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High Country

news

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Reagan's watered down proposal

Running the Rockies' wild and scenic rivers

In mid-September, the Reagan administration sent Congress a list of rivers it recommended for inclusion in the National Wild and Scenic Rivers System. Eight rivers were included on that list: four in Colorado, two in Wyoming, one in Arizona and one in Michigan. Six others were recommended for further study until January 1, 1986: four in Colorado, with portions of two extending into Utah; one in Michigan and one in Alabama.

The president's list marked the first time in four years that any rivers outside Alaska had been recommended for study or inclusion in the wild and scenic system. Why the Reagan administration chose to make the recommendations when it did is a matter of speculation, but staff members at the American Rivers Conservation Council (ARCC) and the Colorado Open Space Council believe it was probably an effort to appeal to environmentalists before the November elections.

The National Wild and Scenic Rivers Act was passed in 1968 to "preserve selected rivers or sections thereof in their free-flowing condition...". The act prohibits federal project development on designated rivers and provides for land acquisition and easements along river corridors to protect parts of rivers that flow through private land. Rivers that are under study for possible inclusion are also protected from development for a period of three years.

Rivers can be designated wild, scenic or recreational, according to the amount of development along their corridors. A river is considered wild if it is essentially primitive with little or no access to its corridors. The scenic designation is given to rivers that are largely

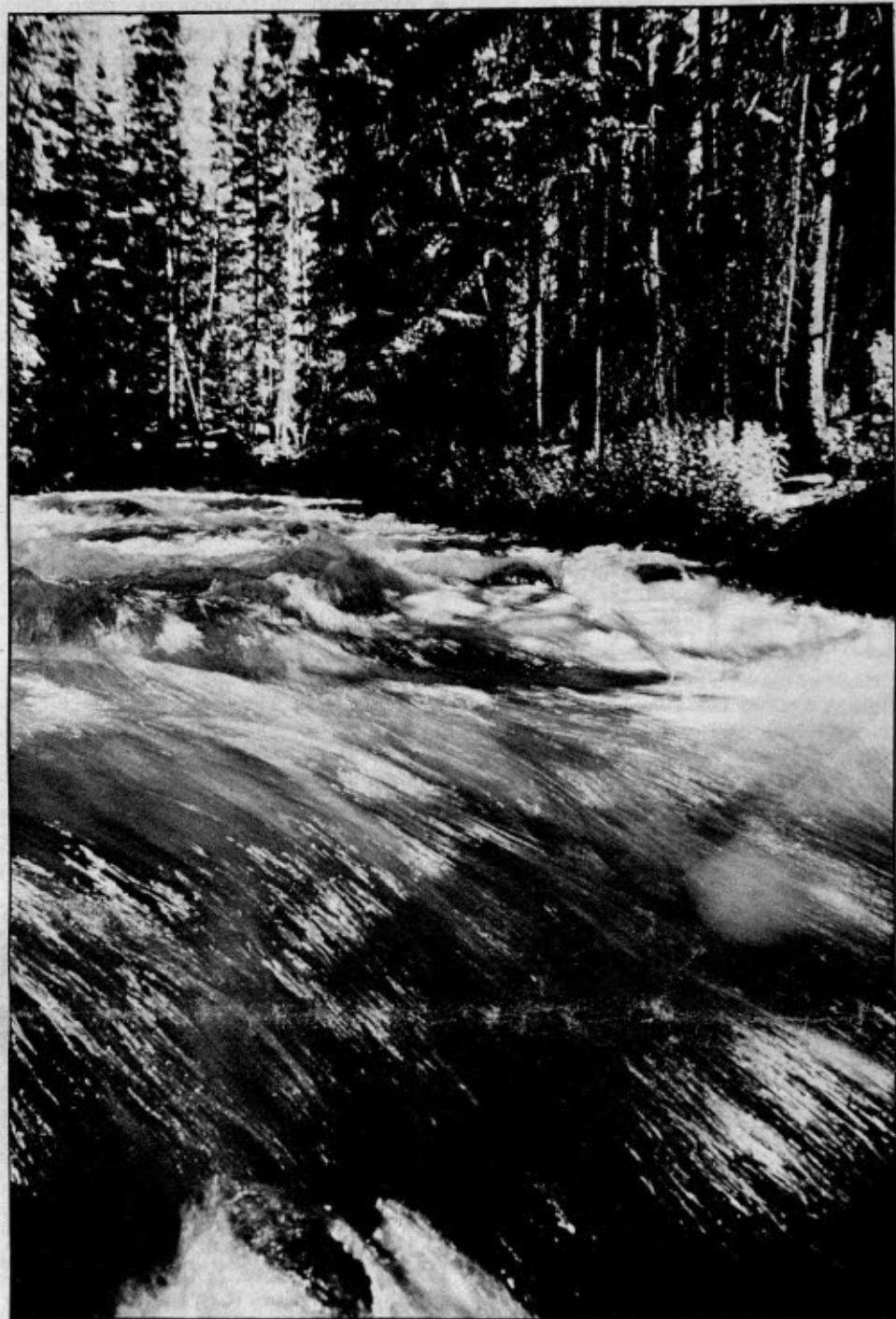
primitive and undeveloped, but may have some road access. And the recreational designation is given to eligible rivers that have some sections with easy access and/or some development.

The 1968 act also called for an inventory and evaluation of all rivers that could possibly be considered for designation. The final inventory was published by the National Park Service in January, 1982 and includes 1,524 rivers outside of Alaska.

There are currently 62 rivers in the system, with 25 of them in Alaska. Eight are in the Rocky Mountain region: two in Montana — portions of the Flathead and Missouri; five in Idaho — portions of the Saint Joe, Middle Fork of the Clear Water, Middle Fork of the Salmon, the Salmon, the Snake and the Rapid; and one in New Mexico — portions of the Rio Grande.

It is a long process for a river to eventually become part of the wild and scenic system. First, a study must be approved by Congress. It is conducted by either the U.S. Forest Service or the National Park Service and can take three or more years to complete. After the study, an environmental impact statement with recommendations is given to the president, who in turn makes recommendations to Congress, though not necessarily the same ones as those in the EIS. Congress may then take two or more additional years to decide whether the recommended rivers should be included.

There are dangers in that lengthy process. The rivers being studied are protected from development for three years. But if nothing is decided in three years, they become eligible for developments that may jeopardize the free-



flowing characteristics that earned them consideration in the first place. On October 2, four rivers in the Rockies lost that protection: the Priest and Owyhee in Idaho; and the Encampment and Gunnison in Colorado. Two rivers in the region that had run out of study protection previously were the Dolores in Colorado and the Bruneau in Idaho.

With such a lengthy process, it is understandable that after four years of no action the Reagan administration made some recommendations, if only to get the backlog of river studies out of the way. However, conservationists saw the administration's recommendations as an attempt to win points with them before the election. It is extremely doubtful that Congress will consider the recommendations before next year. And according to ARCC, the Reagan administration has "no new plans to identify or recommend new rivers for study or inclusion in the national system."

Chris Brown, conservation director of ARCC, said the administration's recommendations were "pretty watered down," but added that he is glad to have at least eight new rivers considered for inclusion.

ARCC pointed out that none of the rivers recommended by the administration are very controversial. Almost 98 percent of the land the rivers pass through is public land. Large portions of

rivers passing through private land that were recommended in EISs — but that would have required easements and local persuasion — were dropped from the Reagan proposal.

Easements may be donated or purchased from landowners, or zoning changes can make it possible to protect a river's corridor. Brown said the fears that some landowners have about federal land acquisition, easements and condemnation are unnecessary with the current administration, simply because with Reagan's budget-cutting, it is doubtful that any land acquisitions would be possible. Also, this administration is not interested in adding acreage to the public holdings.

Brown said landowners also fear enormous increases in river use, vandalism or trespassing if a river is given the wild and scenic status. Many local businesses on the other hand, look forward to the increased business that more river use can bring.

Brown said the fears of increased use can't be limited to wild and scenic rivers. "In the last six to eight years, all river use has come of age," he said. "The number of kayakers, canoeists and outfitters has increased to the point that all river use will have to slow down in the next three or four years. The rivers can't take much more increase in use."

Please turn to page 10 for a report on the status of our region's rivers.

WESTERN ROUNDUP



Region elections: The expected were elected

Rocky Mountain voters, with the exception of Montanans, gave little boost to the ballot initiatives that were placed before them and, by and large, they returned familiar faces to represent them in Congress. Wyoming Gov. Ed Herschler (D) and Colorado Gov. Dick Lamm (D) won third terms in their jobs by landslide margins. And in Montana, the state House of Representatives changed from a Republican majority to a Democratic one. Following are the results of some of the major races.

★Montana★

In the final two weeks of the 1982 campaign, Montana Sen. John Melcher (D) rocketed past his Republican challenger and spoiled what was expected to be a close finish on election night. Two visits from Ronald Reagan and \$190,000 of National Conservative Political Action Committee (NCPAC) money did not convince voters that young Larry Williams, a Kalispell investments counselor, should become the second Republican Senator in Montana's history.

Williams' hope for a large conservationist and feminist endorsement faded, probably because of the candidate's outspoken support for Reaganomics.

Melcher never trailed during the campaign, finally garnering the 54 percent support that Democrats said he had as long ago as late September. Williams, who captured 45 percent against Sen. Max Baucus in 1980, managed only 42 percent this time, perhaps because Libertarian Larry Dodge took 4 percent in an aggressive, ideological campaign.

In other national races, incumbent Rep. Ron Marlenee (R) beat rancher Howard Lyman and returned to the House on 54 percent of Montana's eastern district vote. With the election of Marlenee, James Watt retains a close ally in Congress.

In the western district, incumbent Pat Williams (D) easily beat Republican Bob Davies of Bozeman with 59 percent of the vote.

The real election surprises came in the 125 state legislative races and in one of the eight ballot issues settled by the voters.

Having lost both legislative houses in 1980, the Democrats swept back into power in the House and came within two races of winning back the Senate.

Two major factors contributed to the legislative shift. The Montana Commit-

tee for an Effective Legislature, a political action committee representing a new coalition of labor, agriculture, conservation, women and education, is credited with knocking off numerous incumbents from both parties, but mostly Republican. Using voting records from the 1981 legislature, MontCEL tried to show that the Republican majority and a few maverick Democrats had attacked policies favored by dozens of citizen-interest groups in the state. In many races, the records worked.

Also helping the Democrats was the successful Initiative 95, a plan to stimulate Montana's native economy with coal severance tax revenues. Written by two prominent Democratic legislators, Dan Kemmis of Missoula and Tom Towe of Billings, I-95 received Gov. Ted Schwinden's (D) support and became known as the Democratic plan for economic recovery. The initiative captured 71 percent of the vote.

The real surprise among ballot issues, however, came with the overwhelming defeat of a referendum that would have allowed the disposal of uranium mill tailings in Montana. Under a ban imposed by a 1980 initiative, radioactive mill tailings could not be dumped in Montana. The 1981 legislature tried to remove the ban through outright repeal, then settled for a referendum when public outcry over initiative-tampering rang across the state.

A whopping 76 percent of the voters rejected the Republican referendum, effectively shutting the uranium industry out of Montana. The original 1980 initiative, passed by less than one percent of the vote, remains law. Voters also adopted a nuclear freeze, anti-MX initiative.

While Montana Democrats danced in the streets and Republicans stared into their champagne, the Libertarian Party quietly scored one victory that is important for its survival. The Party captured enough votes in one statewide election — for Clerk of the Supreme Court — to place its candidates on the 1984 ballot. Next time Libertarians will not have to gather 18,000 petition signatures for the pleasure of making a point.

— Don Snow

★Idaho★

Republicans held their own in Idaho's election. Incumbent U.S. Rep. Larry

Craig (R) defeated Larry LaRocco (D) and voters also returned Rep. George Hansen (R) to congress. Hansen defeated Democrat Richard Stallings.

According to Al Rouyer, an associate professor of political science at the University of Idaho, quoted in the *Idaho Statesman*, "LaRocca and Stallings were probably the most capable candidates in those districts in recent memory." Nevertheless, the incumbents managed to outspend their challengers and President Ronald Reagan's personal popularity helped pull them through.

★Colorado★



Colorado Gov. Richard Lamm (D)

All of Colorado's incumbent national office-holders were returned by healthy margins. Two Democrats who had traditionally faced tough races in their districts, Rep. Tim Wirth (D) and Rep. Ray Kogovsek (D), were helped by redistricting and beat their opponents handily. The new sixth district, added after the 1980 census, was won by former astronaut Jack Swigert, a Republican. Reps. Pat Schroeder (D), Hank Brown (R) and Ken Kramer (R), all won by large margins.

In the gubernatorial contest, incumbent Democrat Dick Lamm won reelection by a 66 to 34 percent margin.

On major ballot questions, Colorado was one of several states around the country to reject a beverage container deposit program. The size of the defeat was startling, however, as the initiative lost by a nearly three-to-one margin. A tax check-off initiative to convert the



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Dear friends,

A number of our only-too-eagle-eyed readers have pointed out that there were more than the usual number of typographical errors in the last issue of the paper. In describing this sudden epidemic, these readers use terms like "scads," or "a whole bunch" or "can't you people read?"

Well, to combat this criticism, we got together as a staff and picked a scapegoat. By a vote of six to one, we decided that all of those typos can be blamed on managing editor Dan Whipple. Whipple was sentenced to a month of Sesame Street until his spelling skills return.

In fairness, though, it wasn't entirely Dan's fault. Design director Kathy Bogan took three weeks leave of absence to teach a course in Canyonlands National Park for the National Outdoor Leadership School. In her absence, we tried an experiment in

which the paper was typeset and laid out by our regular printer, the *Jackson Hole News*, rather than here at the office.

Dan was assigned the job of babysitting the paper through the experiment. As babysitter, he was responsible for all of the proofreading as the galleys came from the developer and were pasted up. Whipple swears he read everything "at least six times. It got to the point where I was fixing things that weren't wrong, so I thought I'd better just let it go."

Usually, we have at least three people in the office doing what Whipple had to do by himself at the *News*. We have now returned to our regular system and continue to shoot for zero errors in *HCN*.

