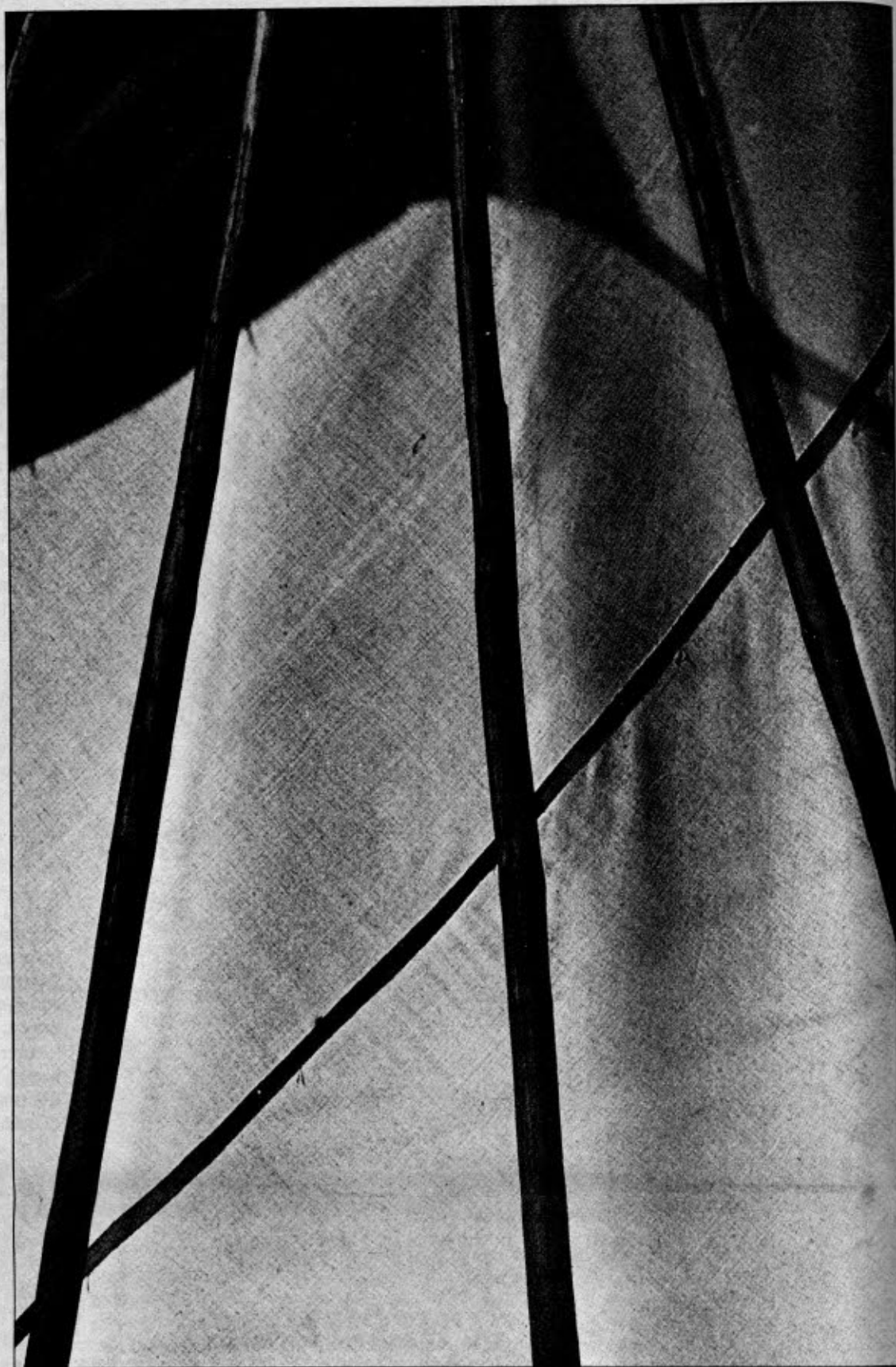
**T**he Wyoming constitution says "A member who has a personal or private interest in any measure or bill proposed or pending before the legislature shall disclose the fact to the house of which he is a member, and shall not vote thereon."

While that language might seem unequivocal, the practice is as varied as the state's citizen legislators themselves. There are no financial disclosure laws (beyond a campaign finance law) so it is virtually impossible to know the full nature or extent of any individual lawmaker's interests. Then, too, there are questions — sometimes legitimate, sometimes not — about what constitutes an "interest." Finally, the economic conflicts of interest inherent in a citizen legislature have by now become an important — and to some extent valued — attribute of the system. For better or worse, there is almost a dual system of representation in Wyoming,



8-High Country News — Oct. 1, 1982

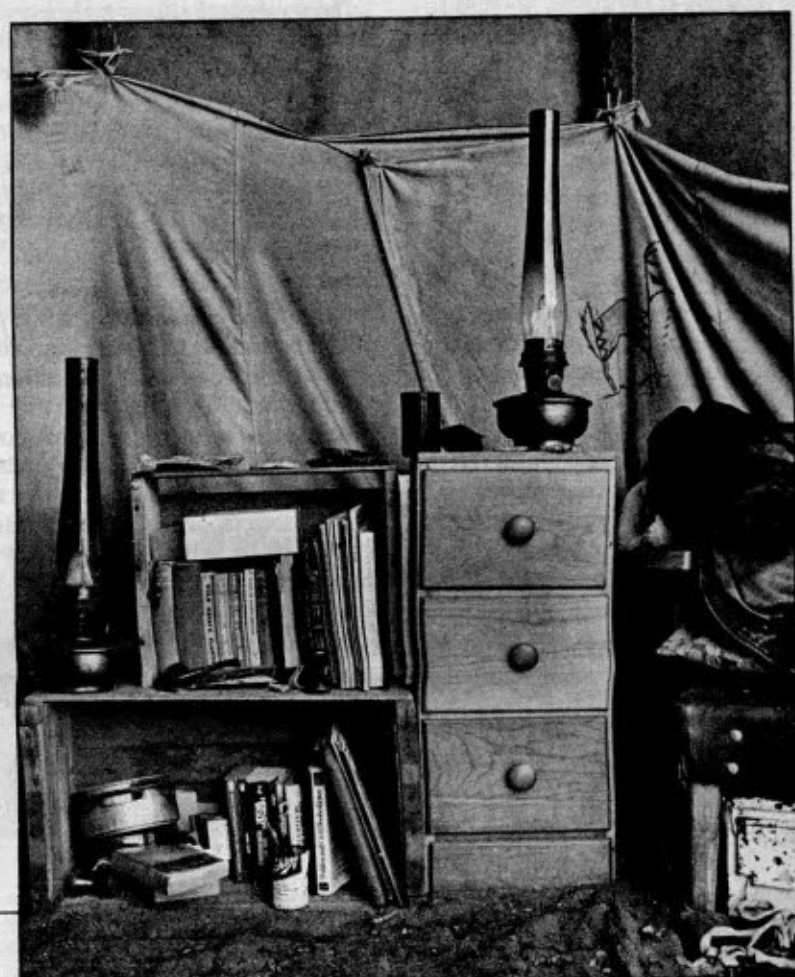
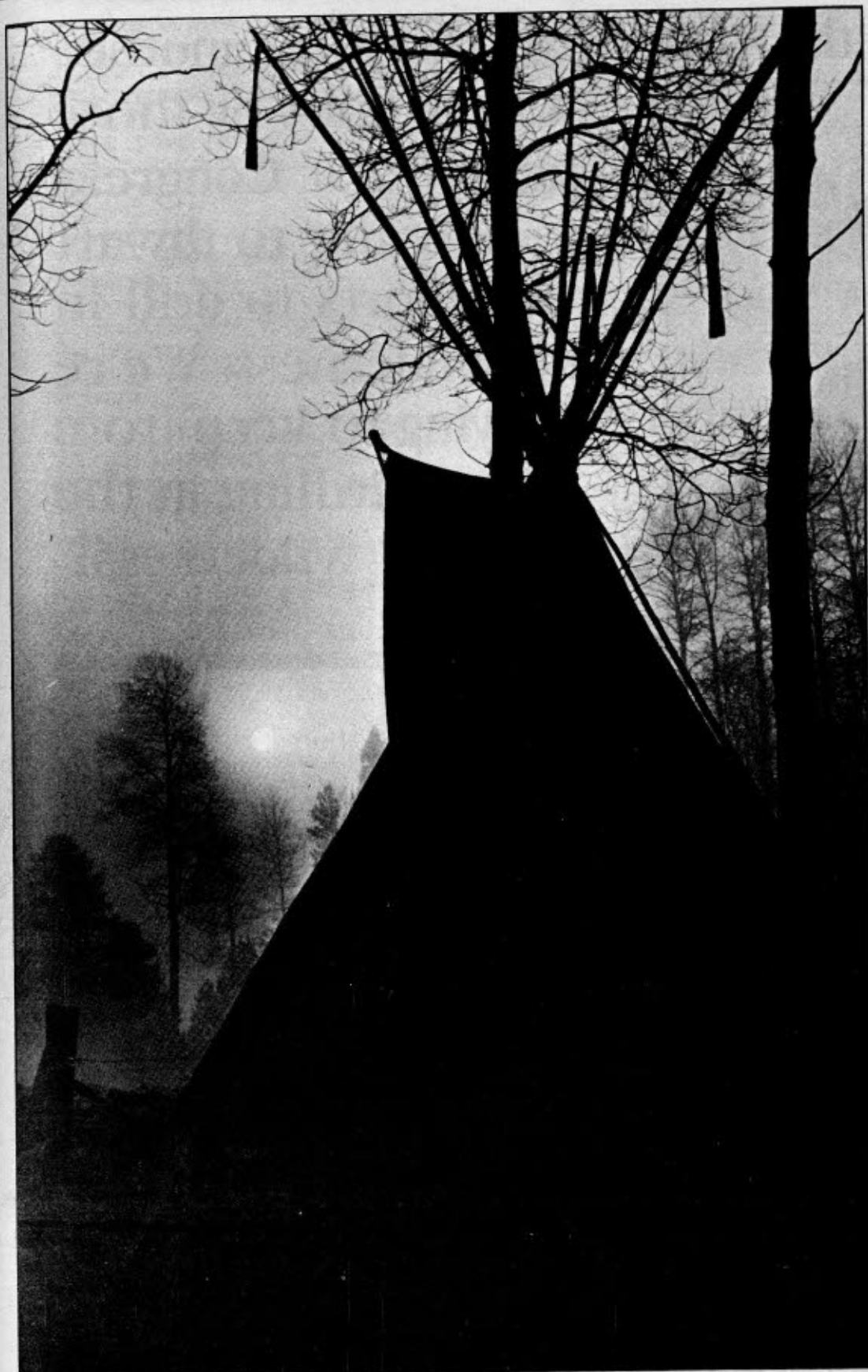
# TUPI



*Photography by* Richard Murphy







Richard Murphy is a reporter and photographer with the *Jackson Hole News*. His work is on display at the Artwest Gallery in Jackson, Wyoming. He has summered in a tipi for the past nine years.