Most of you have probably received your Research Fund solicitations by

now. The stuffing of envelopes for that effort was completed by a volunteer cadre consisting of the staff, Mike and Amy McClure, Langdon Long, Mike Barton, Carol Jacobson, Bruce Hamilton and Linda Loff. Mike Barton was kind enough to let us use his house to hold what we euphemistically refer to as a "stuffing party." He is one of the few people we know who has cable television and we gathered at his house to watch the election returns, drink beer and cram unwilling pieces of paper into even less cooperative envelopes.

We'd like to thank everyone who helped and serve notice that we're going to have another one in a few weeks. So, if any faithful readers are coming through Lander, they are invited to a party to solicit money from themselves.

— the staff

Rocky Flats Nuclear Weapons Facility also failed. The initiative would have allowed Colorado residents to return any amount of their Colorado state tax refund to a fund that would have publicized the hazards of processing plutonium and producing nuclear weapons, promoted conversion of the facility and relocated workers.

The composition of the Colorado state houses did not change very much with a 40 to 25 Republican majority in the House and a 21 to 14 Republican majority in the Senate. However, according to conservationists, the overall ideological composition in the House is leaning toward more moderate positions on the environment. A number of Republican hardliners lost in the primaries and have been replaced by more moderate legislators.

In the Senate, things are a bit more complicated. The Democrats have chosen a "traditional liberal" — Ron Stewart of Longmont — as their minority leader, while the Republicans will probably turn to Ted Strickland, who was the GOP gubernatorial standard-bearer in 1978. Strickland is a fairly doctrinaire conservative, while Stewart has not demonstrated any ability to build coalitions with the Republican majority in the Senate. Thus, the session in the Senate could be more confrontational.

★Utah★



Utah Rep. Dan Marriott (R)

Republicans kept their stranglehold on Utah politics, winning all three U.S. House races, handily taking the state's

U.S. Senate race and picking up two seats in the state legislature.

In the U.S. House races, Rep. Dan Marriott (R) defeated former State Senator Frances Farley (D), Rep. James Hansen (R) won 15 of 16 counties in his district to defeat James Dirks (D), and Harold Nielson (R) took the new third district seat with ease from Hank Huish (D).

Sen. Orrin Hatch (R) was re-elected to his Senate seat with 58 percent of the vote over Salt Lake City Mayor Pete Wilson (D).

In the state legislature, the Utah House of Representatives maintained its makeup of 58 Republicans and 17 Democrats, while in the State Senate, Republicans picked up two seats, giving them a 24 to five majority. Thus, the Republicans hold a veto-proof majority in both houses.

★Wyoming★



Wyoming Sen. Malcolm Wallop (R)

Wyoming's incumbent Democratic Gov. Ed Herschler easily outdistanced Republican challenger Warren Morton almost two-to-one to win an unprecedented third term. This was a surprise to many observers because Morton was considered a strong candidate.

In the most bitterly fought Wyoming campaign in recent memory, Sen. Malcolm Wallop (R) defeated Democratic challenger Rodger McDaniel. The apparent turning point was a letter from Sen. Alan Simpson (R) and Rep. Dick Cheney (R) which charged McDaniel with lying about Wallop's record on Social Security. McDaniel had hit Wallop's votes on that issue hard during the campaign and had reprinted some of his votes taken from the Congressional Record. The letter, which went out to 60,000 voters a few days before the

election, is thought to have swayed a substantial number of voters.

In other notable races, Cheney beat a virtually unknown Democrat, Ted Hommel, to retain his seat, and Thyra Thomson (R) beat Leslie Petersen (D) by a surprisingly narrow margin to win a sixth term as secretary of state.

The Wyoming House of Representatives and Senate did not change composition substantially. One big surprise was the defeat of Laramie County Republican Dean Prosser. During the past two years, Prosser served as majority floor leader and in two more years he would have been speaker of the house. His loss is a great relief to environmental lobbyists in the legislature, who saw Prosser as one of their chief nemeses.

In the Wyoming State Senate, the Republican-to-Democrat ratio stayed about the same, but the individuals elected show a substantially greater commitment to environmental protection than the previous Senate. One lobbyist called it "a big improvement." In the state House of Representatives, there was one-third turnover in personnel and the overall impact of that shake-up is still uncertain.

— Dan Whipple

★Navajo Nation★

In a major upset, Peterson Zah defeated Peter MacDonald in a battle for chairmanship of the Navajo Tribe in the Southwest. MacDonald, who has been chairman since 1970, consequently lost his seat on the board of the Council of Energy Resource Tribes because CERT's bylaws specify that only tribal chairmen can serve. MacDonald was one of the founders of CERT, an organization of more than 30 energy tribes.

In fact, Zah may withdraw the Navajo tribe from CERT, which would erode the organization's base of support substantially because of the tribe's vast uranium, coal, oil and natural gas resources. Zah campaigned on a platform of local control and small-scale energy development, according to Claudine Bates Arthur of his staff. She said he is also skeptical about the advisability of uranium development. Zah was head of DNA Legal Services on the reservation when it represented Navajos in two major lawsuits challenging uranium developers.

— Marjane Ambler

HOTLINE

Low-level burial

The Nuclear Regulatory Commission has approved the first federal regulations for burying low-level radioactive wastes. The regulations would require land disposal facilities able to contain low-level wastes such as rags and clothing contaminated at power plants, laboratories and hospitals for up to 500 years. Under the new standards, the most long-lived wastes would have to be solidified and buried at least 15 meters under the ground.

Leaky landfill

Contaminants, including suspected cancer-causing pollutants, are migrating from a landfill and entering a ditch that supplies Louisville, Colorado with 40 percent of its annual drinking water supply. Pollutants have entered the ditch, which bisects the inactive portion of the landfill, by surface runoff and underground seepage. The U.S. Environmental Protection Agency is studying the landfill to determine who is responsible for the pollution problems. The landfill has had five owners, including the current operator, since it opened in 1955. The inactive site may be determined eligible for clean-up money under EPA's "superfund" program.

Oregon Trail for sale

The Idaho Land Board has proposed to sell off part of the Oregon Trail. One-half mile of the trail crosses a 160-acre state grazing tract that the Board would like to sell. Area ranchers oppose the sale, saying they can't compete with developers and real estate brokers that would come in and disturb the area. The Land Board said the trail section would be protected by an easement granted to the Idaho Historical Society, according to the *Idaho Statesman*. Money from the sale would be placed in the Public School Endowment Fund.

Airport found significant

Secretary of Interior James Watt has finished reviewing the study done by Interior on the significance of the Jackson Hole (Wyoming) Airport to the Department. The airport is in Grand Teton National Park. Watt, in a reversal of the previous administration's opinion, has deemed the airport "necessary for the proper performance of the functions of the Department." Watt, however, did not address the question of whether or not the airport's special use permit would be renewed when it expires in 1995.

1080 use recommended

An administrative law judge recently recommended that the Environmental Protection Agency lift its 10-year ban on the controversial Compound 1080. EPA banned the compound when it was shown to cause death to animals other than just coyotes, especially when it was injected in large amounts into sheep or horse carcasses that were placed in areas frequented by coyotes. The judge recommended the use of 1080 toxic collars and the strictly controlled use of 1080-poisoned bait. EPA Administrator Ann Gorsuch is expected to decide by the end of November whether to accept the judge's recommendations.



Ten western water projects okayed

After a seven-year drought in federal funding of western water projects, Interior Secretary James Watt has announced the Reagan administration's approval of 10 projects costing a total of \$258.6 million. However, the announcement, which came a week before the November 2 elections, left some states and water development advocates high and dry.

Recommended for funding in fiscal 1983 are a \$109 million project that would raise the Buffalo Bill Dam and replace an obsolete power plant downstream of the dam near Cody, Wyoming, and a \$51 million power plant to be built at the Headgate Rock Diversion Dam on the Colorado River in Arizona.

In addition, eight water districts in four states will receive money under the reinstated federal Small Reclamation Loan Program. Over half of those projects are in California, including South County Irrigation, \$28.2 million; Ramona Municipal Water District, \$22.3 million; Fallbrook Public Utility District, \$12.9 million; Colusa County Water District, \$12.5 million; and Glide Water District, \$6.1 million. The other three are the Roosevelt Irrigation District, Arizona, \$10.8 million; Columbia Irrigation District, Washington, \$4.3 million;

and Buffalo Rapids Irrigation, Montana, \$1.5 million.

George Procter, President of the National Water Resources Association, a Portland, Oregon, organization representing irrigation and reclamation interests, said he was pleased with the announcement after the seven-year moratorium, but added that the allocations are really just a "drop in the bucket."

The big story in Colorado is what wasn't funded. One Colorado water official stated in the *Wall Street Journal* that "What we have gotten so far is a whole lot of rhetoric and almost nothing in terms of additional funding."

Specifically, proponents of the Animas-LaPlata drinking water-irrigation project near Durango and the Narrows water storage project on the South Platte River were disappointed when neither received funding. Both projects were sidelined during the Carter administration.

"The federal government's tight budget is making it harder to fund pork barrel projects like Animas-LaPlata and Narrows," said Larry Mehlhaff of the Colorado Open Space Council. Colorado cannot fund projects the size of

Animas-LaPlata or Narrows itself, Mehlhaff said, and the \$30 million authorized by the state legislature for cost-sharing falls far short of the Reagan administration's cost-sharing policy.

Watt said that because of reduced federal spending the states will have to bear a greater burden of the costs of water projects.

Procter said the three programs of most importance to western water projects — the Army Corps of Engineers, Bureau of Reclamation, and Soil Conservation Service — have all been involved in cost-sharing programs through the years and Watt's announcement was "not new from that standpoint."

An Interior Department news release said that several other high priority projects besides the 10 already proposed have been identified, including one that would increase the power output of Hoover Dam in Nevada.

The fate of the 10 proposed projects now rests with Congress. In addition to meeting with Congressional approval, future water project recommendations will have to meet the Reagan administration's cost-sharing guidelines.

— Jeff Stern

HOTLINE

Dam pollution

The National Wildlife Federation has claimed dam-caused pollution is a serious problem, while the Environmental Protection Agency said it is not. A recent court ruling sided with the EPA's opinion, stating that dam operators do not need special permits to release water. The federation said there are serious pollution problems associated with dam discharges. The EPA said states can regulate any such pollution with anti-pollution programs. However, both the federation and EPA agreed that some dams discharge water that is unfit for drinking and low enough in oxygen to kill fish.

Beartooth road opposed

Public opposition to building a road to private land in the Beartooth-Absaroka Wilderness south of Livingston, Montana, is growing. The Gallatin National Forest must decide whether the Melcher amendment to the Alaska Lands Act of 1980, which directed the Forest Service to grant "reasonable access" to private inholdings, takes precedence over the Wilderness Act of 1964, the *Missoulian* reported. The Forest Service is preparing an environmental assessment of the proposed 2.5-mile road although most public comment favors compiling a complete environmental impact statement. If approved, the road would be the first to be constructed in a wilderness area in this country.

ETSI roulette

InterNorth Company of Omaha, Nebraska is considering taking over Atlantic Richfield Corporation's interest in the Energy Transportation System Inc. coal slurry pipeline project. ARCO withdrew from the project to concentrate its resources on oil and gas exploration and development (*HCN*, 10/29/82). According to *Coal Week*, InterNorth is exploring several options which include picking up all or part of ARCO's 25 percent interest in ETSI. Meanwhile, Kansas-Nebraska Natural Gas, another ETSI partner, intends to sell part of its 20 percent interest in the project.

Conserving private land

Sen. Malcolm Wallop (R-Wyo.) has introduced a bill to Congress that would encourage conservation and resource protection of land under private ownership. The Natural Areas Tax Protection Act of 1982 would provide sale and donation tax incentives and estate tax credits for the protection of land, the *Casper Star-Tribune* reported. The bill would also transfer authority of determining land that qualifies for preservation from the Treasury Department to the Interior and Agriculture Departments. Wallop said the bill is needed because the federal government cannot afford to purchase all the natural areas in America deserving protection.

Pond sips soda

New York state officials have used soda ash to successfully rehabilitate an acid rain-damaged pond in the Adirondack Mountains. After dumping five tons of soda ash into 9.2-acre Bone Pond, the water's pH rose from a pre-treatment level of 4.6 to 7, making it capable of supporting fish. The pond will be monitored for the next eight years to determine if the soda ash remains effective in buffering the pond. Lime has been used to treat lakes in New York since 1959, but recent experiments in Sweden have shown that soda ash is four to five times more efficient than lime in neutralizing acidic water.

Idaho Power shorts out new facilities

A declining energy demand, apparent throughout the Northwest, has prompted Idaho Power Company to substantially cut its plans for new generating facilities — a move that utility officials said will mean savings for ratepayers.

Idaho's largest electric utility announced last month it has delayed indefinitely plans to build five hydroelectric projects and postponed construction on another two, including the controversial North Fork hydroelectric complex.

The move was prompted by a new company forecast, which shows yearly growth in the demand for energy over the next 20 years at 1.9 percent rather than the earlier projection of 2.7 percent.

Officials attributed the decline to conservation and decreased economic activity in the utility's service area, which includes southern Idaho, northern Nevada and eastern Oregon.

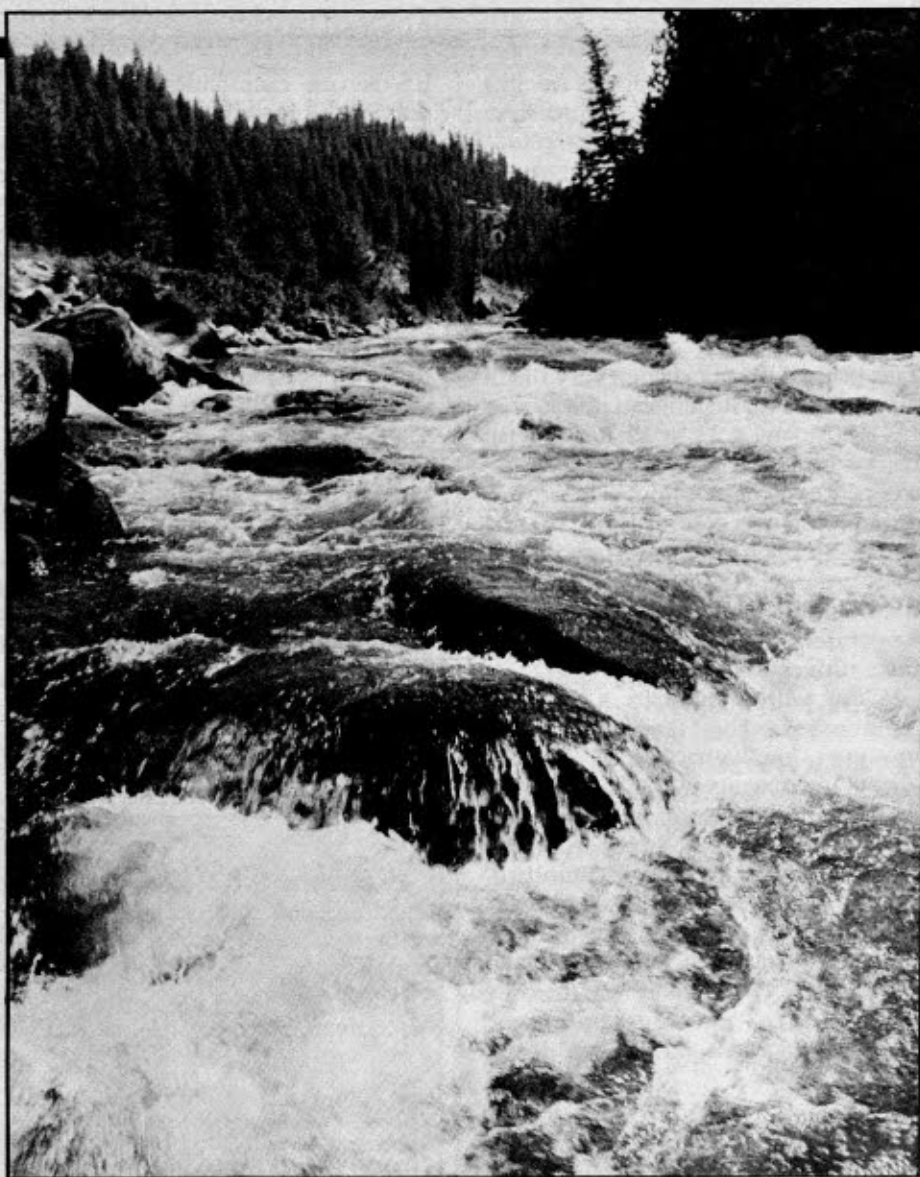
A revised five-year financial forecast estimates Idaho Power's construction budgets during the period will total \$506.5 million — less than half the amount earlier estimated.

For ratepayers, the reduction translates into savings because the utility will be able to slow its rate increase requests, Idaho Power officials said.

"With reasonably good water to fuel hydroelectric plants, we will not need to ask for any rate increases in Idaho next year, and only small increases during the following two years," company chief executive James Bruce said.

The news also will be welcomed by whitewater enthusiasts, who can postpone their battle over an elaborate project on the North Fork of the Payette River because the project has been delayed for nine years, until 1995.

Kayakers had unsuccessfully tried to block the 253-megawatt facility, claiming it would reduce water flows in one



North Fork of the Payette

of the region's most challenging river stretches.

Also to be delayed is the Lucky Peak project, which will not be put into operation until mid-1992, the forecast said. However, that announcement did not please a group of irrigation districts that owned water rights on the Boise River and had hoped to reap profits from the facility soon.

Idaho Power has dropped completely from its 20-year plan the proposed A.J. Wiley, Twin Falls Low Line, Mora Drop, Kanaka Rapids and Milner hydro projects (*HCN*, 9/3/82). Earlier this year, the company announced it delayed indefinitely the Dike project on the Snake River. Those southwestern Idaho projects had a total capacity of nearly 250 mw.

In addition, the utility said it would

not need to plan a new coal-fired plant before the turn of the century, although figures last year prompted the company to call for such a plant in 1992.

Officials said one reason growth has slowed is the shutdown last winter of the Bunker Hill Company in northern Idaho, which cut state tax revenues and eliminated jobs for public workers — ultimately slowing an increase in demand for energy.

Included in the forecast is an expected 13.7 percent reduction in demand over the next 20 years as customers cut use of electricity through a number of conservation methods.

The company also said it is counting on purchasing 135 mw of electricity from small hydroelectric and wood-burning plants during the next decade.

— Ellen Marks

C-Ute moves on the Western Slope

Like the story book llama with two heads and no tail, Colorado-Ute Electric Association is both cutting back and moving forward on projects and personnel. And the western Colorado electric wholesaler is trying to slip out from under the Colorado Public Utilities Commission's regulatory covers.

In late October, Colorado-Ute announced it would indefinitely postpone construction of the \$600 million Southwest power plant near Mack, about 20 miles west of Grand Junction. In August, the utility refiled a permit application for a \$250 million power line to connect its Craig power plants to San Juan, New Mexico and Southern California.

During September and October, Colorado-Ute laid off 60 of its 1,100 workers, including some white collar employees.

And Colorado-Ute is supporting a motion before the PUC by one of its member electric co-ops to remove the utility from the PUC's regulations because it sells electricity to out-of-state utilities.

Bob Hoving, Colorado-Ute spokesman, said power from the coal-fired plant won't be needed in the near future because power surpluses in other Western states will allow the utility to buy power from other sources. Last March, Colorado-Ute scaled down the Southwest project from 800 megawatts to 500 Mw.

Hoving also blamed the postponement on the poor economy that is preventing new industrial and residential building that would increase power demands on the Western Slope. And while financing was not a major problem, Hoving said high interest rates encouraged the postponement.

But Colorado-Ute still thinks it needs to build a 275-mile power line from Rifle, Colorado to San Juan, New Mexico, according to Paul Hathaway, another Colorado-Ute official. Colorado-Ute will split the estimated \$250 million cost with the federal Western Area Power Administration, which will also upgrade its southwestern Colorado line.

Plans call for building a 345-kilovolt line for Colorado-Ute, then transferring WAPA's load to the Colorado-Ute line while WAPA upgrades its 230-kv line, Hathaway explained. When future electrical demands exceed that capacity, Colorado-Ute will build a second 345-kv line, he added.

Those demands will have to mushroom to even make a dent in the lines' capacities, contends Joe Pepi, of Western Colorado Congress, a Western Slope consumers' group. The two lines will be carrying 1,000 Mw into an area that now uses about 200 Mw, Pepi said.

The PUC denied Colorado-Ute's permit application for a larger, more expensive version of the power line last winter. For many of Colorado-Ute's

member co-ops, that denial was the last straw, along with a suggestion from the PUC staff that the utility change its rate structure.

The Intermountain Rural Electric Association, a member co-op serving mountain residents just west of Denver, asked the PUC to end its regulatory control on grounds that Colorado-Ute sells power to utilities in other states. Colorado-Ute joined that request, and several of the 13 other member co-ops have passed supporting resolutions, Hathaway said.

Colorado-Ute climbed into the PUC's regulatory bed in the early 1960s so it could avoid competition on the Western Slope. But Hathaway said that regulation now costs the utility millions more in higher interest rate negotiations.

But consumers opposed to deregulation say that if Colorado-Ute slips out of the PUC's grasp, probably after a court battle, it will not be regulated by anyone but its own board. Hathaway said the Federal Energy Regulatory Commission regulates most interstate power sales, but specifically exempts generation and transmission co-ops like Colorado-Ute.

The PUC is not expected to decide on the request until it concludes Colorado-Ute's current rate request. Hathaway said Intermountain will appeal through the courts if the PUC denies deregulation.

— Heather McGregor

Crow synfuels plant postponed

The marketplace and not the neighboring Cheyenne Tribe's strict environmental standards has blocked the first synthetic fuels plant proposed on an Indian reservation. However, its proponents expect the coal gasification plant to become feasible on the Crow Reservation in Montana by the end of the decade. A \$2.7 million Department of Energy study for the Crow Tribe determined that the cost of producing gas from Crow coal would exceed the market clearing price for alternative sources, such as fuel oil. Consequently, the study concluded that the project is economically infeasible now even if it could get federal price and loan guarantees.

The cost of the Crow synthetic gas would compare favorably with the cost of gas from Prudhoe Bay and with liquefied natural gas, according to Joe Byrne of Pacific Coal Gasification Co., a subsidiary of Pacific Lighting. Pacific Lighting, which directed the study and would operate the plant, is also involved in the Alaska natural gas pipeline consortium, the Great Plains coal gasification plant in North Dakota and a liquefied natural gas project in California.

The study determined that the Crow plant was environmentally and technically feasible, and both Pacific Coal and tribal officials are enthusiastic about the project's future. However, on the reser-

vation, it is the most controversial of the development projects being considered because of the large number of non-Indians who would be involved and of the uncertainty of the environmental impacts.

The study analyzed four models for the \$3.65 billion plant, some of which produced methanol, electrical power and coal fines as well as gas for sale and which used different sources of coal. All models assumed 125 million cubic feet per day plants, expandable to 250 mmcf/d.

A fifth model may be the best, however, according to Byrne. This plant would not be expandable and would be located at the mouth of the Westmoreland mine. It would be cheaper because there would be no coal transportation costs and because Westmoreland coal is less expensive than the other source considered. Because it would not be expandable, the capital costs would be reduced.

However, Byrne said this option would require much more study. It was not analyzed thoroughly because two years ago, when the study began, 250 mmcf/d was considered the optimal size for a synfuels plant. The Westmoreland mine mouth site was not considered for the expandable plant because the Class I designation of the Northern Cheyenne Tribe on the neighboring reservation precludes a 250 mmcf facility.

This Northern Cheyenne environmental safeguard imposed other limits, too: The most attractive site is too close to the Northern Cheyenne Reservation; a coal-fired power plant cannot be built at the same site to supply power for the synfuels plant; and more costly air pollution control equipment must be used than would otherwise be necessary.

As with the coal-fired power plant (HCN, 9/3/82), this analysis assumes better than 98.6 percent control efficiency for sulfur dioxide, which is pushing the limits of present technology, according to Bob Siek of the Council of Energy Resource Tribes, who completed the environmental analysis for the study.

The study left to the Crow Tribe the final selection of a site on the reservation and a coal supplier. A site near the proposed Shell mine on the south end of the reservation would require a camp for non-resident workers, which tribal members might prefer to avoid.

Tribal officials are still interested in finding investors for a coal-fired power plant on the reservation and are now negotiating with several firms to develop tribal coal. While the tribe is short on capital, it would like to participate as an investor in all the developments and now is exploring how to use its coal as collateral.

— Marjane Ambler

HOTLINE

Planning expenses

Planning for the Denver Water Board's future projects isn't cheap. It looks like it will cost about \$6.7 million, up from the \$3 to \$5 million that was originally projected. The cost has jumped because of the interest Denver suburbs have in joining the city's system. The costs for planning go for Army Corps of Engineers time, water board staff salaries, engineering design and contingencies. Suburbs are expected to help pay for the planning, but some have already voiced opposition to the high cost.



Stan Rice

Idaho plans to protect fisheries

In mid-November, the Northwest Power Planning Council will adopt a plan intended to ensure a future for anadromous fish along the Columbia River system. Since the draft plan was released September 16, most comments have centered on a proposal to give fishery interests the authority to release additional water from some reservoirs each spring, when young salmon and steelhead trout migrate to the ocean.

The fish plan proposes allowing fishery agencies and Indian tribes to control and manage the release of an average of 78,000 cubic feet per second per month of water between April 15 and June 15. The fish "water-budget"



would increase flows by releasing water that is normally stored during the peak migration period.

The fish plan was required by the 1980 Northwest Power Act, which mandated regional energy planning. The act required the council to seek specific recommendations from fish and wildlife agencies and Indian tribes in developing a plan "to protect, mitigate and enhance the fish and wildlife" affected by power development along the river system.

The draft plan rejected recommendations from fishery agencies to establish year-round minimum flow requirements at several dams on the Columbia and Snake rivers, based on anticipated runoff each year. The council also rejected tribal recommendations to establish optimum flows that did not depend on runoff.

At a recent public hearing in Boise, power and irrigation spokesmen said the water budget would cause greater energy losses and higher electric rates than the council estimated. Idaho Power Company executive Don Barclay said his utility's losses could exceed 300 megawatts, rather than 80 Mw estimated by the council. The council is proposing to repay Idaho Power with electricity from Bonneville Power Administration, but Barclay said BPA lacks adequate transmission lines to repay the utility when power is needed during the summer.

Executive director of the Idaho

Water Users Association Sherl Chapman said irrigators will pay an additional \$22 million per year for water due to the fish plan. Electricity consumers will pay about \$50 more each year, according to Tom Campbell, president of the Northwest Public Power Association.

The council estimated that the fish water budget will reduce the region's hydroelectric power production by 550 Mw — 2.9 percent — and will cost \$160 million per year. All of the improvements called for in the plan will cost \$690 million over the next 20 years, about \$2.25 a month for an average electric consumer, according to the council.

Fishery advocates at the Boise hearing asked for assurance that the water budget would not be subverted. "Whatever the water budget level, it will only achieve the desired result if the base on which it rides remains relatively stable. The draft program does not provide this assurance," Tom Campbell, vice-chairman of the Idaho Conservation League told the council.

After the hearing, ICL Director Pat Ford said, "It's conceivable that even if the water budget is adopted, base flows would be reduced enough to make it meaningless. A minimum flow would make sure water stays in the river rather than being stored."

The responsibility for ensuring that fish water needs are met will fall to three water budget managers who will work for the fishery agencies, the tribes and the council. According to the plan, the water budget managers will work with "the power project operator and regulators to ensure that fishery requirements are integrated in river system operations and planning."

The plan does not estimate the effects of the water budget and other improvements on the anadromous fishery, but proposes studies to evaluate the program. The plan is the first of three the council will produce. Next April the council will release a 20-year forecast of energy demand in the Pacific Northwest and a plan to meet those demands. Current power demand forecasts project a probable energy surplus during most of the 1980s.

— Renee Guillerie

BARBS

Better living through chemistry department. The government of the Philippines has successfully detonated a 6.6-pound bomb made entirely of residues of coconut oil, according to United Press International.