**Watt...**

(continued from page 1)

ture for roads, water treatment facilities and schools so they can attract the industry to get the jobs. Right now they can't compete for jobs.

*But should states be allowed to tax those resources?*

That's not an issue for me to deal with. I have a trust responsibility to carry out. That's not something I want to comment on.

*In an interview with HCN last year, former Interior Secretary Stewart Udall said that he felt your term as secretary was contrary to the tide of history and that you weren't carrying out the policy trends of the last 20 years through both Republican and Democratic administrations. How would you respond to that?*

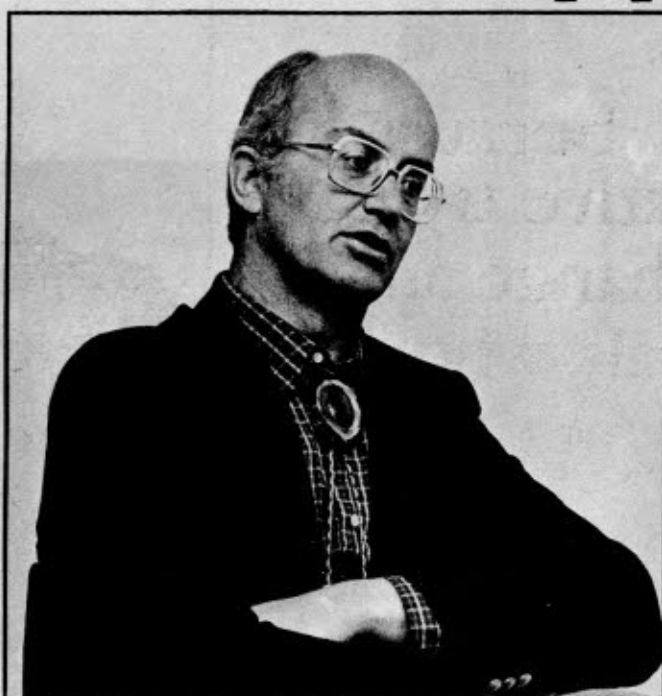
I wouldn't.

*You've said often in the past that the pendulum has swung too far in the direction of preservation. Do you think that past administrations are responsible for that?*

No. It's been a historical thing. Anybody can make cheap shots about other people. I have the responsibility to take care of the land. We have done better than most. We are in the process of restoring the national parks which were allowed to deteriorate. We're investing in the refuges, which were not managed properly and ignored in the funding allocations. We're bringing common sense to the management of the public lands which were not being managed to bring the most benefits to all of the American people. We're making significant progress and bringing dramatic change.

I suppose for the past people to criticize, they see a reflection on their stewardship when you see that the government says the parks are in bad shape. So you see people trying to cover their flanks.

"I read in the paper this morning another cheap shot by those who say that Congress is trying to thwart our efforts to drill in the wilderness. We're trying to keep from drilling in the wilderness."



Mike McClellan

*The coal market has been very slack and there is a substantial amount of coal already under lease. Yet Interior has continued to offer large amounts of federal coal for lease. For instance, the recent Powder River Basin coal lease sale was the largest in history. Why do you see the need to continue leasing at this point?*

You should never make public policy on the basis of today's economic conditions, if the economic conditions are volatile and changing all the time. You've got to look to the future and our time frame is the 21st century, which is ironic, because I'm a conservative trying to bring change and it's the liberals who don't want to bring change. They want to go back to the ways of the failed policies. Any energy decision I make will not be realized until the 21st century. It would be foolish to make a decision affecting the consumer interests of

America based on a September coal market statistic.

We know we must reduce our imports of crude energy, which are about 40 percent. We should not become dependent upon foreign sources and under any scenario that any reasonable person wants to paint, we must double the production of coal in the next 20 to 30 years.

To bring on a coal mine, if we were to lease something today, it's 15 to 20 years at best before the consumer of America would realize any benefit from the coal. So it's foolish to suggest that you can make decisions based on today's set of circumstances.

*How much land under the jurisdiction of the Interior Department do you anticipate being sold to help reduce the federal deficit?*

Very little. Very little is marked to be put up. Parks won't be sold; national forests won't be sold; the wilderness

won't be sold; the refuges won't be sold. Vast acreages aren't eligible for a market decision to be placed on them. So we're looking at isolated tracts that should be sold or exchanged or traded to improve management by the states or by the private land user. We need to sell tracts of land next to cities to help people have hospitals or homes or businesses. We need to clean up management possibilities. But there simply won't be a massive land transfer. No one has proposed that, it's not contemplated and it won't be realized.

*Along those lines, you're working with the state of Utah on Project BOLD to exchange lands to help them consolidate the state's land holdings to make management easier. What is the current status of that?*

We're making some significant progress on it. We enthusiastically endorsed Project BOLD. It's a two-fold program. First, the state is entitled to

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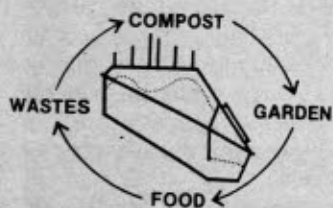
CLASSIFIED ADS cost 20¢ per word, prepaid, \$5 minimum. Rates vary for display advertising; write HCN, Box K, Lander, Wyoming 82520 or call (307) 332-6970 for further information.

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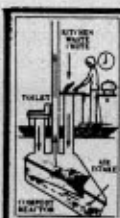
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Dream Garden Press

**1984 MONKEY WRENCH GANG CALENDAR**

Publisher seeks radical environmental & wilderness dates for calendar. Especially Ecotage, Ecodefense, Monkeywrenching & Nuke & other disaster dates. Also looking for quotes pertaining to defending wilderness & environment, civil disobedience, ecotage, etc. Submissions must cite source or include news clipping. Free copy of calendar to all contributors. Fee can be arranged for 10 or more submissions. Write: 1984 Monkey Wrench Gang Calendar, Dept. GWH111, Dream Garden Press, 1199 Iola Avenue, Salt Lake City, Utah 84104.

**JOB ANNOUNCEMENT**

Montana Environmental Information Center  
P.O. Box 1184 Helena MT 59624  
(406) 443-2520

**POSITION:** Lobbyists for 1983 Legislative Session  
**DATES:** Starts November 1, 1982; terminates April 30, 1983  
**SALARY:** \$1,000/month plus regular MEIC employee benefits; no vacation  
**JOB DESCRIPTION:** Write legislative proposals; communicate with legislators; help plan and implement lobbying strategies; monitor activities of Montana House and Senate and natural resource-related committees; monitor and testify at hearings; writing and editing; media and publicity work; miscellaneous public speaking.  
**QUALIFICATIONS:** Knowledge of Montana environmental laws and politics; familiarity with the Montana Environmental Information Center and general conservation perspectives in Montana; strong writing and speaking abilities; ability to communicate with people of diverse viewpoints; ability to work long hours (14-16 hour days are common) in an atmosphere of high stress; dedication to conservation necessary; experience in conservation lobbying preferred.  
**TO APPLY:** Send resume and description of why you seek this job and of your involvement with and commitment to conservation by October 15, 1982, to:  
Susan Cottingham, Executive Director,  
MEIC, Box 1184, Helena, MT 59624



about 250,000 acres of land to be transferred to them because of the statehood act. The U.S. government has not fulfilled its promises or commitments to several of the states — Utah, Arizona and Alaska, being principal. Yet this calendar year, we'll transfer 65,000 acres to the state of Utah under that program.

Then, phase two is exchanging lands to block up land so you can have better management capability. We're identifying those lands now and setting some values and guidelines. This is a several year project. And we would take it to Congress for approval before it was fully implemented.

*Does it need congressional approval?*

It doesn't have to be, but we think it's smart because we want it to be a precedent for other states.

*When you first came into office, you began your "Good Neighbor" policy which would give local governments the opportunity to get federal lands near them for parks and recreation purposes cheaply or even free. Is this current federal land sale initiative in conflict with that program in forcing cities to bid up the price for federal lands?*

No. There is no conflict. We're still encouraging governors and county and state officials to identify the lands they need for recreation and park purposes and we'll try to transfer those lands to them. It has been disappointing to me that the authorities that are on the statute books have not been used to make that available. Ten years ago, when I was director of the Bureau of Outdoor Recreation, we were aggressive in our

**"It's ironic because I'm a conservative trying to bring change and it's the liberals who don't want to bring change."**

efforts to transfer lands to local governments for recreation. Since I left the Department of Interior in 1975, very little attention has been given to transferring park and recreation lands to state and local governments. In fact, just the opposite's been the case — to try to take more lands for the federal government. That's too bad because the consumer of recreation doesn't have that opportunity given to him when the federal government tries to hoard it.