But they objected to his management instead. U.S. Bureau of Land Management director Bob Burford has begun proceedings to fire a veteran BLM employee, James Ruch. Ruch, director of BLM's Denver Service Center, is charged with defying Burford's orders and buying \$70,000 in video equipment and conference room alterations. The video equipment was to be used to produce a training film on Interior Secretary James Watt's management-by-objectives system.

Of course, none have landed on him yet. A Cheyenne, Wyoming, radio station owner bought a newspaper ad urging the Air Force to base the MX missile in Cheyenne because he was tired of the negative publicity about the weapon.

Natural gas news. Science News reports that termites may contribute as much as half of the atmospheric methane produced each year. Methane is one of the so-called "greenhouse gases" that may be responsible for warming the atmosphere by reducing the amount of heat the earth radiates back to the sun.

Klondike sale is on

The Klondike timber sale in Bridger-Teton National Forest near Pinedale, Wyoming, was given the green light recently despite objections by the Wyoming Wilderness Association and others. The Association, with the Sublette County Board of Commissioners, the Sublette County Wildlife Federation and the Sweetwater County Wildlife Federation, appealed to the Forest Service to stop the three-million board feet, 250-acre clearcut. Although an environmental assessment was completed on the area, the concerned groups requested an environmental impact statement because of the impacts the sale will have on wildlife, watersheds and wilderness values. However, Regional Forester Stan Tixier upheld Forest Supervisor Reid Jackson's earlier ruling that the sale be allowed. Logging activities may begin next summer.

Windfall tax illegal

U.S. District Court Judge Ewing Kerr ruled on November 4 that the so-called windfall profits tax on oil company profits is unconstitutional. Kerr said the Constitution provides that federal taxes must be uniform throughout the United States. The windfall tax violates this requirement, he said, because oil produced in the state of Alaska was specifically exempted from it. Kerr also ruled that the oil companies should get back the taxes they've already paid in. However, he suspended enforcement of his ruling, and told the government to continue collecting the tax until a higher court ruled on his decision.

Colorado's unexpected whitewater dangers

by Van Becay

Ten years ago the fastest growing sport and recreational business in Colorado was downhill skiing. But today, rafters, kayakers, canoeists and thousands of tourists proclaim whitewater recreation as the sport of the 80s.

In the last five years, almost every stream in Colorado has seen a dramatic increase in use — some rivers have recorded a 200 percent jump.

Since 1976, whitewater boating has increased at an annual rate of 11.6 percent.

In 1980, whitewater recreation generated nearly \$23 million for the state's economy.

Whitewater fun is the Centennial State's newest entry in the play market. As water will be the issue of the 80s in Colorado, whitewater sports promise to be the hot recreation in a state whose number one economy is packaging good times.

River runners, from the competitive kayaker to the kids in their cut-offs and inner tubes, extol the fun to be had in rivers. Enthusiasts point to the low energy consumption, small initial investment and minimal environmental impact — rafts leave no tracks — that make whitewater sports ideal recreation. Spring run-off from countless snow-laden peaks creates hundreds of miles of prime fast water guaranteeing a thrill a minute. In a time of inflation and rapidly increasing population clamoring for outdoor recreation, it seems the perfect New Age sport.

Despite the sun-sprayed image, a cloud looms over Colorado rivers.

For many private river runners the construction of water projects across the state strikes at the heart of their sport. More water projects are planned. The private river runner feels squeezed between reservoir-spawned flat water sports and demands for new diversions. For most state residents, wild rivers are not a high priority.

A commercial river rat, if cornered, reveals a more candid worry — one likely to run him out of business sooner than water skiers and irrigation canals. The commercial outfitter's problem is the sky-rocketing number of other commercial outfitters all seeking a low-overhead, high-profit business and all scrambling for a bite of the shrinking tourist dollar.

If a deluge of outfitters weren't enough, many accessible stretches of river have been inundated by the sport's popularity. A weekend on the Arkansas during peak season looks like a whitewater carnival ride, complete with thrills and spills and a line of folks waiting turns on the river.

The growing number of dams, the influx of greedy-eyed entrepreneurs and their own burgeoning numbers plague all river runners. Such worries, however, may be only a postscript in the history of Colorado whitewater; a history whose heyday may have come and gone. The biggest problem for the sport lies not in the river, but in the riverbed.

With the exception of float trips through Dinosaur National Monument in northwestern Colorado, which is wholly federal land, and a few other isolated whitewater runs, all river floating of any length in Colorado sooner or later crosses private land. Under Colorado law, river floating over private property without the owner's permis-

This is the first of a two part series on the threats to and promise of the whitewater industry in Colorado. This installment deals with the problems of regulating commercial and private use of the rivers.

sion constitutes third degree criminal trespass. Simply put, two-thirds of the river running in Colorado is against the law.

Whitewater sports in Colorado are a relatively new recreation. In 1954, only 154 people floated the Yampa and Green rivers inside Dinosaur National Monument. By 1972, over 17,000 floated through Dinosaur.

On other rivers 10 years ago, the sport was still small potatoes. Low water in late summer might find a few inner tubes and a raft or two. For the most part, the rivers were unpopulated.

Entrepreneurs of the early 1970s saw a wide-open market. There were no laws governing the state's rivers. In fact there were no requirements of any kind. Anyone with a raft and a truck could be an outfitter.

River running boomed. By 1976, 44,700 user-days were recorded in Dinosaur National Monument alone. Estimated use on the 18 most popular rivers in Colorado that same year was 142,276 user-days. A user-day is a person per day on the river. Thus three people in one day is three user-days, as is one person for three days.

By the late 70s, sheer numbers prompted the state to establish some regulations. A special section for "River Running and Whitewater Boating" was added to the Colorado Boating Statutes and Regulations. The section dealt only with safety and promulgated such regulations as "all air-inflated devices (rafts) will be wear-resistant." Additional regulations required life jackets, spare oars, pumps for the air-inflated devices and first aid kits. Further sections of the state boating regulations prohibited operation of a craft in a careless manner or while under the influence of drugs or alcohol. Other than these common sense rules there were no other restrictions on whitewater running. These Colorado Boating Statutes and Regulations are still the only state-wide controls on the sport.

Unfortunately, minimum requirements do not promote voluntary compliance. Most whitewater enthusiasts, including commercial outfitters, have never heard of the regulations. Though any peace officer can enforce them, few outside the state parks system do. Since the boating regulations are obscure, the attitude of local law enforcement is often *laissez faire* — "If state parks want the regulations, then enforce 'em." Colorado Division of Parks and Recreation has no field officers for assignment outside the parks system.

However, fatalities from whitewater sports are on the rise. Non-fatal accidents are seldom reported, despite regulations requiring it. Inner tubes are classified legally with water-contact sports like swimming and are not considered craft. No records for inner tube

fatalities are kept by the state, though Division of Parks and Recreation officials agree the tubes are the most dangerous whitewater vehicle.

Enforcement of regulations by division officers is difficult. "It's a time-management problem," said Rick Storm, State Boating Safety Officer for the Division of Parks and Recreation. "Most of the fatalities occur on weekends in early summer during high run-off. That is precisely when the state parks are full to capacity and our officers are needed there. We don't have the personnel to cover all areas."

Storm's office has proposed hiring regional officers in areas outside of state parks to enforce whitewater, dirt bike and snowmobile regulations. It has not been granted yet.

Whitewater fatalities over high- and low-water years have averaged about five annually. Since May, 1982, 11 people have lost their lives in whitewater accidents around the state. The number of inner tube fatalities is anyone's guess, but it is estimated to be at least another 10 per year.

Because of the crazy-quilt pattern of publicly administered lands in Colorado, no single government agency has control of many consecutive miles of state rivers. Each agency has devised its own set of river running regulations, most of which are minimal.

The National Park Service enjoys the longest contiguous jurisdiction on the Green and Yampa rivers inside Dinosaur National Monument. NPS employs a permit system for commercial and non-commercial use. During the main use season, from May through September, non-commercial permits are awarded by lottery. This year over 2,000 applications were received for 300 permits.

Ten commercial outfitters now run through Dinosaur National Monument, sharing the commercial permits offered. There are no plans to increase their number. During the main use season, four to six launches are permitted per day, divided equally between commercial and non-commercial. During low use season, from mid-September through the first week of May, all permits are on a first-come-first-served basis. Only one launch a day is permitted during off season.

Despite stringent management of the Green and Yampa within the monument, including designated camp sites, requirements for stoves and sanitation procedures, riparian ecology suffers each year. The most noticeable impacts are charcoal left from countless fires — river runners are required to haul out their ashes — and standing timber attacked for firewood.

The other major agency regulating whitewater in Colorado is the Bureau of Land Management. Its belated entry into the regulating game came in 1979, as a

direct result of commercial companies using BLM land as launching and arrival points to avoid hassles with private landowners. BLM instituted a permit program for commercial use, charging \$25 for each 100 user-days or a fraction thereof. Considering the rates rafting companies demand, the fee is low. The cheaper half-day trips cost about \$25 per person. One hundred people on half-day trips equates to 100 user-days and grosses the outfitter \$2,500 for his \$25 land use fee.

Commercial rafters using BLM land need a BLM Special Recreation Permit, a certificate of insurance indemnifying the United States government in case of accident, and must pay a \$10 filing fee. No competence tests or background checks are made. No bonds are posted to insure performance. And no one is turned down. Rafters are required to follow state boating rules, but spot checks for compliance are practically nonexistent.

BLM-controlled rivers in other states are not all so loosely managed. According to Don Bruns, recreation program leader of the BLM in Denver, "Some BLM rivers have more intensive management, such as the Rogue River in Oregon." But, he continued, "In our future management objectives, as of present, the BLM in Colorado does not regulate control of rafters."

According to Bruns, if the carrying capacity of a river is exceeded and if other means of control, such as public education, fail to work, then BLM will consider regulations.

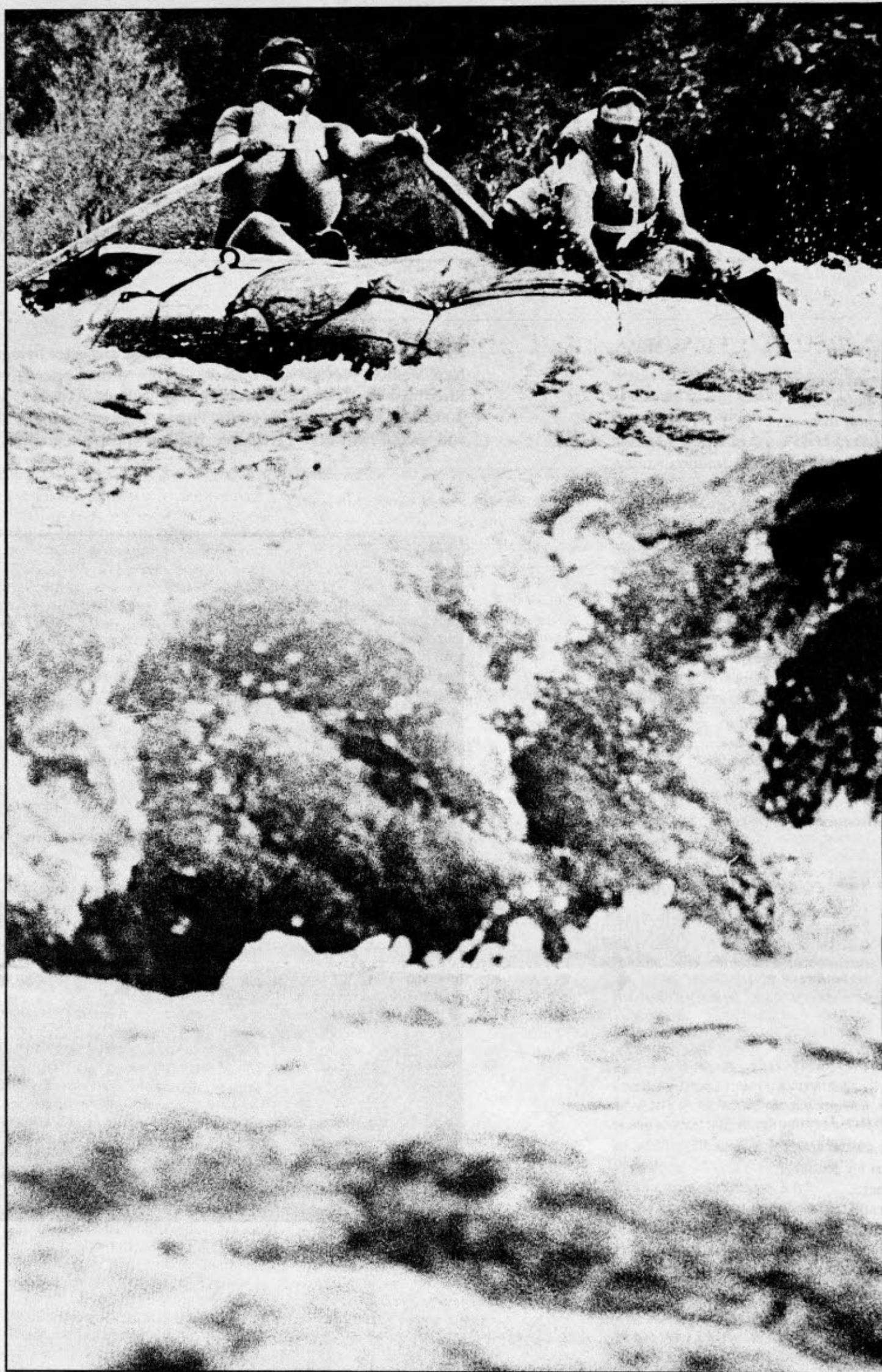
In 1979, the first year permits were issued, BLM authorized 27 outfitters' use of the 58 boatable miles of the Arkansas between Buena Vista and Parkdale. Those 27 commercial outfitters totaled approximately 18,000 user-days. In 1980, which was a good water year with high run-off, BLM issued 42 permits and recorded 40,000 days of use. 1981 was a disastrous water year. The Arkansas water course measured the lowest on record. Yet 45 permits were issued and 36,000 user-days were reported by commercial companies. 1982 has been a good water year. 60 permits have been issued for an estimated 60,000 user-days.

Do 60 commercial permits and a projected 60,000 days of use constitute abuse of the Arkansas?

Not really, said Bruns. "The managing objectives of the Arkansas are different than, say, the Dolores, which is a much more pristine setting. The Arkansas is not a wilderness experience. Highway 50 runs right along side it. Carrying capacity (of a river) depends on managing objectives which are drawn from the nature of the resource and the demands of the present users. (Our studies) show that the public doesn't mind heavy use of that portion of the river."

BLM does not require permits of non-commercial river runners and has no tally of their numbers on the Arkansas. It is estimated that the non-commercial users add another 15,000 user-days to the 60,000 commercial.

Dennis Zachman, BLM spokesman in



Snaggletooth Rapid, Dolores River, Colorado

Canon City, the field office that administers the Arkansas, said, "It is crowded at times." He maintained, however, "The carrying capacity of the Arkansas has yet to be determined. The National Recreation River Study done in conjunction with the BLM found the public would rather have no regulations than over-regulation."

However, Zachman said BLM's position on recreation is not one of the higher priority programs.

The only other entity attempting some control of Colorado whitewater is the U.S. Forest Service. They do not control land bordering many of the runnable rivers. Where they do, the Forest Service's policy is to charge commercial companies the same as BLM, \$25 per 100 user-days and wish them *bon voyage*. Also like BLM, they do not charge private users. The Forest Service has closed a few isolated stretches of river in Colorado due to unrunnable, dangerous conditions. Less than 10 percent of whitewater recreation in Colorado takes place on Forest Service land.

"River running has more than quadrupled (in Colorado) in the last five or six years. Someone is going to have to have complete control somewhere down the line," said Pat Hatch, former state boating safety officer of the Colorado Division of Parks and Recreation.

The most urgent push to regulate whitewater sports comes not from state and federal agencies, but from the commercial rafting companies. Not all companies — especially the ones recently formed hoping to ride the crest of whitewater popularity — want regulations. Most established, responsible companies see the wave of recent entrepreneurs as bad for all whitewater enthusiasts, and particularly bad for commercial outfits.

In the rafting business since 1972 — which makes him a grand old man in a young sport — Preston Ellsworth organized the river industry in Colorado. As a member of Western River Guides Association, a loosely bound recreational and political action coalition of outfit-

ters, he formed a Colorado chapter. "I wanted the Colorado chapter to establish a war chest so we could aid any member faced with a legal battle. However, other members ran a coup on me and the whole idea fell flat," said Ellsworth.

The other members splintered off and formed Colorado River Outfitters Association. There are about 30 outfitters in CROA and 20 in the Colorado chapter of Western River Guides. Both groups lobby for whitewater sports. Western River Guides has found Sens. Orrin Hatch (R-Utah) and Barry Goldwater (R-Ariz.) to be the most sympathetic to commercial rafting. CROA concentrates on local government to protect their business.

"Of course, there's a whole raft of outfitters who don't belong to either one," said Pat Hatch. No one knows the total number of outfitters operating in Colorado. That whole raft of unaffiliated companies is causing most of the problems for the responsible outfitters, said Mark Brown, president of CROA.

Brown's company is six years old, has ferried more than 25,000 people, and "has never had an accident bigger than one that a Band-Aid couldn't take care of," he said. All of Brown's boatmen have training in first aid and cardiopulmonary resuscitation (CPR). "People pay for professionalism. We run the most expensive half-day trip on the Arkansas," he said proudly.

Brown sees more and more problems on state rivers unless stiffer regulations are established. According to Brown, one outfitter running the Arkansas has drowned three people in four years. The outfitter is still operating. "Our biggest problem is licensing outfitters," Brown said. "We don't have any control."

"Since local municipalities will have to enforce regulations, they should be made on the local level," he said.

Brown has devised a list of proposed regulations. First, are insurance and safety requirements of every outfitter. In addition all river guides would need CPR and advanced Red Cross training, and have run the stretch he is guiding, or an equivalent, 20 times. All trips would require a trip leader with current emergency medical technician (EMT) certification. Also, Brown wants each owner to be a Colorado resident, have "approval of credibility" from the county sheriff, and have at least four years guiding experience and two years in the river guiding business as a manager — with employment and insurance records — before he is issued a license as an outfitter.

Brown's requirements would undoubtedly weed out the fly-by-night operator. They would also discourage formation of new companies that would cut into the established outfitters' profit margin, which may be Brown's primary aim.

Preston Ellsworth does not agree that more companies are bad for business. He dislikes them for other reasons. "It's an ego thing," he said. "We used to be the only company on that river (the Animas). We used to have the whole market, though it was smaller."

Ellsworth, who owns four companies, believes the more the merrier. "There's more companies out there stirring things up. It makes for a larger market for everyone. I have to operate as a business, and in the market I have to think, how do I get my share?"

"The smart operator has worked the motel companies, he's got advertising in the community. To succeed you have to be open, substantial and notorious. People like to see an establishment, a building. Fly-by-nights might make minimum wage. Eventually something catches up with them — they hurt someone — and the piper will be paid. Fly-by-nights might make it if they're just looking for a job. But if you're trying to build a way of life, to establish yourself in the community, you won't make it."

Ellsworth believes rafting is limited by access to the resource, not by the number of people willing to pay for a trip.

Is there a limit to the number of people a river can float while preserving aesthetic and environmental values? Ellsworth emphasized the difference between resources. "The Dolores river is a wilderness experience. The Animas, the Arkansas, the Colorado are not. It is up to the resource manager to protect the resource."

BLM and the Forest Service allow unlimited access to rivers. The National Park Service mainly controls the Green and Yampa.

In Colorado most rivers do not have effective resource managers.

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Van Becay is a freelance writer living in Durango, Colorado. In the second installment of his examination of river running and management, to be published in the next issue, he looks at another serious threat of the sport in Colorado — the Emmert Decision. As a result of this court case, nearly all of the state's whitewater sports may be illegal.

GHOST

by C.L.

The Frontier

In a grove of cottonwood standing
alive and dead on the floodplain
they are sleeping: the holy man
in his battered blue trailer,
angry-hearted young men, sad
women with children in their blankets.

Old Colorado River carries high-country soil
past red cliffs and crumbling sand banks.
First drops of night rain sizzle
into dying fires, touch sleeping forms
with earth's warm blood dreaming
through the veins of their bodies.

Darkness cradles them like a hand,
old and rough, wrinkled with mountains,
cupping the fragile shape of the continent's
first hope. Outliving the agony of invasion,
they gather to this one common ground,
guarded by watchful, numberless dead,
by spirits risen from maimed and silent bodies
on the bloodmarked sands
of a lost, loved country
that we called "the frontier."

(on "The Longest Walk" near Grand Junction, Colorado, 1978)

A Mourner in Winter Dress

Tongue lapping, coat steaming with my heat,
I hunt the banks of an icy stream,
eyes wide for movement,
sniffing for a warm trace.

And I am touched by her scent,
old and faint on the dried stem
of a sunflower dead and yellow against the frozen crust.
Owls descend,

taking their places on the black branches
of bare maples by the long meadow,
searching with hot, gold eyes
for twilight's first mouse.

Cold black stones, laced with bright lichens,
a single, dry tuft of her hair
caught under a splinter
at the corner of a pole fence.

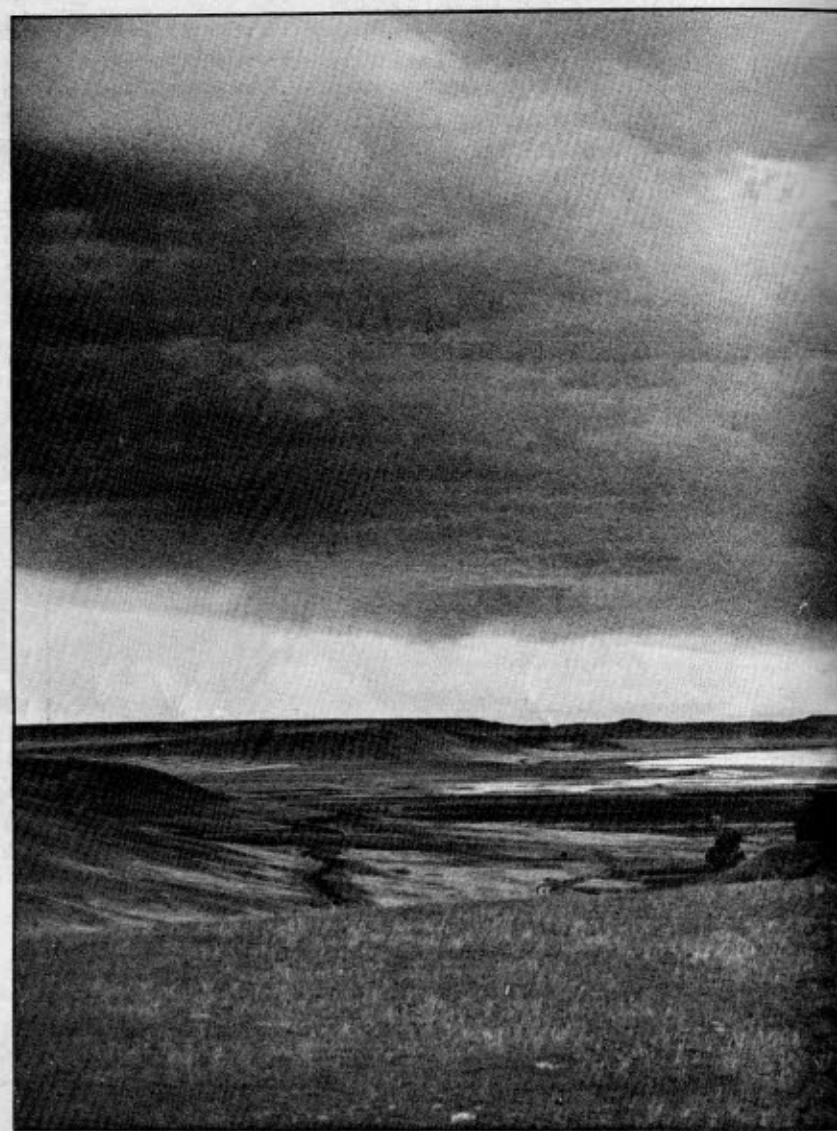
My tracks reveal nothing.
I wander and circle, skirting
the baited carcass of the sheep
I killed last night.

I leap a wire fence, gain the ridge
in full darkness, raise my grey face
to a star: listen, man.

I'm singing for your death.

(Sheep Corral Hollow, 1978)

C.L. Rawlins was born in Laramie, Wyoming, and, after living in New Mexico, Nevada and Utah, has adopted the Upper Green River area of Wyoming as home, living in Boulder (population 100). He works seasonally for the Forest Service as a range rider and spends winters in freelance writing and photography. In



On the trail

Walking, out walking
a week or two; the time
of mountains unmeasured.
A single, male cell
penetrating the canyon womb.

This landscape never known
to its last, rocky fact;
untouchable body,
receiving you complete
with no trace of desire.

(Paria Canyon, 1978)

OST SONGS

y C.L. Rawlins

after living in
Upper Green
(population
a range rider
otography. In

addition to a series of *HCN* articles, he has done two collections of poetry, *A Ceremony on Bare Ground* and *Open Country*, freelance work for various magazines and publishers and regular book reviews for the *Journal of Western American Literature*. He is currently working on another poetry collection, a volume of short stories and a novel.



David Spear

Ghost songs

Out here in the dark
I'm smiling.
I do not ask the moon
for miracles.
I do not ask the stars
for consolation.
So silent
under lightning and wind.
So still
under chill, hard rain.
I am not afraid.
Nothing frightens me.

Contrail

Across the west a glowing, pearl trace
of humans going quickly
cuts the rising moon.

Beautiful, as things are of themselves
without context: the buff and burnt-brown
of a road-killed elk, elegant as sculpture
on the snow by a highway in Wyoming.

Or a liquid rainbow, drifting delicate in arctic current,
the spectra pure and brilliant in a sun-struck bay
where tankers berth and gorge.

The planet reflects our deadliest acts
in small and scattered beauty, the fragments
of a vast, broken mirror;
a minstrel, bound to the stake for burning
calls a last rhyme above the smoke
before he starts to scream.

Somewhere, sometime

Again, the canyon alone,
undifferentiate urge balanced only
on two long legs, wandering,
in pursuit of no quarry but silence,
no motive except
to be away.

Sandstone, we call it: Entrada, Navajo,
Kayenta, Wingate: buff, cream, rust, sienna
oxidized rose: colors approximate in language,
hard to pin down as the feeling they evoke,
rising above like fossil thunderheads, sculptures
of a falling heaven. Sand, sand, sand
crystalline silica rasping grainy
infinitesimal under my soles,
bright and packed and gleaming
as stars at the galaxy's center.

Dreams leave coyote tracks,
delicate in floodplain clay
and coyote appears and vanishes, untouchable as dream
a glimpse of silver, ghosting
in the void between willow and tamarisk.

What is death in this place?
The rip of lightning.
The pat of rain on sleeping stone.
A return in the night.

Again, sun strikes over the rimrock,
the sand glitters as heatwaves rise
warping the vision like transparent smoke.
Three days on short rations
and the body feels weightless,
sunburnt legs gliding
along beams of arid light.

In shadow. Rock-paintings,
horned figures under a south-facing cliff.
Bound in time, self and reflection
growing like juniper along a wind-spiralled grain,
enduring and calm in the heartwood.

10-High Country News — Nov. 12, 1982

Rivers...

(continued from page 1)

COLORADO

"This (the Reagan recommendations) is ridiculous to wave as a major environmental proposal. It drops all the controversial rivers, and cuts two of the proposals drastically."

Of the 12 Colorado rivers studied for possible wild and scenic designation, four were included in the recent Reagan administration proposal: the Los Pinos, Piedra, Conejos and Elk. In addition, the proposal calls for studies on the Green, Yampa, Colorado and Cache la Poudre rivers to be completed by 1986.

"This is ridiculous to wave as a major environmental proposal," said Larry Mehlhoff of the Colorado Open Space Council (COSC). "It drops all the controversial rivers, and cut two of the proposals drastically."