*You've said that you were willing to compromise with environmental groups over environmental issues, but*

*that the environmentalists have been unwilling to compromise. Can you give any examples of this failure to compromise? Any particular issues?*

I'm not sure what you're referring to there. We've found very good rapport and ability to communicate with the environmental groups as we meet with them as we travel around the country. When the environmental groups pick up a specific issue and we meet with them, we get a resolution.

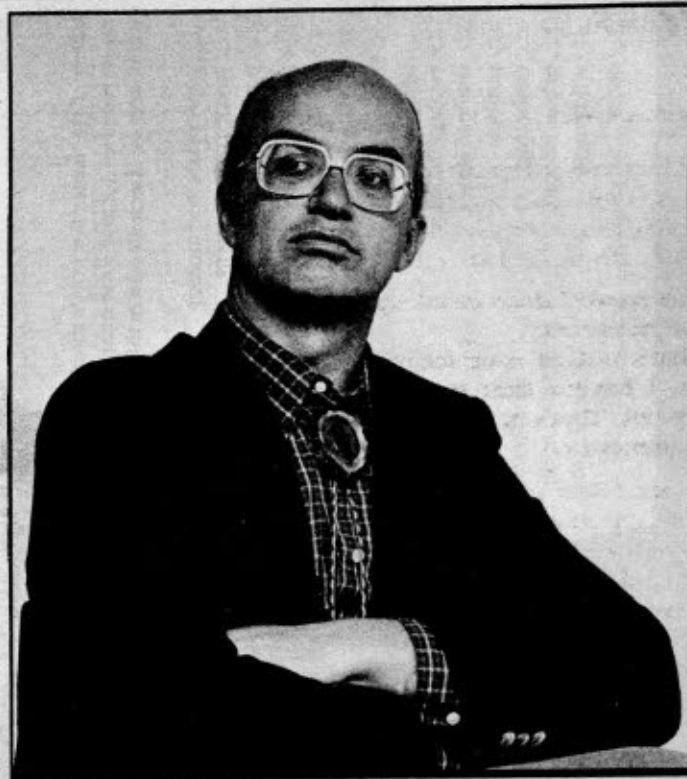
Candidly, I have serious problems with paid staff in Washington that won't talk issues. They talk politics, as political

activists, rather than expressing environmental concerns. Frankly, we just decided to focus on the land and water issues and dealt with those concerned with that and bypassed the Washington scene.

Nobody asks to come in and see me in Washington; they don't seem to have anything to talk about. Out in the field, they have something to talk about and we make good progress.

*There have been rumors lately that you would resign after the election. Is there any truth to them?*

Not that I know of.



Mike McClure

## "The sly one" gets his antelope

It may be the one day of its life that an antelope feels the humans of the world appreciate it. On the first day of hunting season, the barren, high sagebrush desert that the antelope roams is suddenly a favorite place for hundreds of hunters in day-glo hunting, and they all gaze longingly at the gangs of antelope skulking in the hills.

On a recent weekend in Lander, Wyoming, James G. Watt, noted interior secretary, was among them. He rode out with Larry Lee, a Riverton, Wyoming funeral director, as his guide, another hunter, a Park Service agent, and a reporter that he would later, jokingly, call a "flaming environmentalist." That night before, in a pre-hunt ceremony, Shoshone Indians had dubbed the Interior Secretary Eecjopo, which means coyote, or "sly one." The Indians insisted the name was bequeathed all in good fun.

Watt was all in good fun, too. He had risen at 4 a.m. for a breakfast at the Maverick Motel, then grabbed a borrowed .25-06 and roared off to the Graham Ranch near Jeffrey City. Tom Graham said the wild horse herds managed by the Department of Interior are ripping up the range. Watt said the horses are protected by a bad law, his hands are tied, and he wondered why the environmentalists aren't fighting to change the law so he can manage the horses and protect the range.

But there wasn't much of that kind of talk on this trip. Every time "issues" started cluttering up the car conversation, Larry Lee would fix his coroner's eye on the rear view mirror and opine as how it would be a long walk back for a reporter left out here in the desert.

A long walk and not a very safe one. For as a pink blush rose behind the Sweetwater Rocks, one could see spread out over the desert hills dozens of hunters out for first-day kills. The antelope formed little committees in the distance to consider the invasion, then more often than not the does left the bucks to fend for themselves.



Fremont County Coroner Larry Lee, Interior Secretary James Watt and Watt's kill

The Interior Secretary — let's call him Eecjopo — got his first chance at a buck after just a few minutes of hunting. An antelope was broussing amidst the sagebrush 150 yards from where Watt got out of his vehicle and hunkered down for his first attempt (the first in his life!) at downing an antelope. He missed.

That miss cut Watt's team's chances to win the Lander One-Shot Antelope Hunt considerably — this was to be a year in which several of the three-man teams downed three antelope with one shot each. Watt's teammates — the Fish

and Wildlife Service's Bob Jantzen and the Bureau of Reclamation's Bob Broadbent — both got theirs.

Watt got one too...on his second shot. He hit it at 350 yards — the animal jumped and ran, making the secretary think he had missed again. Then the beast dropped — it had been a perfect heart shot, and his 100-yard dash with a big hole in his chest had effectively saved the hunter the trouble of draining his blood. Eecjopo tried out a joke he was sure to use a hundred times over on the Republican fundraising circuit — "When he started moving to the left, I was hoping he would drop."

Broadbent said environmentalists and animal-lovers would "crucify" Watt for shooting the buck, but it's not likely to upset anybody here. If a One-Shot antelope is not cleanly killed on the first shot, it is quickly dispatched by hunters or guides. Antelope are plentiful — their numbers are exponentially higher today than they were 50 years ago in Wyoming. And finally, many — I would say most — residents of Wyoming would themselves rather eat game meat than Safeway's steers.

Eecjopo sounded the right notes among hunters — he complained about the wild horse problem, he decried the decline of the grizzly in Yellowstone and he yelled excitedly at the sight of sandhill cranes flying east above the Sweetwater River. He complained about the press and the way it covered him, particularly the *Washington Post*, for which I was writing. He worked to correct his image as a pro-development zealot whose only forays into the wilds were in a purple van or on a dirt bike. The van was brown, he said, and then added skiing, snowmobiling, fishing and, of course, hunting, to his list of outdoor adventures. Hopefully, he pursues the other forms of recreation more actively than hunting — this was his first pursuit of game in 20 years.

Yet Eecjopo had hardly escaped James Watt by coming to Wyoming. But Watt blamed his poor image on the "paid Washington staff" of environmental groups and said he had no plans to resign. "I quit planning my life," he said. "Nothing I've ever done has been within a plan."

Watt was not here to talk issues. A good hunt, said hunter Carrol Hutchens, "is good companionship, people having a good time." In this instance, at least, Watt seemed to be one of the boys. It might not make for a positive image with the animal lovers in Washington, D.C., and elsewhere, but, as Watt said, "I don't have much of an image to protect."

—Geoffrey O'Gara



3. How long do you spend reading HCN on the average? \_\_\_\_\_
4. How long do you usually keep your copies of HCN? \_\_\_\_\_
5. How many other people (not counting yourself) read your copy of HCN? \_\_\_\_\_
6. Have you ever contributed money to the HCN Research Fund or Publishers Fund?
- yes — no
- If so, in what range have you contributed recently?
- \$10 or less — \$11-\$25 — \$25-\$50 — \$50-\$100 — \$100-\$250
- \$250-\$500 — \$500 or more

### High Country News Evaluation

1. Which of the following statements most closely describes the way you usually read *High Country News*?

- Skim the paper in its entirety
- Skim the paper in its entirety, then return to read items of interest
- Skim the paper, reading shorter items of interest, then return to read longer features
- Skim the paper, reading all items of interest along the way
- Read the paper cover to cover
- Other \_\_\_\_\_

2. How often do you read the following regular features of *High Country News*? Please circle your answer. (If you regularly read these items in a particular order, could you number them for us?)

|                    |        |         |           |       |
|--------------------|--------|---------|-----------|-------|
| Front page feature | always | usually | sometimes | never |
| Western Roundup    | always | usually | sometimes | never |
| Dear Friends       | always | usually | sometimes | never |
| Barbed Wire        | always | usually | sometimes | never |
| Hotlines           | always | usually | sometimes | never |
| Inside feature     | always | usually | sometimes | never |
| Centerpread        | always | usually | sometimes | never |
| Books              | always | usually | sometimes | never |
| Bulletin Board     | always | usually | sometimes | never |
| Opinion            | always | usually | sometimes | never |
| Letters            | always | usually | sometimes | never |
| Back page feature  | always | usually | sometimes | never |

3. Which of the issues we cover interest you most? Number 1, 2 and 3 the issues you are most interested in; check all others that interest you.

- appropriate technology
- energy development
- people
- public lands
- toxics/pesticides
- water
- wildlife
- agriculture
- ecology/biology
- nuclear issues
- politics
- timbering
- urban issues
- wilderness
- other \_\_\_\_\_



4. Which of the following issues do you think *High Country News* covers the best? Please number your answers from one to three, starting with the best.

- agriculture
- ecology/biology
- nuclear issues
- politics
- timbering
- urban issues
- wilderness
- other \_\_\_\_\_
- appropriate technology
- energy development
- people
- public lands
- toxics/pesticides
- water
- wildlife

5. In which of the following areas does HCN's coverage need the most improvement? Please number your answers, starting with one for the area which needs the most work.

- agriculture
- ecology/biology
- nuclear issues
- politics
- timbering
- urban issues
- wilderness
- other \_\_\_\_\_
- appropriate technology
- energy development
- people
- public lands
- toxics/pesticides
- water
- wildlife

6. Please circle your answer. *High Country News* feature stories are:

- Fair/balanced/objective — always — usually — sometimes — never
- Lively/interesting — always — usually — sometimes — never
- Thoughtful/perceptive — always — usually — sometimes — never
- Boring/dry — always — usually — sometimes — never
- Too technical — always — usually — sometimes — never
- Unusual — always — usually — sometimes — never
- Too short — always — usually — sometimes — never
- Too long — always — usually — sometimes — never

7. How would you rate the layout of *High Country News* in the following areas? Please circle your answer.

- Attractiveness — excellent — good — fair — poor
- Readability — excellent — good — fair — poor
- Quantity of illustrations — excellent — good — fair — poor
- Quality of illustrations — excellent — good — fair — poor
- Quantity of photographs — excellent — good — fair — poor

8. Why do you read *High Country News*? Please place check marks by all the reasons that apply; place two check marks by the primary reason you read the paper.