The president's bill ignored the Gunnison, Dolores and Encampment rivers, which were studied and found suitable for wild, scenic and recreational designation. The Big Thompson River was not found to be suitable because the segment is short, 12.6 miles, and is protected within Rocky Mountain National Park.

Rep. Ray Kogovsek, (D-Colo.) will have all of the potential wild and scenic rivers within his district except the Poudre and Big Thompson in 1983. Colorado has gained a sixth congressman, and Kogovsek's new district boundaries include all of western Colorado.

"Just like the Colorado Wilderness Bill set an example for the nation, so will the first wild and scenic bill. Whether we designate one or several, I want to be sure the language protects the river but does not adversely affect conditional decrees or water rights," Kogovsek said.

Earlier this year, conservationists lobbied Kogovsek for wild river legislation. He considered the Los Pinos, Piedra, Conejos and Gunnison, and came up with a draft bill for just the Gunnison in July.

The bill called for designating 25 miles of the Gunnison, within the Black Canyon and Gunnison Gorge, a wild

river. It contained provisions allowing the city of Delta, 20 miles downstream, to continue its feasibility study for a \$60 million hydroelectric dam. The dam site is below the study segment, but the reservoir would back water halfway up the wild portion.

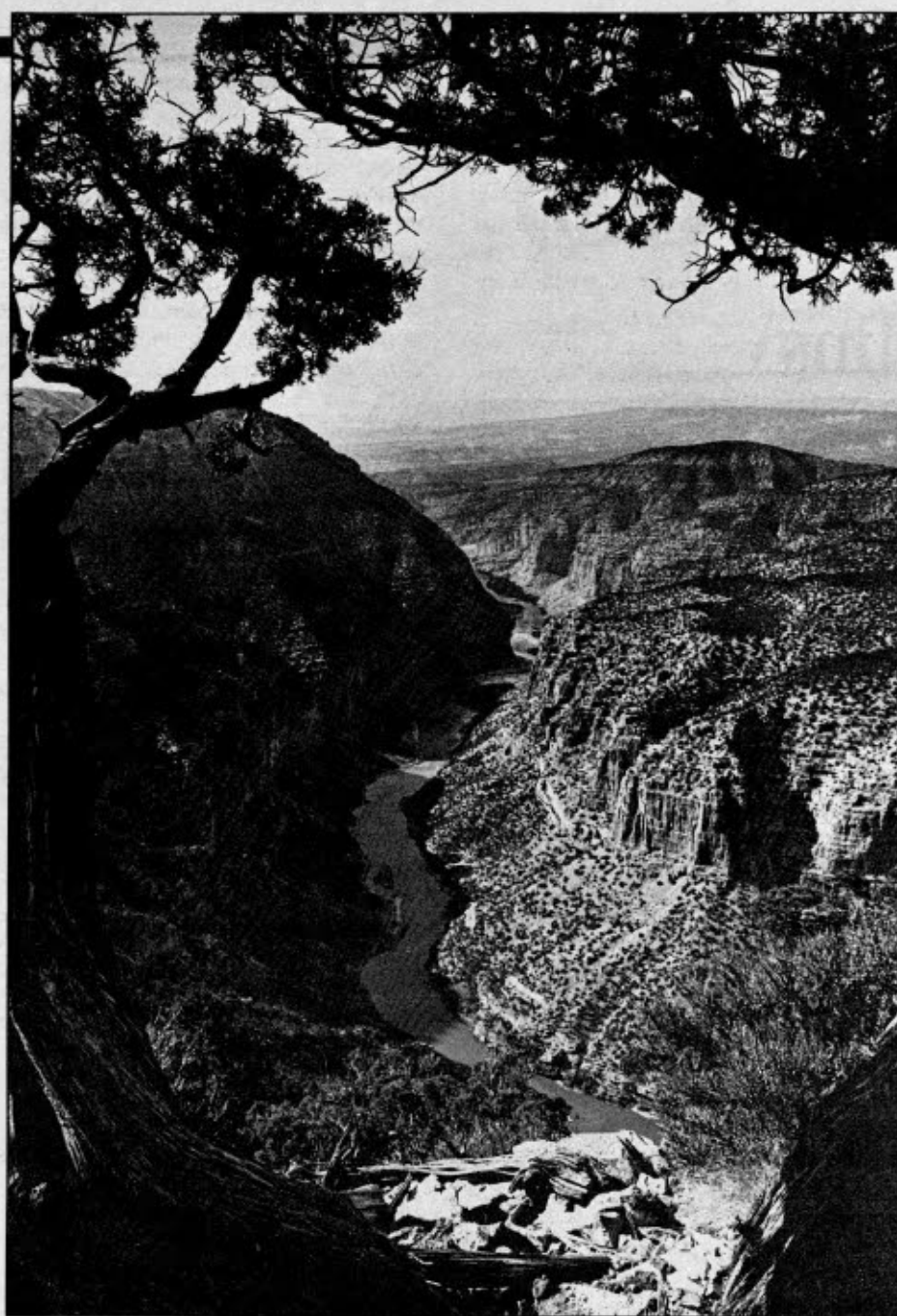
"In effect, what we'd have is a wild and scenic reservoir," joked Hank Hotze of the Gunnison River Coalition. But conservationists didn't laugh, and neither did Delta city officials. They contended that once the river was designated wild and scenic, despite the provisions, it would be impossible to build the dam.

So the bill was dropped, and the Gunnison was left out when Forest Service officials advised the president on his bill. Meanwhile, Rep. Hank Brown, (R-Colo.) introduced a bill on the Elk and Encampment rivers that looked good to conservationists until he added provisions for diverting half of the Elk's spring flows to an off-stream reservoir.

Brown had reached an agreeable compromise on his initial Elk River proposal for a 29-mile wild, scenic and recreational river, according to Tom Easley of the Northwest Rivers Alliance.

Of the 35 miles studied, the lower six on the main stem flow through private land and the proposed Hinman Park Reservoir site. When the Elk River study was released two years ago, the landowners were divided on the dam proposal, but they all opposed designation, Easley said. The reservoir would store 44,000 acre-feet of water to cool a proposed Public Service Company coal-fired power plant on the Yampa River.

"Our group figured we'd better reduce the controversy to get a bill this year, so we proposed lopping off the lower three miles to eliminate the private land but include the dam site," Easley said.



Green River, Dinosaur National Monument

"Our commissioners had moved from total opposition to possible support, although the odds weren't good. One commissioner is a rancher, another was married to the district water engineer, and the other seemed sympathetic," Easley explained. "The meeting was jammed, and the other commissioners were forced to take a position at the end. So they cut off the lower six miles, and Brown introduced a 29-mile bill in July."

"We decided to support the bill, with hopes of adding the three miles later, or defeating the dam with other dam-defeating methods. But then Brown added provisions to divert half the spring runoff to the Grouse Mountain Reservoir and we backed out. Once Hank discovered we were upset about the proposal, he didn't pursue it any more," Easley added.

The Reagan proposal calls for designating the same 29 miles of the Elk in a

checkerboard of wild, scenic and recreational, without the diversion provisions. Easley said his group would go along with that bill, but noted that Kogovsek will be responsible for the legislation next session, since the Elk will be added to his district.

Reagan's proposal also includes the Piedra, Los Pinos and Conejos rivers that drain the south and east flanks of the San Juan Mountains in southwestern Colorado.

Conservationists call the Los Pinos a "giveaway" river, because all 54 miles proposed for wild river designation lie within the Weminuche Wilderness. "It's the only non-controversial river in the state," COSC's Mehlhoff said.

Just west of Los Pinos is the Piedra, a river with private land conflicts that was cut in half in the Reagan proposal. In its final environmental impact statement, the Forest Service recommended 51

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miles of the Piedra for wild and scenic designation. But when the final EIS was released, a single piece of paper attached said simply that the Forest Service had instead chosen a 29-mile alternative, Mehlhoff said. The paper contained no justification for the change, he added, which was adopted in the Reagan proposal.

"This proposal doesn't bear any resemblance to the real river," said John Sisk of the Colorado Open Space Council. "It's a real mess."

The Conejos River, running southeasterly out of the new South San Juan Wilderness into the San Luis Valley and the Rio Grande basin, is somewhere between the Piedra and Los Pinos in terms of controversy.

The Forest Service recommended 38 miles; Reagan's bill recommended 36.5 miles.

On the other end of the state, the Cache la Poudre River above Ft. Collins is highly controversial. While conservationists support designation of the entire 74-mile study segment, the Forest Service has recommended 67 miles for wild and recreational designation. The river begins in Rocky Mountain National Park

and flows into the north end of the booming Front Range.

Because the river flows toward the cities, dam proposals abound. The Bureau of Reclamation studied the Poudre in the early 1960s and devised the Greymountain-Idylwilde dams that would create two eight-mile reservoirs joined by conduit, obliterating 25 miles of the river. Chuck Wanner of Preserve Our Poudre, said BuRec shelved the plan, but it was resurrected in 1981 when the Forest Service began its wild and scenic study.

After public hearings on the river alternatives, Wanner said 1,200 people mailed letters, with more than 85 percent arguing against the dams.

At the same time, Colorado's legislature decided to study the river for its storage potential, in keeping with the state's new commitment to storage development. When the first year of the four-year study was commissioned for 1982, the federal Office of Management and Budget decided to withhold the final EIS until the state's results were in.

Already, the 1982 study has narrowed eight storage configurations to three, with the old Greymountain-Idylwilde proposal on top, he said. Cost estimates come in at \$440 million, twice the 1962 estimate, which leads Wanner's group

to think the project would actually cost \$750 million, since normal inflation has more than doubled 1962 prices.

Two hearings were held this year in Ft. Collins, and 300 to 400 people jammed the meeting rooms. Nine out of ten supported the Forest Service recommendations.

Reagan's bill gives the Forest Service until 1986 to release the final EIS on the Poudre, as well as the Green, Yampa and Colorado.

The Green and Yampa study segments run through Dinosaur National Monument in the northwest corner of Colorado. The Yampa drains the northern side of the Flat Tops Wilderness past the Hayden and Craig power plants to the east side of the monument, where the 47-mile wild river stretch begins.

Near the Utah line, the Yampa meets the Green, which flows down from Flaming Gorge Reservoir in Wyoming. Together they flow into Utah and join the Colorado. The 91-mile study stretch on the Green was split into wild, scenic and recreational sections within the monument.

COSC's Sisk said the two rivers mark "one of the most well-known river battles this country has ever seen," when the Sierra Club and others bargained to

exchange the proposed Echo Park Dam on the Green for Glen Canyon Dam on the Colorado.

The Echo Park Dam is dead, but the Cross Mountain-Juniper Project proposed upstream on the Yampa now threatens the last free-flowing tributary of the Colorado River, Sisk said. The Colorado Water Conservation District, a powerful private group that lobbies for government-funded storage projects, the Denver Water Board and Colorado-Ute Electric Association, the Western Slope's electric wholesaler, share interest in the Cross Mountain-Juniper Project.

The two-reservoir project would severely diminish river flows and flood a Bureau of Land Management wilderness study area, Sisk said. Colorado-Ute planned on a hydroelectric dam, but pulled out of the project last March because it didn't appear to be cost-effective.

The water district and Denver Water Board are still working on the project, Harding said, noting that the district "scraped up" \$15,000 to continue engineering studies. Conservationists say that because the dam would "effectively dry up" the Yampa, the dam and wild river designation cannot co-exist.

— Heather McGregor

WYOMING

Wild and scenic river designation has been a fairly quiet issue in Wyoming.

Wyoming scored well in the Reagan administration's examination of rivers to recommend for wild and scenic designation. Two of the eight rivers proposed flow through the state: 13 miles of the Snake River in the Bridger-Teton National Forest, and 21.5 miles of the Clarks Fork of the Yellowstone River in the Shoshone National Forest.

Neither recommendation is controversial. Both rivers are likely to be included in the system whenever Congress gets around to voting on the issue. Wild and scenic river designation has been a fairly quiet issue in Wyoming.

Fifty miles of the Snake River were studied by the U.S. Forest Service for possible inclusion in the wild and scenic system. The final environmental impact statement, issued in September, recommended that 25.5 miles of the river be designated. However, a note that accompanied the EIS said that the Forest Service had changed its mind and would only recommend 13 miles because the other 12.5 would create conflicts with private landowners. The agency also said it would be too costly to implement a wild and scenic rivers program for the private portion. The expense would be incurred in obtaining easements on private land.

Story Clark, coordinator of the Jackson Hole Alliance for Responsible Plan-

ning, a citizen organization dealing with environmental issues around Jackson, Wyoming, said some landowners were concerned about the measures the government might take if parts of the river flowing through their land were designated wild and scenic.

All of the 21.5 miles of the Clarks Fork recommended by the administration were also recommended in the Forest Service EIS. Almost all of the river corridor along the proposed section is public land and is therefore of little controversy. There was some local Park County opposition, including that of the Shoshone-Heart Mountain Irrigation District, which filed for a dam site permit in 1980. If built the dam would have flooded about a mile of the recommended portion of the river. The dam permit is still pending. Some Park County officials wanted to leave open the option to dam the river in the future.

Nine other Wyoming rivers are listed in the Nationwide River Inventory that was mandated with the creation of the Wild and Scenic Rivers Act. Many additional rivers in Wyoming were considered in the draft nationwide inventory that was issued during the Carter administration. The Reagan administration's inventory team cut the number considerably.

One river considered in the Carter years was the Sweetwater Canyon por-



Clark's Fork

tion of the Sweetwater River in Fremont and Sublette counties. That river — despite what the EIS called its obvious "wild and primitive" recreation opportunities, prime wildlife habitat and historic qualities — was found unsuitable because the portion considered was too short. Sweetwater Canyon is only nine miles long and river segments generally cannot be considered if they are less than 25 miles long. Other stretches of the river were considered off-limits to study because of private land and development conflicts.