- news of environmental issues in my state and community
- news of environmental issues elsewhere in the Rocky Mountain region
- environmental news from Washington
- investigative reporting
- news analysis and perspective
- sense of regional identity
- sense of environmental community
- to find out what environmentalists are up to
- other \_\_\_\_\_

### Looking ahead

1. In the future, do you think *High Country News* should:

- (a) continue to report exclusively on the environment
- (b) branch out and cover other regional news of interest?
- If you checked (b), what other areas would you like to see us cover?
- \_\_\_\_\_

2. Please check all answers which apply. In the event of a financial crisis, would it be acceptable to you if we:

- reduced the number of pages of HCN
- reduced the frequency to once a month
- raised the subscription price to \$18

Which would you prefer?

3. Which of the following regular features would you be interested in seeing added to *High Country News*? Please number 1, 2 and 3 the ideas that interest you most; place check marks beside any other ideas that interest you.

- a column from Washington, D.C.
- a regional political column
- a column on natural history
- a column on outdoor equipment/recreation
- a regional travel column
- a regional gardening column
- a regional calendar of environmental events/outings
- a more general regional calendar of events
- regular news of environmental groups in the region
- a column on rule changes proposed in the *Federal Register*
- occasional pieces on non-environmental topics (specify) \_\_\_\_\_
- regular listings of EISs and major plans proposed for public lands in the region, including comment and hearing dates and deadlines
- other \_\_\_\_\_

4. What sort of ads would you like to see in HCN?

- appropriate technology
- art/crafts
- books
- conservation groups
- educational opportunities
- entertainment
- gardening
- hunting/fishing guides
- other \_\_\_\_\_
- mail order
- music
- organic foods
- outdoor equipment
- personals
- photography/optics
- restaurants
- travel
- none

5. Finally, what else do you want to tell us? (This is your chance to suggest specific story ideas, tell us what you like and dislike about the paper, give your ideas on what *High Country News* should become or...it's up to you.)
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Please mail your completed questionnaire to Reader Survey, Box K, Lander, Wyo. 82520.



Thanks!



Don't panic. Don't be intimidated. And don't ignore this page.

THIS IS YOUR CHANCE to tell us what you think of *High Country News* and what you think the paper should become.

It's also a chance for you to help *HCN* financially without spending a cent. Your answers to the questions on demographics and consumer behavior should help us attract advertisers. And your answers on membership and citizenship should help us build circulation by telling us where to look for other readers like you.

Help us give you the paper you want. Complete and return this reader survey TODAY to Reader Survey, Box K, Lander, Wyo. 82520.

## Thanks, The Staff



1. Sex:    \_\_\_ Female    \_\_\_ Male
2. Age:    \_\_\_
3. Marital status:    \_\_\_ Married    \_\_\_ Single
4. Children (please indicate how many in each age group):
- \_\_\_ 0-5 yrs.
- \_\_\_ 6-12 yrs.
- \_\_\_ 13-19 yrs.
- \_\_\_ over 19 yrs.
5. Education (highest level completed,):
- \_\_\_ Less than 12 years
- \_\_\_ High school
- \_\_\_ College
- \_\_\_ Postgraduate work
6. Occupation: \_\_\_\_\_
7. Income before taxes:
- Individual income
- \_\_\_ Under \$10,000
- \_\_\_ \$10,000 - \$14,999
- \_\_\_ \$15,000 - \$19,999
- \_\_\_ \$20,000 - \$29,999
- \_\_\_ \$30,000 - \$49,999
- \_\_\_ \$50,000 or more
8. State of residence: \_\_\_\_\_
9. Size of community:
- \_\_\_ rural
- \_\_\_ under 10,000
- \_\_\_ 10,000 - 25,000
- \_\_\_ 25,000 - 100,000
- \_\_\_ 100,000 - 1 million
- \_\_\_ over 1 million

## A black and white caricature of a man with a large, patterned mustache and a dark suit, sitting at a table with a glass and a plate of food. The man is looking towards the viewer. The table has a glass and a plate of food. The background is dark and indistinct.

1. Home ownership (check as many as apply):
- own a home  
— own land/plan to build  
— own a second home  
— hope to buy a home within the next three years  
— have recently made energy-related home improvements (check below):  
    ☐ solar   ☐ wood heat   ☐ insulation   ☐ other \_\_\_\_\_  
— plan to make energy-related home improvements in next two years (check below):  
    ☐ solar   ☐ wood heat   ☐ insulation   ☐ other \_\_\_\_\_
2. Consumer goods:
- | Own | Plan to buy in next 12 months | Own | Plan to buy in next 12 months |
|-----|-------------------------------|-----|-------------------------------|
| —   | 35 mm camera                  | —   | backpacking gear              |
| —   | instantatic camera            | —   | nordic ski equipment          |
| —   | stereo equipment              | —   | alpine ski equipment          |
| —   | color TV                      | —   | canoe/kayak                   |
| —   | videocassette recorder        | —   | other boat                    |
| —   | personal computer             | —   |                               |
3. Outdoor activities:
- |                     |                 |
|---------------------|-----------------|
| — hiking            | — bicycling     |
| — backpacking       | — nordic skiing |
| — climbing          | — alpine skiing |
| — canoeing/kayaking | — hunting       |
| — sailing           | — fishing       |
| — running           | — birdwatching  |
| — golf              | — tennis        |
| — other _____       |                 |
4. Other leisure interests:
- |                               |             |
|-------------------------------|-------------|
| — reading                     | — gardening |
| — photography                 | — cooking   |
| — art/crafts (specify) _____  |             |
| — music (specify) _____       |             |
| — collections (specify) _____ |             |
| — other _____                 |             |
5. Have you made any mail order purchases in the last 12 months? — yes — no
- Have you purchased:
- |                 |                       |
|-----------------|-----------------------|
| — books         | — records/tapes       |
| — food/vitamins | — gardening equipment |
| — clothing      | — sporting goods      |
| — other _____   |                       |
- Have you requested catalogs or information by mail in the last 12 months?
- yes — no
6. Did you travel on vacation during the past 12 months? — yes — no
- What were your primary vacation activities?
- |                                                                |
|----------------------------------------------------------------|
| How did you travel? — plane — car — train — boat — other _____ |
| How many vacations do you have each year? —                    |
| How many vacation days do you have each year? —                |

***Readership/Membership/Citizenship***

1. Do you consider yourself an environmentalist?    ☐ yes    ☐ no
2. Do you belong to any of the following organizations? Check as many as apply.
  - ☐ Sierra Club
  - ☐ Wilderness Society
  - ☐ Audubon Society
  - ☐ National Wildlife Federation
  - ☐ other *national* conservation organizations (please specify) \_\_\_\_\_
  - ☐ other *state/local* conservation organizations (please specify) \_\_\_\_\_
3. What environmental issues are you particularly interested in?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
4. What other social or political issues are you interested in?  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 5.1 Do you read a daily newspaper?    ☐ yes    ☐ no  
Which one(s)? \_\_\_\_\_  
Do you read a weekly newspaper?    ☐ yes    ☐ no  
Which one(s)? \_\_\_\_\_  
\_\_\_\_\_
- What other newspapers or magazines do you subscribe to? \_\_\_\_\_

**You and High Country News**

1. How long have you subscribed to *High Country News*? \_\_\_\_\_
2. How were you introduced to the paper?
- |                    |                     |
|--------------------|---------------------|
| — sample copy      | — newsstand         |
| — direct mail      | — gift subscription |
| — library copy     | — advertisement     |
| — through a friend | — at the office     |
| — other _____      |                     |

more...



# BULLETIN BOARD

## IMPACTED WILDLIFE SYMPOSIUM

"Issues and Technology in the Management of Impacted Western Wildlife" is the theme of a Nov. 15-17 symposium in Steamboat Springs, Colo. Sponsored by the Thorne Ecological Institute, the symposium will focus on the impacts of energy development on western wildlife and techniques for the mitigation of those impacts. Other topics to be discussed include sensitive species habitat protection and methods of studying animal populations. Registration is \$150. For more information, contact the Thorne Ecological Institute, 4860 Riverbend Rd., Boulder, Colo. 80301 or call (303) 443-7325.

## SUSTAINING SOCIETIES

The 1982 Woodlands Conference on Sustainable Societies will be held Nov. 7-10, 1982, in The Woodlands, Tex. "The Future and The Private Sector" will be the theme of the conference, which will focus on subjects such as future energy development, world food outlook, and soil deterioration. For registration and fee schedule information contact The 1982 Woodlands Conference, P.O. Box 9663, Arlington, Va. 22209 or call (703) 841-0048.

## ACID RAIN CONFERENCE

The problem of acid rain will be discussed at a conference, "Acid Precipitation: The North American Challenge," in Burlington, Vermont, Oct. 25-28, 1982. The conference is being sponsored by the Soil Conservation Society of America and will feature speakers from U.S. and Canadian government, industry, and public interest groups. Current studies on the impacts of acid precipitation will be presented and participants will discuss alternative solutions to the problem. For more information, contact Bryan Boyce, Program Chairman, Ontario Hydro, 700 University Ave., Room A4A9, Toronto, Ontario, Canada M5G 1X6, or call (416) 592-4306.

## TIMBER HARVESTING

A 25-year plan for timber harvesting in the Overland Reservoir area in Colorado is estimated to reap 29 million board feet of timber. Construction of 74 miles of road would occur in the 20,000 acre area. Concerns about soil stability, road construction and big game populations will be addressed in an environmental assessment to be prepared by the Forest Service. Public input on the timber sales is requested. To comment or obtain information, contact Butch Ellis or Larry Sanders, Paonia Ranger District or (303) 527-4131.

## WOC RELEASES ANALYSIS

The Wyoming Outdoor Council has released its annual legislative analysis, which discusses the issues of the most recent legislative session and gives voting records and ratings on Wyoming legislators during the last two sessions. To obtain a copy, write the Wyoming Outdoor Council, Box 1184, 1603 Capitol, Cheyenne, Wyo. 82001 or call (307) 635-3416.

## RURAL ENERGY NEEDS

"Rural Energy Skills," a 120-page reference manual for developing self-help energy resources will be available Oct. 15. The manual will focus on building energy outreach programs and designing low-cost energy innovations. Copies of the manual cost \$22.95 and will be available from the Small Farm Energy Project, P.O. Box 736, Hartington, Neb. 68739.

## WOOD USE STUDIED

There has been a significant rise in wood fuel usage in the United States according to two new reports published by the Energy Information Administration. The 149-page report entitled "Estimates of U.S. Wood Energy Consumption from 1949 to 1981" costs \$6.50 and focuses on wood consumption trends for the 33-year period. The second report, "Residential Energy Consumption Survey: Housing Characteristics, 1980," contains detailed information on residential fuel wood consumption and costs \$11. Copies of the two reports may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

## WILDLIFE FILM FESTIVAL

The Sixth Annual International Wildlife Film Festival will be held in late winter, 1983, at the University of Montana in Missoula. Sponsored by the student chapter of The Wildlife Society, the festival's goal is to encourage the production of quality wildlife films for teaching ecological concepts to the public. All entries must have a wildlife theme and must have been produced in 1982. The deadline for submission of applications is Feb. 4, 1983. For further information contact Wildlife Film Festival, Wildlife Biology Program, University of Montana, Missoula, Mont. 59812 or call (406) 243-5272.

## COAL LEASING HEARINGS

The Interior Department has released an environmental impact statement on coal leasing in Carbon County, Wyo. and in Routt County, Colo. The Department will conduct public hearings on the leasing in October. For more information, contact Gene Kolkman, Bureau of Land Management, Rawlins District Office, P.O. Box 670, Rawlins Wyo. 82301.

## COLORADO ENERGY WORKSHOPS

The Energy Extension Service of Northeastern Colorado is holding a series of workshops on alternative energy and conservation this fall. The schedule is: Oct. 8-10, energy show; Oct. 16, solar open house; Oct. 23, weatherization workshop; Oct. 26, consumer session: solar energy; Nov. 27, solar open house. All workshops are in Greeley, Colo. except for the Nov. 27 solar open house which will be held in Ft. Collins. For more information contact Energy Extension Service of Northeastern Colorado, 425 N. 15th Ave., Greeley, Colo. 80631 or call (303) 356-4000, ext. 478.

## POWDER RIVER COAL LEASING

The Powder River Regional Coal Team will plan another round of coal leasing in the Powder River region when it meets Oct. 21 in Casper, Wyo. The meeting will be open to the public and will begin at 9 a.m. at the Casper Hilton Inn. For more information contact Stan McKee, Powder River Project Manager at (307) 772-2413.

## HAZARDOUS WASTE COURSE

The annual American Law Institute-American Bar Association course on "Hazardous Wastes, Superfund, and Toxic Substances" will be presented in Washington, D.C., Nov. 4-5, 1982. The course will include classes on the Superfund and Resource Conservation and Recovery Acts, international toxics control, litigation and workplace safety. Registration is \$260. For further information contact Donald M. MacLay, Director, Courses of Study, ALI-ABA, 4025 Chestnut St., Philadelphia, Penn. 19104, or call (215) 243-1630.



## SCRUBBER STUDY

"The Scrubber Strategy," a report focusing on the efficiency and cost-effectiveness of coal scrubbers is available. The study refutes industry claims that scrubbers are not economically feasible. Produced by INFORM, a New York City-based environmental organization, the study costs \$37.50. To obtain a copy, write INFORM, 381 Park Ave. South, New York, N.Y. 10016.

## COMPLEX ACID RAIN

"Temporal Trends in the Acidity of Precipitation and Surface Waters of New York," a report focusing on acid rain in and around the Adirondacks is available. Based on an analysis of 13 years of water data collected by the U.S. Geological Survey, the report indicates that changes in the water quality of lakes and streams has not always corresponded to increases or decreases in the acidity of rainfall. Copies of the report cost \$4.75 and may be purchased from the Branch of Distribution, USGS, 604 S. Pickett St., Alexandria, Va. 22304. Orders must specify report number WSP-2188.

## GRIZZLY HABITAT BOOK

"A Definitive System for Analysis of Grizzly Habitat and Other Wilderness Resources," a book focusing on grizzly habitat requirements is available. Written by John Craighead, who studied grizzlies in the Bob Marshall and Scapegoat Wilderness Areas for six years, the book discusses an advanced method of evaluating grizzly habitat by satellite photography. The book costs \$27.25 and is available from the American Wilderness Alliance, 4260 E. Evans, Denver, Colo. 80222.

## MINERAL INFORMATION DIRECTORY

A comprehensive guide to federal sources of nonfuel mineral information — including such unlikely sources as the IRS and the CIA — has just been released by the Interior Department's Bureau of Mines. The directory is designed to help a user find the best sources of information on specific mineral topics, from production statistics on lead and the wages of underground miners to the status of the national stockpile of strategic minerals. Copies of Information Circular 8881, "Mineral Data Source Directory," are available for \$8 from the Supt. of Documents, Govt. Printing Office, Wash. D.C. 20402. Specify title and GPO Stock Number 024-004-02097-1 when ordering.

## HUNTING BOOKLET AVAILABLE

"What They Say About Hunting," a booklet first published in 1973, is now available in its fourth printing. The booklet, which has been distributed to journalists, legislators, sportsmen, conservationists and teachers, is an authoritative reference on how the nation's major conservation organizations look at the subject of hunting. An "economy" version of the booklet is available for \$20 per 100 or \$150 per 1,000. A special die-cut version is 75 cents each or 40 cents each for 100 or more. Contact National Shooting Sports Foundation, Box 1075, Riverside, Conn. 06878.

## RESOURCES GLOSSARY

The Soil Conservation Society of America has released an updated edition of the "Resource Conservation Glossary". The 200-page glossary includes over 4,000 terms used in soil and water conservation and other natural resource disciplines. Copies of the glossary cost \$7 (\$6 for SCSA members) and are available from SCSA, 7515 N.E. Ankeny Rd., Ankeny, Iowa 50021, or call (515) 289-2331.

## PEST PROCEEDINGS

The proceedings of the Tenth Vertebrate Pest Conference held in Monterey, California, on Feb. 23-25, 1982 have been published. The 245-page book contains papers on a variety of vertebrate pest subjects including livestock predators, new rodenticides and current research. The proceedings cost \$10 and may be ordered from Terrell P. Salmon, Wildlife Extension, University of California, Davis, Calif. 95616.

## WASTEWATER REPORT

The American Petroleum Institute has released a report entitled "Refinery Wastewater Priority Pollutant Study-Sample Analysis and Evaluation of Data." The report concludes that current refinery effluent treatment systems can reduce toxic pollutants below detectable limits. Copies of the report cost \$4.40 and are available from the American Petroleum Institute Publications and Distribution Dept., 2101 L St., N.W., Washington, D.C. 20037, or call (202) 457-7160.

## PRAIRIE APPRECIATION

The Prairie/Plains Resource Institute is a non-profit organization dedicated to preserving and restoring Nebraska's native prairie habitats. Institute activities include coordination of an annual Prairie Appreciation Week, conducting a statewide natural area inventory and publication of the biannual *Prairie/Plains Journal*. If you are interested in joining or learning more about the Institute's activities, contact Prairie/Plains Resource Institute, 1219 Sixteenth St., Aurora, Neb. 68818, or call (402) 694-3307.

## WILDLIFE ON PRIVATE LAND

The Wisconsin Wildlife Society has published the proceedings of a symposium on wildlife management on private land. Copies are available for \$10 from the Society, c/o Dept. of Natural Resources, 3911 Fish Hatchery Rd., Madison, Wis. 53711.

## AN ALTERNATIVE TO THE NEW RIGHT

The Conference on Alternative State and Local Policies has just produced *The Issues of 1982: A Briefing Book*, a progressive analysis of 35 key issues and what state governments can do about them. Offered as an "alternative to the pamphlets and model legislation produced by the New Right," the 240-page book is available for \$8.95 from the Conference on Alternative State and Local Policies, 2000 Florida Ave., N.W., Wash. D.C. 20009.

## 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 APPLICANT INFORMATION

|                     |                                           |
|---------------------|-------------------------------------------|
| (1) APPLICANT NAME: | The Pacific Power and Light Company       |
| MAILING ADDRESS:    | 920 S.W. 6th Avenue<br>Portland, OR 97204 |
| FACILITY LOCATION:  | Sweetwater County, Wyoming                |
| PERMIT NUMBER:      | Wy-0031615                                |

The Pacific Power and Light Company has applied for a permit to discharge cooling tower blowdown from the Jim Bridger Power Plant into Deadman Wash. The Jim Bridger Power Plant is a large coal-fired steam electric generating plant located approximately 25 miles east of the City of Rock Springs, Wyoming. Deadman Wash is an intermittent drainage (Class IV Water) above the power plant but is a perennial stream (Class II Warmwater) below the plant. The stream becomes perennial due to seepage from the plant's clean water surge pond entering the drainage. Deadman Wash flows approximately 10 miles below the plant before entering Bitter Creek (Class IV Water) which flows 60-70 miles before entering the Green River (Class II Water).

Because the discharge will consist only of cooling tower blowdown, the quality of the discharge will be reflective of the quality of the raw cooling water source which is the Green River. The company intends to "cycle" the water through the cooling tower an average of 10 times which means that the total dissolved solids of the discharge will be approximately 10 times that of the Green River or approximately 5,000 mg/l. The Company anticipates a discharge volume of 1,850 gallons per minute (annual average).