Another river that made an appearance during the Carter years was the Wiggins Fork, which flows through the Washakie Wilderness in northwestern Wyoming. Although the river was never studied, it did appear on the draft nationwide inventory. According to the draft inventory, although there is no absolute protection given to rivers

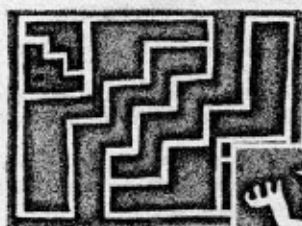
listed in the inventory, if an action could "effectively foreclose wild, scenic or recreational river designation of a river listed in the inventory," the agency concerned should first consult the Heritage Conservation and Recreation Service. Sierra Club representative Bruce Hamilton said that the Wiggins Fork did receive some protection and that was one of the reasons oil and gas leasing was rejected in the Washakie. Several oil companies had proposed leasing in the Washakie early in 1982.

Other rivers in Wyoming that were listed in either the draft or final nationwide inventory were the Encampment (as it flows into Colorado), the Green, the North Platte, Hams Fork, Greys River, Fontenelle Creek, and the North and South Forks of Tongue River.

— Carol Jones

(continued on page 12)

A Notecard Gallery



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12-High Country News — Nov. 12, 1982

Rivers...

(continued from page 11)

IDAHO*"There's a log jam on wild and scenic rivers (in Idaho)."*

Wild and scenic river designation in Idaho has all but been forgotten since the 1980 defeat of Democratic Sen. Frank Church and the domination of development-oriented Republicans in the state's congressional delegation.

Environmental groups in the state were thus taken unaware when the Reagan administration released a package wild and scenic rivers bill that not only did not include any Idaho waters, but dropped one river — the Moyie — from future consideration. "So far as I know, nobody knew about it," commented Idaho Conservation League staffer Bruce Boccard, who said he learned of the bill when it appeared in the local newspaper September 14.

The Moyie River in northern Idaho was one of 27 rivers listed in the original 1968 Wild and Scenic Rivers Act as potential additions to the national system. The Idaho Panhandle National Forest issued a report to Washington, D.C., opposing designation of the Moyie River because "there didn't appear to be major support for classification," according to recreation specialist Clyde Blake. Blake said the Moyie qualified for classification, but the decision by the Forest Service was "more of a political entity."

The Idaho Department of Fish and Game went along with the "not suitable" recommendation because, "In order for us to argue strongly for wild and scenic designation, it (the river) should sustain itself as a wild fishery," said the department's wild and scenic rivers coordinator Martel Morache. He said a lack of adequate trout spawning beds or tributaries on the Moyie precludes establishment of a strong natural trout fishery.

While the administration knocked off the one Idaho river that had received a not suitable recommendation, it bypassed several rivers that have been studied and recommended to Congress for approval. The lower Salmon, the Priest

and two desert canyon rivers, the Bruneau and Owyhee, have all received favorable recommendations from the administering agencies. However, almost everyone, inside the government agencies and out, acknowledges that additions to Idaho's wild and scenic rivers will not occur while Sens. James McClure, Steve Symms, Reps. Larry Craig and George Hansen, all Republicans, are in Washington. Support from at least one delegate from the host state is critical for wild and scenic river legislation. "There's a log jam on wild and scenic rivers," Morache said.

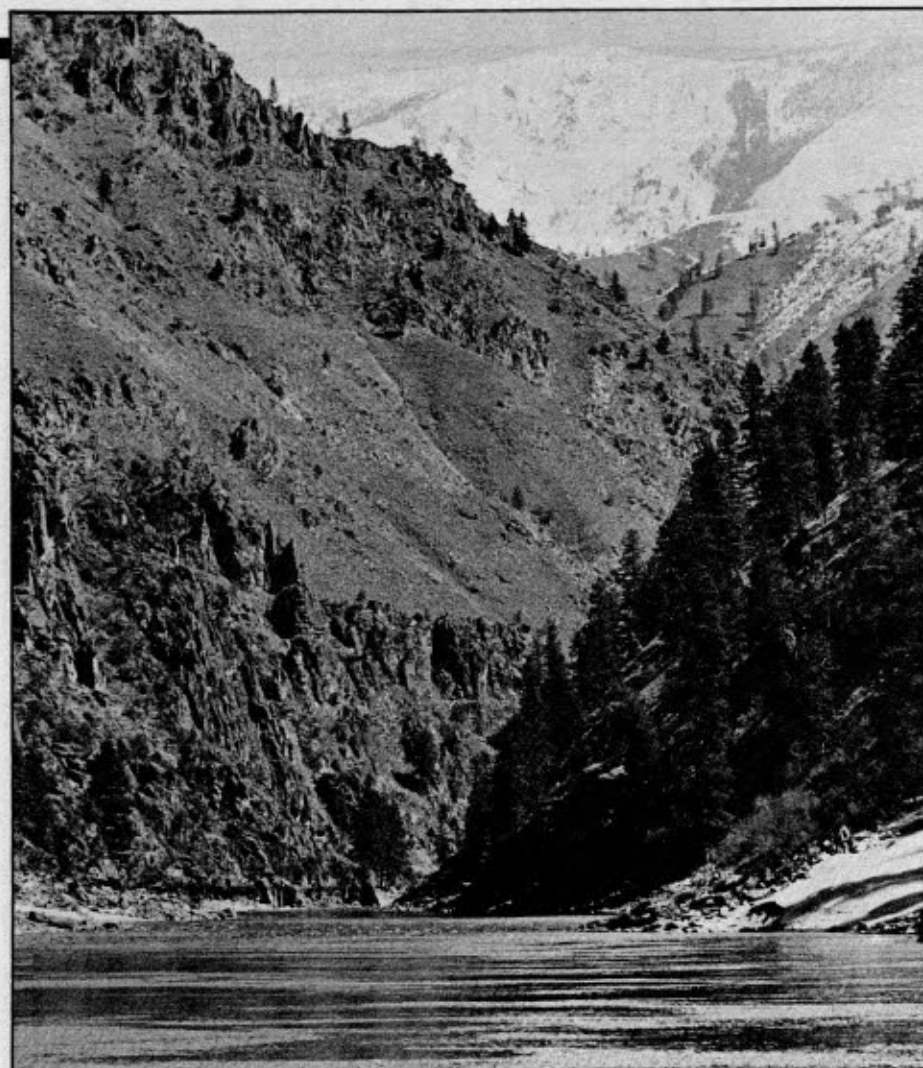
Under the Nationwide Rivers Inventory, the Heritage and Conservation Resource Service (HCRS) identified 21 additional rivers or portions of rivers in Idaho as potential additions to the national system. HCRS was abolished by Interior Secretary James Watt and its functions are now under the auspices of the National Park Service. These rivers were filmed from helicopter, and were to be periodically re-filmed to make note of any degradation occurring. Not only has the filming project been dropped, but none of the rivers identified by HCRS have been studied by the managing agencies.

Bureau of Land Management recreation specialist Dick Geier said his agency has received no guidelines for studying the rivers, and added, "there's very little emphasis on wild and scenic designation under this administration."

Neither are there definitive guidelines for protecting the rivers identified. "We've been told to do our best to protect them," said Geier. Nevertheless, many of these rivers have been the subjects of plans which would change them from wild and scenic to tamed and ugly.

Henrys Fork in eastern Idaho made the HCRS list partly because of three major waterfalls along its course. The Federal Energy Regulatory Commission has issued a preliminary permit for a company to develop plans to dam these falls.

Kelly Creek in northern Idaho was



Salmon River

noted by HCRS as a "wilderness stream" with "clear, swift water." The Forest Service has been embroiled in controversy over a planned logging sale along this stream.

The middle portions of the Snake River, home to three candidate threatened and endangered aquatic species, is also the site of a proposed hydroelectric dam.

The North Fork of the Payette River was identified as a "stellar example of continuous whitewater." Idaho Power Company has a federal license to divert that whitewater through massive underground tunnels for hydroelectric production.

— Glenn Oakley

MONTANA*Although federal protection of rivers was never popular in Montana, the idea of protection was and still is.*

Montana is a headwaters state with many rivers that could easily qualify as wild and scenic in the literal, if not the statutory

sense. Yet only four are part of the National Wild and Scenic River System. None were recommended for

(continued on page 15)

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 (2) COMMERCIAL FACILITIES, AND (1) OIL TREATER FACILITY, TO MODIFY (2) INDUSTRIAL PERMITS, AND (2) COMMERCIAL PERMITS, AND TO RENEW AND (5) OIL TREATER PERMITS. ADDITIONAL INFORMATION

(1) APPLICANT NAME: Evanston Partnership Ltd.
MAILING ADDRESS: Scoopshovel Mobile Home Park
5650 East Evans #200
Denver, CO 80222
FACILITY LOCATION: Uinta County, Wyoming
PERMIT NUMBER: WY-0031682

Evanston Partnership Ltd. is the owner and operator of the Scoopshovel Mobile Home Park which is a 65 space development located west of the town of Fort Bridger, Wyoming. Wastewater treatment for the development is provided by a non-aerated lagoon system. The lagoon was originally designed to be non-discharging, however, it now appears that the lagoon will discharge in the future. Any discharge would enter Scoopshovel Creek (Class IV Water) via an unnamed drainage.

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

(2) APPLICANT NAME: Mr. Troy Lyman & Mr. Blaine Rees
MAILING ADDRESS: P.O. Box 370
Mountain View, WY 82939
FACILITY LOCATION: South Creek Mini Ranches Subdivision, Uinta County, Wyoming
PERMIT NUMBER: WY-0031674

Mr. Troy Lyman and Mr. Blaine Rees are the developers of a proposed subdivision which will be called the South Creek Mini Ranch Subdivision. The development will be located east of the Town of Mountain View, Wyoming.

Wastewater treatment for the development will be provided by a small package treatment plant which will discharge to South Creek (Class IV Water) via an unnamed drainage.

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

(3) APPLICANT NAME: Jericho Exploration, Inc.
MAILING ADDRESS: P.O. Box 1374
Douglas, WY 82633
FACILITY LOCATION: #1 Theda Emerson #2 Heisey and #3 Van Howd, SW 1/4, Section 13, T38N, R81W, Natrona County, Wyoming
PERMIT NUMBER: WY-0031691

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

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

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

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permit is December 31, 1985.

(4) APPLICANT NAME: Basin Electric Power Cooperative
MAILING ADDRESS: 1717 E. Interstate Avenue
Bismarck, North Dakota 58501
FACILITY LOCATION: Platte County, Wyoming
PERMIT NUMBER: WY-0024074

The Basin Electric Power Cooperative is nearing completion of a large coal-fired electric generating plant known as the Laramie River Station near Wheatland, Wyoming. Numerous wastewater holding ponds have been constructed at the site including ponds for boiler ash, scrubber waste, sewage treatment plant effluent and sludge, water treatment plant wastes, and plant site runoff. Of all these ponds only the plant site runoff control pond has the potential to discharge and is, therefore, the only pond covered by the discharge permit.

The plant site runoff pond was created by damming a natural drainage and installing manually controlled outfall pipes at two separate levels. To date this pond has never discharged, however, if a discharge did occur it would flow into the Laramie River (Class II Stream) via an unnamed drainage.

The Department has now determined that it is possible that wastes from spills and leaks in and around the plant may be entering the plant site runoff pond and that additional control on the quality of the effluent is needed. Therefore, the proposed permit specifies that there may be no discharge from the pond except in the case of a precipitation event in excess of the 10 year/24 hr. event (2.6 inches), or, when the permittee obtains specific approval to discharge. To obtain approval the company would be required to submit a comprehensive quality analysis of the water in the pond prior to commencing the discharge. The permit is scheduled to expire October 30, 1987.

(5) APPLICANT NAME: Cordero Mining Company
MAILING ADDRESS: P.O. Box 1449
Gillette, WY 82716
FACILITY LOCATION: Cordero Mine, Campbell County, Wyoming
PERMIT NUMBER: WY-0023761

The Cordero Mining Company operates the Cordero Mine which is a large open pit coal mine located approximately twenty miles south of the City of Gillette, Wyoming. "Process Water" will discharge at the mine to three discharge points.

The permit is being modified to add a third discharge point. The new discharge point is the outfall from a settling pond which will receive pit water and runoff water from disturbed areas. It is located in the NW 1/4, SE 1/4, Section 26, T47N, R71W, and flows via an unnamed draw to the Belle Fourche River (Class II W. W.).

The above discharges must meet effluent limitations which are considered by the State of Wyoming to represent "best available treatment." However, the permit also contains a "re-opener clause" which requires the permit to be modified should more stringent limitations be developed at the federal level.

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

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

(6) APPLICANT NAME: Mr. Ted Tomlinson
MAILING ADDRESS: Big Horn Mountain KOA
P.O. Box 35A, Birney Rt.
Sheridan, WY 82801
FACILITY LOCATION: Sheridan County, Wyoming
PERMIT NUMBER: WY-0026441

BULLETIN BOARD

SAN JUAN BASIN COAL

Four documents studying proposed federal coal leasing in the San Juan Basin in New Mexico will be released by the Bureau of Land Management for public review on Nov. 30. A series of open houses are scheduled to discuss the Regional Coal Leasing environmental impact statement, New Mexico Generating Station EIS, Bisti Region Wilderness EIS and Cumulative Impacts Overview. Meetings will be held Dec. 14, Albuquerque and Farmington; Dec. 15, Crownpoint; Dec. 16, Gallup and Taos. In addition, three formal public hearings will be held: Jan. 10, 1983, Crownpoint; Jan. 12, Farmington; Jan. 14, Albuquerque. To obtain copies of the documents, contact BLM, New Mexico State Office, Federal Office Bldg., P.O. Box 1449, Santa Fe, New Mexico 87501 or call (505) 988-6316.

INDUSTRIAL WASTE PAPERS

Bucknell University has issued a call for papers for the 15th Mid-Atlantic Industrial Waste Conference scheduled for June 26-28, 1983, in Lewisburg, Penn. The conference, "Hazardous and Industrial Waste Treatment in the Eighties," will emphasize resource recovery and conservation, sludge treatment and disposal, and new treatment processes. The deadline for abstracts of papers is Nov. 20. Send abstracts and requests for registration information to Dr. Michael D. LaGrega, Civil Engineering Dept., Bucknell University, Lewisburg, Penn. 17837 or call (717) 514-1292 or (717) 524-3705.