The permit limitations and restrictions and the basis for same are as follows:

1. Limitation on total dissolved solids of 50,000 kg/day which is based on a flow of 1,850 gpm at 5,000 mg/l.
2. Limitation on total Phosphorus (as P) of 5.0 mg/l. While Phosphorus can contribute to eutrophication in lakes and reservoirs it is preferable to other corrosion control chemicals, the most common of which are Chromium based. The 5.0 mg/l limit is approximately 1/2 of the Phosphorus content of municipal wastewater effluent.
3. No discharge of residual Chlorine at the point of entry of the discharge stream into the perennial portion of Deadman Wash. Chlorine is highly toxic to aquatic life and would adversely affect the aquatic life which has developed in the perennial portion of Deadman Wash. The permit wording allows the Company to utilize the intermittent portion of the stream channel to dissipate the chlorine in its effluent.
4. pH shall not exceed 9.0 or be less than 6.0 standards units. These are typical effluent limitations which are designed to insure that there are no in-stream violations of water quality standards for pH.
5. No discharge of any of the 129 "priority pollutants" in concentrations above those found in the intake water. This is standard language to protect against the discharge of PCBs or any of the other extremely toxic substances on the priority pollutant list.
6. Self-monitoring of all limited parameters at a minimum of once per week (except for flow volume which must be monitored

continuously). The Company's self-monitoring data will be periodically checked by unannounced sampling inspections by the Department. The Company's data must be reported to the Department on a monthly basis.

7. The Dam at Deadman Marsh must be rebuilt or rehabilitated to the satisfaction of the Wyoming Game and Fish Department, the Bureau of Land Management and the State Engineer. Deadman Marsh is located approximately five miles below the plant and the dam which creates the Marsh is very old and is poorly constructed. Without being rebuilt or rehabilitated, the additional flow created by the discharge would probably cause the dam to wash out.
8. Non-renewal of the permit following its expiration on December 31, 1984 unless the Company can prove that no more than one ton per day of Salt (total dissolved solids) and 350 tons per year of salt has reached the Green River. Wyoming water quality rules and regulations Chapter VI, state that no industrial discharge may contribute more than one ton per day or 350 tons per year of salt into the Colorado River system unless it has been shown to be not "practicable" to limit the discharge. The Company's position is that its effluent will not reach the Green River in quantities which will exceed the one ton/350 ton criteria. If by December 31, 1984 the Company has been unable to prove its contention, the permit will not be renewed.
9. Plans for elimination of the discharge must be received by December 31, 1983. This is to insure that if the Company is not able to get permit renewal at the end of 1984 it will have a plan ready to implement when its permit expires.
10. Implementation of a program to collect background groundwater quality data on the alluvial aquifer in Deadman Wash prior to commencement of the discharge. The purpose of this requirement is to insure that the Department has sufficient data to use in classifying the aquifer and establishing an operational groundwater pollution control program.

It should be noted that the company has told the Department that by 1990 there will no longer be a need to discharge cooling tower blowdown at this plant. The Company states that as sulphur dioxide removal (air pollution control) units come on line, the cooling tower blowdown water will be utilized and completely consumed in those units. Also, it should be noted that the Company submitted documentation which indicates that the relatively high temperature of this discharge (approximately 130°F) will not adversely affect the aquatic life of Deadman Marsh. The Wyoming Game and Fish Department reviewed this document and determined that that conclusion was correct. Therefore, the permit does not limit the temperature of the discharge.

### 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 November 1, 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 November 1, 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-82-615



## LETTERS

### INHERITANCE TAX

Dear HCN,

Steve Andreas' editorial, "Inheritance nightmares" (HCN, 9/3/82) leaves me with a case of torpid bemusement lapping at my temples.

One thing that seems to be more strongly set down than others is the writer's implications that life isn't fair, but if we find just the right words to include in the perfect law, all that will be changed. I don't share his optimism about the perfectability of the law any more than the perfectability of those living under it. His assertion that "most of these changes would be beneficial, both to the individuals involved and to our society as a whole" is as dangerously simplistic as the belief that lightning won't strike twice in the same place. If I see lightning strike a place, I am not the kind who will stand in that place during the next storm.

Andreas' comparison of contemporary wealth with medieval feudalism is interesting, but inaccurate. Feudal fiefs were held by their possessors through service for, and fealty to a higher noble. They could be, and often were, terminated for failure to perform the customary duties. Now, I suppose one could say that the feudal lord is now represented by the government, and the scutage of old is today's property tax. And certainly there is an ancestral relationship apparent. But the comparison is incomplete, since scutage was instituted to raise money for wars by buying out the noble's obligation to fight. In today's world, Farmer Brown is already off the warrior's hook by dint of engagement in a "vital war industry," and his property taxes go to pave the county commissioner's private lane, not provide for the national defense.

"If large inheritances were not permitted, more land would be available for purchase and an increase in supply would lead to a decrease in cost." I had to read this assertion several times through to be sure that the lump it made in my throat was not a dead elephant. The writer is guessing, I suppose, that at the instant of death by a wealthy property owner, his soul will pass in review over the earth discarding extraneous bank notes his family by law will not be allowed to inherit, so that the deserving poor can snatch them up in a sort of monetary Easter egg hunt. Where else will their down payments arise? They are poor for lack of money, and land-less for the same reason. Perhaps Andreas would have them mortgage their anticipated legacies once the land rush begins. In this particular instance, the writer has forgotten a principle observed by another writer, Ambrose Bierce, who said, "The poor wish only to be rich, which is impossible, not to be better. They would like to be rich in order to be worse, generally speaking."

While it is likely that some percentage of the poor Andreas hopes to benefit would, in fact, do well if given land, it would not be a majority, for the majority would not know what to do with it once they had it, except sell it back to someone else who did. Profitable farming is elusive even for the knowledgeable and takes a fairly large amount of either capital or credit. Both of those take time to obtain. More time, I think, than Andreas' colony of *nouveau* landmen will have, once the growing season's in bloom.

Well, then, what about the minority who would do well? I would like to whisper the suggestion that these will probably be able to do well enough without having to study out the difference between ammonium nitrate and nitrous oxide. And they will do so without the disadvantage of having to deal with grain embargoes and the vagaries of the futures market.

Andreas is heartwarming in his insistence, under the new order, that provi-

sion in wills be allowed for dependent children, and "perhaps subsistence for indigent spouses and relatives in old age." Since his target is set above the half-million dollar mark, the difficulties of administering this degree of indigence should be slight.

To quote again from Ambrose Bierce, let me suggest a solution for every writer's dilemma, the lack of money to buy and hold what he or she wants. "Get yourself a fat bank account — there's no such friend as a bank account, and the greatest book is a checkbook." There is nothing like not having money to persuade us to disparage its possession by others.

Dave Geible  
Atlantic City, Wyoming

### THOUGHTLESS AND SHODDY

Dear HCN,

We are enjoying a gift subscription (our first) to *High Country News*, and have found most of the articles of very high quality and certainly thought-provoking. However, we want to respond in detail to the not-very-good guest editorial by Steve Andreas (HCN, 9/13/82).

To begin, Andreas is misinformed about inheritance tax laws. There is a great difference between individual and corporate law, and in many cases they prove to be more, not less, beneficial to the small, individually-owned farm operation. Also the idea that agribusiness competes favorably with family farms is no longer widely held on either side.

As for misallocation and wastefulness of resources — most ranchers and farmers operate on excellent standards of renewable resources. We know we must preserve the land to be able to keep using it. Distorted market prices are most often distorted downward for the farmer and upward for the consumer. This is a marketing problem, not an inheritance problem.

Andreas seems to believe that a large percentage of farm and ranch lands are presently held under several generations' ownership. Actually, that percentage is very low — not enough to affect land prices.

As for conservation and utilization of resources, not to mention economic progress (we assume the latter to mean "making more money"), how could anyone think that these are anything but a farmer's prime considerations? As for public safety — by which we assume Mr. Andreas means pesticides, additives, etc. — agribusiness tends to be less concerned with these issues than we indi-

vidual farmers. We, the families, eat our own production, and care mightily about what goes in our mouths!

There aren't as many farmers as the author would like us to believe, "scratching out a minimum living..." on land worth millions of dollars. If the land is worth millions, it is probably pretty damned productive and being utilized to the fullest and best capacity. If someone is scratching, he will probably lose it soon.

Now, why would new farmers be more motivated to do a good job than the old ones? The experience that is passed from generation to generation, that cannot be learned in the classroom, would be lost if our only incentive would become selling the property before we die. We would have higher prices and more artificial stimulation of the land, for shorter term gain, if inheritance were wiped out as an option.

We feel that the comparisons to El Salvador and feudal Europe as well as the pitches for the "poor but deserving" are smoke screens to cover the fact that Andreas' research and argument are thoughtless and shoddy.

Lyle and Kathy Jones  
Lone Indian Ranch  
Big Timber, Montana

### CONTRACT DISPUTE

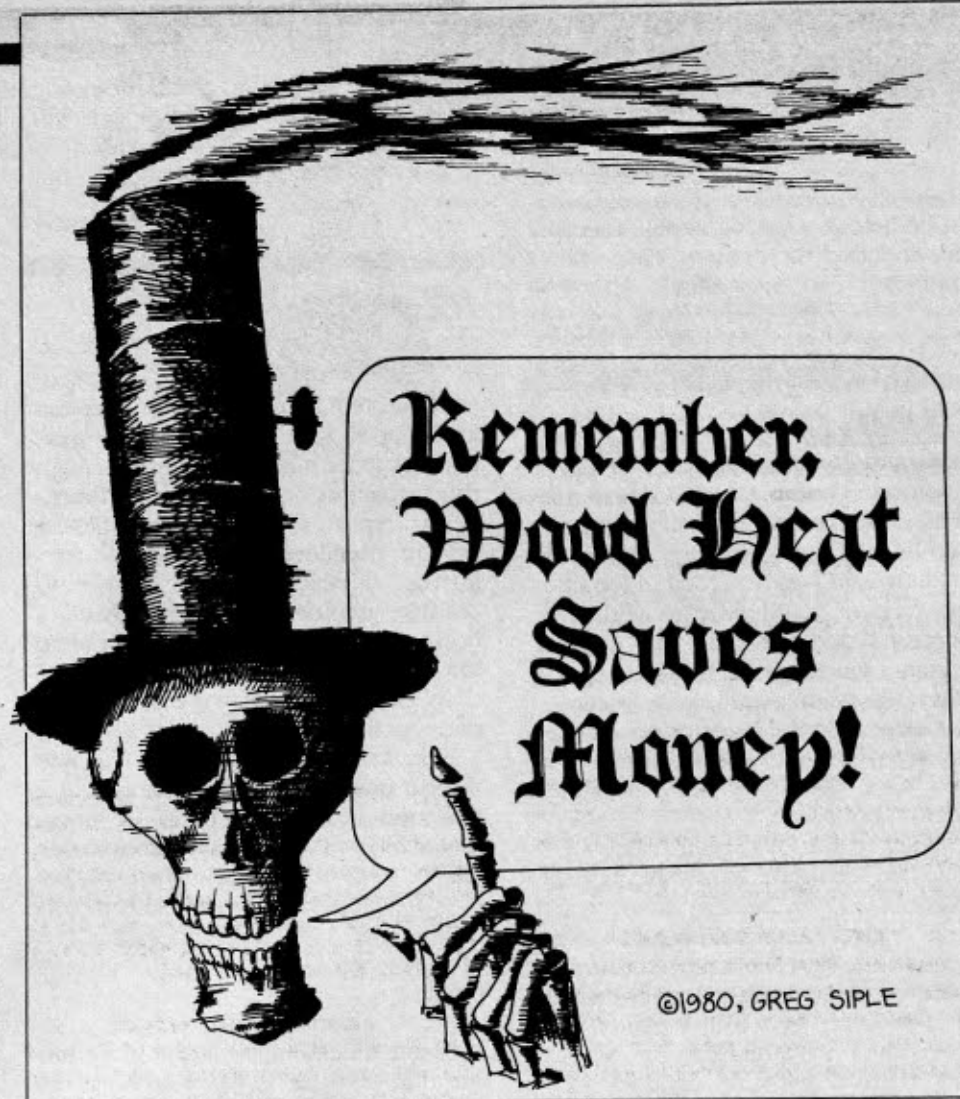
Dear HCN,

We enjoyed reading Geoffrey O'Gara's article on the Riley Ridge Project (HCN, 8/20/82). As the lead agency responsible for preparation of the environmental impact statement on this massive project, we are concerned over an apparent misconception on O'Gara's part.

In the article, he stated:

In fact, federal officials will not have much of a hand in the EIS anyway. Under a new "third party" system designed to save federal bureaucrats time and money, the energy companies actually go out on their own and hire the writers of the EIS. The federal and state agencies consult with the EIS contractor and do some independent verification, but they are not told the dollar details of the contract."

This statement is not totally correct. It is true that the energy companies involved in the Riley Ridge Project are paying for the EIS. The Bureau of Land Management's right-of-way regulations require that those seeking large rights-of-way across or on public lands must pay for the cost of processing the application, which includes environmental analysis. In the case of the Riley Ridge Project, it involves natural gas well field



development which would be necessary to provide gas to the proposed treatment plants.

Even though the energy companies are paying for the EIS contractor, as well as for the BLM costs associated with processing the applications, the federal agencies selected the contractor (required under the Council on Environmental Quality regulations on the National Environmental Policy Act) and control preparation of the EIS. The contract between the energy companies and the contractor (ERT in this instance) specifies that the federal agencies manage the contract and approve all work carried out by ERT. We provided the statement of work that ERT is following in preparation of the EIS and we are the only ones who can change the scope of ERT's work. The energy companies have limited access to and contact with ERT.

At the time of O'Gara's interview, we were well aware of the cost of the contract, since we selected the contractor. However, since the legal contract is between the energy companies and ERT, we had to receive clearance prior to releasing the cost of the contract. The contract price is \$1,349,000.

Janis L. VanWyke  
RRP Project Leader  
Bureau of Land Management  
Denver, Colorado

### COMPOSED AND EVOCATIVE

Dear HCN,

Bill Woolston's "Palouse Harvest" (HCN, 9/3/82) was an excellent counterpoint to the usual plethora of dire environmental misdeeds. The photographs are beautifully composed and evocative. Commendations to all those involved in publishing a particularly moving centerspread.

C.L. Rawlins  
Boulder, Wyoming

### MSU, NOT UM

Dear HCN,

In my article, "A Midwestern Water OPEC" (HCN, 6/11/82), I incorrectly identified Paul Nickel as a University of Michigan economist. Dr. Nickel is, in fact, with Michigan State University.

Bruce Webendorfer  
Madison, Wisconsin



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## Idaho...

(continued from page 6)

ranchers. Likewise, only three non-farmers sit on the 13-member House Agricultural Affairs Committee.

However, only two of the six educators in the House were appointed to the 18-member House Education Committee. The chairman of that committee, Kurt Johnson (R-Idaho Falls), is a farmer. The lone educator in the Senate, "Chick" Bilyeu (D-Pocatello), did not make it to the Senate Health, Education and Welfare Committee.

Quick said growing public involvement in the state legislature can "ensure that conflict of interest stays at a minimum." She credits the Open Meeting Law of 1977 and the activity of public interest groups, such as ICL, the League of Women Voters and senior citizens groups with spurring public involvement. "Ten years ago, the public could not have access to a committee," Quick said. "People are becoming more aware in Idaho of what the government is doing."

— Glenn Oakley

## Colorado...

(continued from page 6)

be demonstrated at the ballot box.

The interpretations of lawmakers range from that of last year's Senate Majority Leader Dan Noble, a Republican banker from Norwood, Colorado who excuses himself on every issue concerning banking, to that of last year's Senate President Fred Anderson, a Republican from Loveland, who believes, "If you're part of a class of people, like lawyers, and the class is being treated as a whole, then it isn't a conflict. But if you gain beyond what the class gains, then you can't vote."

As Sen. Les Fowler, a Republican from Boulder, pointed out, the lawmakers have their watchdogs — from the press to the League of Women's Voters.

"They know what's going on. If a legislator is over 60 years old, does that preclude him from voting on issues of senior citizens? Should teachers disqualify themselves on education bills? No, because it wouldn't benefit them to the exclusion of others. This whole issue really does get ridiculous."

— Marice Doll

## Utah...

(continued from page 7)

tive post. Thompson also donated an undisclosed amount of money to the anti-Bechtel radio ad campaign, money Haddow said was returned to the attorney unspent. Haddow, who worked for Senator Hatch both as a staff member and as a fundraiser before becoming a state representative, admits receiving the help of Daniel International in raising several thousand dollars for Hatch in both Salt Lake City and Greenville, South Carolina.

As the revelations about Haddow and the state legislative leadership became public, the Utah democratic party and labor leaders began calling for an investigation into a possible breach of legislative ethics. Utah law and legislative rules of conduct are generally vague on how to conduct investigations into legislators charged with misconduct. After considerable confusion, a special House ethics committee was formed to look into the allegations being made.

The committee, composed of six Republicans and three Democrats, met for one day in October, 1981. They called witnesses, heard testimony, asked questions and adjourned, issuing a terse statement exonerating the four legislators charged of any conflict of interest.

Ethics committee member, state representative Jeff Fox (D-Salt Lake City) called the findings "a sham and a whitewash." He said the committee was stacked in favor of the Republicans, lacked any rules of procedure, did not use the subpoena power it may have had to gather evidence, and should have had independent legal counsel. As Fox sees it, part of the reason for the weak investigation is that Utah law and legislative rules of conduct are not specific enough.

However, Fox said, the rules do say a legislator may have abused his official position and been in conflict of interest if he knew he would gain financially from his work as a legislator. Fox says the committee investigation did not go far enough in resolving whether any of those accused did in fact gain financially from their activities. "If the will was

there, the investigation could have gone further," he said. "But there was too much chance that digging would do permanent damage to the state Republican party structure."

— Jess Funk

## Montana...

(continued from page 7)

credited him for revealing the financial information in the letter. "In the past, the insurance money just went through the Commissioner of Campaign Practices for reporting. No one applauded my calling attention to the underwriters' giving," he said. "My letter shows no conflict of interest, no misinformation, nothing that wasn't already public information."

In other words, it was evidence of mere politics-as-usual.

Sen. Regan almost agrees. "This was not so much a conflict of interest as a violation of ethics. His sense of propriety is blurred. Do you know that to this day he feels he did nothing wrong?"

"I handled the bill maybe a little too exuberantly," said Sen. Anderson. "The money I mentioned — that was not very bright."

Anderson says that his error was political, not ethical. And he is quick to point out that while his bill involved no direct conflict of interest, many other bills passed by the 1981 legislature did. In his recent campaign literature, he cites numerous examples.

"Montana cattlemen say they've got a majority in the legislature — well, we cut cattle taxes in half. We did away with the inventory tax on farm equipment. The fellow who introduced that bill is an implement dealer. You know how many legislators are major landowners? Well, we got rid of inheritance taxes. The interest income tax break for people over 65 — how many legislators are over 65? Lots," according to Anderson.

He even cites the reduction in auto license fees as special interest legislation. "Every single legislator uses a car," he said. "Everybody who is active at all at some point has a conflict of interest."

In the Treasure State, that's just the way the world goes 'round. *Oro y plata, sí.*

— Don Snow

## Wyoming...

(continued from page 7)

ment. Although Senate rules provide a procedure for a legislator to disclose his personal interest in a bill to the Senate Rules Committee for an official deter-

mination of conflict of interest, Moore said he simply talked to the leadership on both sides of the aisle and they informally agreed with his assessment that there was no conflict because of the size of the investment. When the bill came up for a vote, Moore voted "aye" with his colleagues and the measure passed. He says he hasn't had any comments or complaints from his constituents.

On the House side, State Representative John Vinich (D-Fremont County), a self-styled populist, works overtime to keep the conflict of interest issue alive. Last session, he took on Republican leader Russ Donley, a consulting engineer, on a vote on the state farm loan board authorization bill, which funds the kind of municipal projects that Donley's firm sometimes works on. After that skirmish, said Vinich, more legislators declared conflicts than had in previous sessions.

Such activities do not endear a legislator to his colleagues and Vinich has had little success in his efforts to gain passage of stronger, more specific conflict of interest legislation. The package he has proposed contains three elements: a financial disclosure law, a law that would clarify and strengthen the constitutional injunction by defining "interest" and "conflict of interest," and a constitutional amendment that would change the number of votes required to pass a bill. At present, a majority vote of all those elected is required for passage. To overcome one practical objection to conflict of interest legislation, the state constitution would have to be changed to require only a majority of those voting after conflicts had been declared.

The League of Women Voters has also pushed for legislation in this area without success. The League's biggest effort has been in the area of disclosure, where the group's proposal would require that legislators divulge only their sources of income rather than amounts, thereby eliminating one of the most sensitive sticking points.

But according to Margaret Brown, who lobbied in Cheyenne for the League last year, even that modest proposal has not been well received. She sees two problems with conflict of interest in Wyoming's citizen legislature: One is when legislators fail to declare conflicts when they should; the other is when they do declare their conflicts and their failure to vote determines the outcome on an important bill.

As Harry Tipton, a Republican legislator from Fremont County, told his constituents not long ago, "When you declare a conflict of interest and you don't vote, you *do* vote — you vote 'no.'"

— Jill Bamburg

| BEFORE THE WYOMING INDUSTRIAL SITING COUNCIL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |       |                      |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------------------|
| IN THE MATTER OF:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | )     |                      |
| SHELL OIL COMPANY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | )     |                      |
| the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | )     |                      |
| APPLICANT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | )     |                      |
| PERMIT APPLICATION TO CONSTRUCT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | )     | DOCKET NO. WISA-82-1 |
| THE NORTH ROCHELLE MINE,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | )     |                      |
| CAMPBELL COUNTY, WYOMING                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | )     |                      |
| IN THE MATTER OF:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | ) and |                      |
| HAMPSHIRE ENERGY                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | )     |                      |
| the                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | )     |                      |
| APPLICANT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | )     | DOCKET NO. WISA 81-4 |
| PERMIT APPLICATION TO CONSTRUCT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | )     |                      |
| A COAL TO GASOLINE FACILITY,                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | )     |                      |
| CAMPBELL COUNTY, WYOMING                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | )     |                      |
| NOTICE OF CHANGE IN                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |       |                      |
| LOCATION OF PUBLIC HEARINGS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |       |                      |
| By Notices dated September 9, 1982, notice was given that the Wyoming Industrial Siting Council will conduct public hearings on the Shell Oil Company Application and the Hampshire Energy Application. NOTICE IS HEREBY GIVEN THAT THE LOCATION FOR THE PUBLIC HEARINGS HAS BEEN CHANGED TO THE BALBOA ROOM OF THE HOLIDAY INN IN GILLETTE, WYOMING. The date and time of commencement for each hearing has not been changed. Dated this 22nd day of September, 1982.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |                      |
| Office of Industrial Siting Administration<br>500 Boyd Building<br>Cheyenne, WY 82002<br>(307) 777-7368                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |       |                      |
| CERTIFICATE OF SERVICE                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |       |                      |
| Mr. Ed McCann, Environmental Manager, Hampshire Energy, 5990 Syracuse, Englewood, CO 80111<br>Industrial Siting Council:<br>Mr. Paul Anselmi, P.O. Box 1257, Rock Springs, WY 82901<br>Mr. Orin G. Geesey, 1130 3rd West Ave., Kemmerer, WY 82601<br>Mr. Larry Clapp, 323 South David, Casper, WY 82601<br>Mr. Robert L. Wallick, Big Horn, WY 82833<br>Mr. R.W. Gravatt, 633 S. 10th, Douglas, WY 82633<br>The Hon. John G. Farnos, Uinta County Commissioner, P.O. Box 397, Mountain View, WY 82939<br>Mr. Wm. T. Fulkerson, P.O. Box 128, Gillette, WY 82716<br>The Hon. M.B. Enzi, Mayor of Gillette, P.O. Box 540, Gillette, WY 82716<br>Ms. Vivian E. Addison, Clerk, Campbell County, Gillette, WY 82716<br>Mr. Melvin Antrim, Supt., School District No. 1, Campbell County, Central Service Bldg., 1000 W. 8th, Gillette, WY 82716<br>Chairman, Gillette-Campbell County Joint Powers Board, P.O. Box 3003, Gillette, WY 82716<br>Gillette-Campbell Fire Protection Joint Powers Board Firehouse, Gillette, WY 82716 |       |                      |

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|--------------------------------------------------------------------------------------------------------------------------------------------------|
| Mr. Harry R. Underwood, Campbell County Commissioner, Gillette, WY 82716                                                                         |
| Ms. Ruth E. Davidson, Clerk, Crook County, Sundance, WY 82729                                                                                    |
| Mrs. Evelyn Zingery, Clerk, Weston County, Newcastle, WY 82701                                                                                   |
| Mr. Wilbur P. Robbins, Clerk, Johnson County, Buffalo, WY 82834                                                                                  |
| Dr. Orlaine A. Wegner, Supt., School District No. 1, Crook County, P.O. Box 830, Sundance, WY 82729                                              |
| The Hon. Leonard Borthwick, Mayor of Moorcroft, P.O. Box 96, Moorcroft, WY 82721                                                                 |
| Mr. J.W. Nuckolls, Chairman, Crook County Commissioners, Box 635, Hulett, WY 82720                                                               |
| Mr. Dean R. Materi, Chairman, Weston County Commissioners, Upton, WY 82730                                                                       |
| Memorial Hospital Joint Powers Board, Crook County Memorial Hospital, 715 Oak, Sundance, WY 82729                                                |
| Mr. Simon Iberlin, Chairman, Johnson County Commissioners, 76 N. Main, Buffalo, WY 82834                                                         |
| Chairman, Buffalo-Johnson County Criminal Justice Center Joint Powers Board, City Hall, 46 N. Main, Buffalo, WY 82834                            |
| The Hon. Floyd Carr, Mayor of Sundance, P.O. Box 542, Sundance, WY 82729                                                                         |
| The Hon. Jim Bare, Mayor of Hulett, P.O. Box 278, Hulett, WY 82720                                                                               |
| The Hon. Louis W. Carlson, Mayor of Newcastle, P.O. Box 447, Newcastle, WY 82701                                                                 |
| The Hon. Bob Oliver, Mayor of Upton, P.O. Box 203, Upton, WY 82730                                                                               |
| Mr. Gerald L. Carroll, Supt., School District 1, Johnson County, Route 1, 601 West Lott St., Buffalo, WY 82834                                   |
| Mr. Arthur Lee Albert, Supt., School District 1, Weston County, 116 Casper Ave., Newcastle, WY 82701                                             |
| Mr. LaVerne C. Boal, Supt., School District 7, Weston County, Upton, WY 82730                                                                    |
| The Hon. Emil O. Hecht, Mayor of Buffalo, 46 N. Main, Buffalo, WY 82834                                                                          |
| The Hon. Gloria Stratton, Mayor of Kaycee, P.O. Box 265, Kaycee, WY 82639                                                                        |
| William J. Laya, Chairman, Sheridan County Commissioners, Sheridan County Courthouse, Sheridan WY 82801                                          |
| Margaret Lewis, Sheridan County Clerk, Sheridan County Courthouse, Sheridan, WY 82801                                                            |
| The Hon. Dean Marshall, Mayor of Sheridan, P.O. Box 848, Sheridan, WY 82801                                                                      |
| Mr. E.R. Shouvalin, Supt., of Sheridan County School District No. 2, 430 Whitney, P.O. Box 919, Sheridan, WY 82801                               |
| Powder River Basin Resource Council, 48 N. Main St., Sheridan, WY 82801                                                                          |
| Mr. Harvey Krauss, Planning Director, City of Gillette, P.O. Box 3003, Gillette, WY 82716                                                        |
| Mr. Bill Henry, Chairman, Converse County Landowners Conservation Assoc., 624 N. 6th Street, Douglas, WY 82633                                   |
| Mr. David Alberswerth, Washington Representative, Western Organization of Resource Councils, 317 Pennsylvania Ave., S.E., Washington, D.C. 20003 |
| Mr. Gerald W. Fuller, President, Citizens for Responsible Development, P.O. Box 1171, Gillette, WY 82716                                         |
| Ms. Brenda S. Wyrick, Administrative Director, Gillette Abuse Refuge Foundation, P.O. Box 3110, Gillette, WY 82716                               |
| Mr. John Sturtz, President, UMWA Local 2055, Route 1, Box 188, Sheridan, WY 82801                                                                |
| Mr. Gaylord R. Allen, Executive Secretary, Wyoming District Council of Carpenters, 642 East "A" Street, Casper, WY 82601                         |
| Mr. David Charles Masselli, Attorney at Law, 422 C Street, N.E., Washington, D.C. 20002                                                          |
| Mr. Richard Scott Rideout, Vines, Rideout & Guesa, P.C., Deming Bldg., Suite 305, 1620 Central Avenue, Cheyenne, WY 82001                        |
| Mr. Leo Salazar, Roncalio, Salazar and McDaniel, P.O. Box 1707, Cheyenne, WY 82001                                                               |
| Campbell County Farm Bureau, Clarice Dillinger, President, P.O. Box 976, Gillette, WY 82716                                                      |

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s Laura L. Marsh