HENRY MOUNTAIN GRAZING

The Henry Mountain grazing environmental impact statement discusses alternatives for managing 1.6 million acres of rangeland in the Henry Mountain Resource Area in Utah. There will be a 60-day comment period with a public hearing on Dec. 1 in Loa, Utah. Written comments should be sent to Donald L. Pendleton, District Manager, Richfield District Office, BLM, 150 E. 900 South, Richfield, Utah 84701.

MORE SAN JUAN BASIN COAL

Twenty-two technical reports providing background data on the proposed New Mexico Generating Station south of Farmington are available from the Bureau of Land Management. The reports discuss air quality, cultural resources, and social and economic conditions in the San Juan Basin, and are being used in writing the environmental impact statement for the project. The reports cost \$186 per set. Individual reports may also be purchased. For more information, contact BLM, P.O. Box 1449, Santa Fe, New Mexico 87501 or call (505) 988-6316.

BRISTOL BAY WORKSHOP

Alternatives for managing Bristol Bay will be discussed at a public workshop tentatively scheduled for Nov. 22 in Anchorage, Alaska. Part of the ongoing Bristol Bay Cooperative Management planning process, the workshop will address oil development, forestry, recreation, and fish and wildlife issues in the region. For more information contact Nancy Stromsen, Bristol Bay Cooperative Management Plan, U.S. Fish and Wildlife Service, 1011 E. Tudor Rd., Anchorage, Alaska 99503 or call collect (907) 263-3502.

GUNNISON SLIDE SHOW

A 10-minute slide show, "The Gunnison: Our Wild River," is available for showings to professional and educational organizations. Produced by the Uncompahgre Resource Council, the show chronicles the river's history, highlights its natural beauty and ends with a pitch for wild river designation. Two slide-tape sets are available for loan. To reserve a set, contact Heather McGregor, Uncompahgre Resource Council, P.O. Box 781, Montrose, Colo. 81402 or call (303) 249-1261.

COAL SPEAKER'S PROGRAM

The Wyoming Coal Information Committee has developed a speaker's bureau program that covers a variety of subjects related to coal mining in the state. The committee, established by the Wyoming Mining Association in 1977, will arrange programs, including speakers and audio-visual resources, according to the needs of the individual or organization. The service is free. For more information, contact WCIC, P.O. Box 1387, Cheyenne, Wyo. 82001 or call collect (307) 632-7622.

LEWIS AND CLARK EXTENSION

The comment period for the Lewis and Clark National Forest Plan has been extended until Nov. 30. For information concerning the extension or the Forest Plan, contact Dick Smith, Land Management Planner, Lewis and Clark National Forest, P.O. Box 871, Great Falls, Mont. 59403.

SOLAR CONFERENCE

The American Solar Energy Society's 1983 Solar Technologies Conference is scheduled for May 31-June 3 in Minneapolis, Minn. The conference will focus on wind energy, renewable energy use on farms, urban agriculture, and social and economic changes resulting from energy issues. For more information, contact Barbara Bradley, American Solar Energy Society, 205B McDowell Hall, University of Delaware, Newark, Del. 19711 or call (302) 738-1153.

INTERPRETING NATURE

The Association of Interpretive Naturalists will hold a national workshop March 27-31, 1983 in Lafayette, Ind. The title of the workshop is "Meeting in the Middle" and it will emphasize the exchange of interpretive techniques. Awards will be given for communication through poetry, prose, photography and posters. Deadline for entries is Jan. 17, 1983. For more information, contact the Association of Interpretive Naturalists, 6700 Needwood Rd., Derwood, MD 20855.

IMPOSSIBLE DREAM

There is no certainty that the United States will achieve energy security, according to a report published recently by the American Petroleum Institute. "Energy Security for the United States: Progress, Pitfalls and Potential" says that public choices will determine whether America will ever truly be energy self-sufficient. The report recommends decontrol of oil and gas prices, increased leasing of government lands and resolution of nuclear waste disposal problems as important steps in improving the U.S. energy situation. To obtain a copy of the report, contact American Petroleum Institute, 2101 L St., N.W., Washington, D.C. 20037 or call (202) 457-7028.

A TAXING BOOK

Coal Industry Taxes is a 144-page book that profiles state coal tax programs and policies. Organized alphabetically by state, the book summarizes each state's income, property, sales and severance taxes. Copies cost \$67 and may be ordered from *Coal Week*, 481 National Press Building, Washington, D.C. 20045 or call Terry Rudden at (202) 624-7396.

WESTERN FILM ROUNDUP

The Buffalo Bill Historical Center will present a western film program Dec. 3-5 in Cody, Wyo. Entitled "They Went That-a-Way", the program will feature such classics as *The Last Roundup*, *Riders of the Purple Sage* and *The Singing Cowboys Ride Again*. Alex Gordon, producer of *The Bounty Killer* (1965), will host the weekend of western nostalgia. Each of the five sessions during the weekend will cost \$4. For more information, contact Gene Ball, Program Director, Buffalo Bill Historical Center, Box 1000, Cody, Wyo. 82414 or call (307) 587-4771.

INDIAN ENERGY INDEPENDENCE

"Energy Independence: A Challenge for Native American Communities" is the theme of a conference to be held April 15-16, 1983, in Los Angeles, Calif. The conference will feature sessions on appropriate technology, oil, natural gas, geothermal, nuclear, coal and hydroelectric power on Indian reservations and problems associated with energy development. The deadline for submission of proposals for workshops, papers and films is Dec. 1. For more information, contact Energy Conference, American Indian Studies Center, 3220 Campbell Hall, University of California, Los Angeles, Calif. 90024 or call (213) 825-7315.

RECLAMATION REFORM HEARINGS

The Bureau of Reclamation will be holding public hearings on the Reclamation Reform Act of 1982 on Nov. 19 in Billings, Mont. and Dec. 7 in Washington, D.C. Statements may be scheduled in advance for the Billings hearing by contacting the Regional Director, Upper Missouri Region, P.O. Box 2553, Billings, Mont. 59103 or by calling (406) 657-6411. To schedule statements or obtain more information on the Washington, D.C. hearing, contact Vernon S. Cooper, E and R Center, Code D-410, Box 25007, Denver, Colo. 80225 or call (303) 234-7195. Written comments will be received until Dec. 14 at the Denver address.

COLORADO FOREST PLANS

The draft environmental impact statement and proposed Forest Plan for the Grand Mesa, Uncompahgre and Gunnison National Forests are available for public review. Both the draft EIS and proposed plan address public issues and management concerns. A series of open houses to discuss the proposed plan are scheduled for: Dec. 6, Collbran; Dec. 7, Grand Junction and Montrose; Dec. 8, Norwood and Paonia; Dec. 9, Delta; Dec. 13, Gunnison; Dec. 14, Lake City; Dec. 15, Lakewood. (All towns are in Colorado.) For more information on the documents and open houses, contact Forest Supervisor, 2250 Hwy. 50, Delta, Colo. 81416 or call (303) 874-7691.

BORDERLANDS TEXTBOOK

The Arizona Educational Materials Center has published a 150-page textbook entitled *Southwest Borderlands, Veins of Silver and Gold*. Good for courses in U.S. history, ethnic studies, Political Science and Anthropology, the textbook surveys cultural changes in the Southwest Borderlands from the entry of the first people to the end of the Spanish Colonial Period. The cost is \$7.50. A teacher's manual is available for \$2.50. To order, contact The Arizona Educational Materials Center, College of Education, University of Arizona, Tucson, Arizona 85721 or call (602) 626-1618.

INROADS ON WILDLIFE

The effects of roads on wildlife density, diversity and distribution are discussed in "Effects of Highways on Wildlife," a new publication from the Urban Wildlife Research Center and the U.S. Fish and Wildlife Service. The report, No. FWHA-RD-81-067, may be ordered from the Federal Highway Administration, Washington, D.C. 20590.

FOSSIL RIDGE REPORT

The Fossil Ridge Wilderness Study Report has been released for public review and comment. The report was prepared to make a recommendation on the wilderness suitability of the 47,400 acre wilderness study area. Fossil Ridge is located eight miles northeast of Gunnison, Colo. Two public hearings are scheduled: Jan. 11, 1983 in Gunnison, and Jan. 12 in Denver. For more information, contact Forest Supervisor, 2250 Hwy. 50, Delta, Colo. 81416 or call (303) 874-7691.

NATURAL HERITAGE REPORTS

The Sierra Club has released five Natural Heritage Reports. The studies were undertaken to help focus public attention on specific failings of the Reagan administration. The reports are "The Great Giveaway: Public Oil, Gas and Coal and the Reagan Administration"; "American Farmers: Dirty Air, Lost Crops"; "Americans and Their Parks"; "Poisons on the Job: The Reagan Administration and American Workers"; "Poisons in the Water: The Reagan Administration and Toxic Dump Cleanup." Copies of each report cost \$3 and are available from Information Services, Sierra Club, 530 Bush St., San Francisco, Calif. 94108.

The Big Horn Mtn. KOA Campground is located just north of the City of Sheridan, Wyoming. Wastewater treatment consists of an extended aeration package plant with chlorination and discharges to Goose Creek (Class II Water).

The proposed permit requires compliance with effluent limitations based on National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards. The 1.0 mg/l limitation on total residual chlorine is based on a discharge of .012 MGD, a Q7-10 of 6.78 MGD in Goose Creek and an in-stream standard of .002 mg/l of total residual chlorine. The fecal coliform limitation of 1,000/100 ml is the same as the in-stream standard and is based on the assumption that Goose Creek at the point of discharge is below the City of Sheridan's outfall point.

The existing permit requires monitoring of more parameters on a weekly basis, however, due to the extremely low occupancy of the campground during the non-summer months, the Department has agreed to reduce the monitoring frequency to monthly during that period. Reporting of quality and quantity values is required monthly. The permit is scheduled to expire November 30, 1987.

(7)	APPLICANT NAME:	Amoco Production Company - Whitney Canyon Gas Plant
	MAILING ADDRESS:	P.O. Box 17675 Salt Lake City, UT 84117
	FACILITY LOCATION:	Uinta County, WY
	PERMIT NUMBER:	WY-0030724

The Amoco Production Company is planning the construction of a large natural gas processing plant which will be known as the Whitney Canyon Plant located approximately fifteen miles north of the City of Evanston, Wyoming. No industrial wastewaters will be discharged from the plant, however, domestic sewage will be treated by a package plant which will discharge to Salt Creek (Class II Water) via approximately .5 mile of an unnamed drainage.

The permit is being modified at the permittee's request. Due to the distance between the point of discharge and the nearest source of surface water and the type of soil, raising the total residual chlorine level will not be detrimental.

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

(8)	APPLICANT NAME:	Champlin Petroleum
	MAILING ADDRESS:	P.O. Box 3158 Englewood, CO 80155
	FACILITY LOCATION:	No. 1 Paul, SW 1/4, Section 7, T18N, R77W, Carbon County, Wyoming
	PERMIT NUMBER:	WY-0026026

Facility is a typical oil treater located in Carbon County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Sheep Creek (Class II).

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

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permit is December 31, 1987.

(9)	APPLICANT NAME:	Sunburst Exploration, Inc.
	MAILING ADDRESS:	1001 Empire Savings Building Denver, CO 80202
	FACILITY LOCATION:	Phillips-Hintze-Government Lease, Section 18, T22N, R78W, Carbon County, Wyoming
	PERMIT NUMBER:	WY-0020818

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

The discharge must meet Wyoming's Produced Water Criteria effective immediately. No chemical limitations have been imposed on this facility except for oil and grease (10 mg/l) and pH (6.5 - 8.5). This is due to the extreme aridity of the area which allows for beneficial use of the water for agricultural purposes. There is no evidence to indicate that limitations more stringent than the Produced Water Criteria are needed to meet Wyoming's Water Quality Standards. The Department will continue to evaluate the discharge and, if necessary, will modify the permit if evidence indicates that more stringent limitations are needed.

Due to the high concentration of dissolved solids, which adversely affect the fish in the lake, the permittee is being required to meet the State's standard limitations for oil treater discharges (TDS=5000 mg/l, Sulfates=3000 mg/l, Chlorides=2000 mg/l) no later than January 1, 1985.

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permit is December 31, 1987.

(10)	APPLICANT NAME:	Superior Oil Company
	MAILING ADDRESS:	P.O. Box 4500 The Woodlands, TX 77380
	FACILITY LOCATION:	Herrick Field, SW 1/4, Section 1, T16N, R76W, Albany County, Wyoming
	PERMIT NUMBER:	WY-0025585
	FACILITY LOCATION:	Little Laramie Field, NE 1/4, Section 5, T16N, R75W, Albany County, Wyoming
	PERMIT NUMBER:	WY-0025593
	FACILITY LOCATION:	Westside Canal Field, Jones Lease, Wells 1 & 1A, SW 1/4, Section 7, T12N, R91W, Carbon County, Wyoming
	PERMIT NUMBER:	WY-0030392

Facilities are typical oil treaters located in Albany and Carbon Counties, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharges are to Browns Creek (Class II), Alsop Ditch #1 (Class II) and the Little Snake River (Class II) via an unnamed drainage.

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

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the permits is December 31, 1987.

STATE/EPA TENTATIVE DETERMINATIONS

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

PUBLIC COMMENTS

Public comments are invited any time prior to December 13, 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 December 13, 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-82-011



14-High Country News — Nov. 12, 1982

OPINION

Creative psychopathy

by Glenn Oakley

It's enough to make you sick. The psychopaths of this country are bankrupt of creativity. Somebody comes up with one diabolical idea — like salting Tylenol with cyanide — and everybody wants to jump on the bandwagon. Sure, some of them put cyanide in Excedrin, but come on, that's still copying.

So I have come up with several ideas, many of which I modestly think are far more sinister and evil than contaminating an occasional supermarket drug. I

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must admit that some of these ideas are so clever and sneaky, you will probably get away with the crime. Even if they find out you did it. See for yourself.

This is my favorite idea: take hundreds of barrels of toxic chemicals — the kind that eat right through steel — and bury them where somebody is likely to build a housing development. Better yet, sell the poisoned land to a school. Ha, ha! It'll take several years before the chemicals start gurgling to the surface, fouling the entire area. And by then the residents, and especially the little children, will already be poisoned. I suggest you choose a heavily populated area, like New York state.

Here's one they'll never get you for. This is a diabolical undertaking, but one well worth the effort for the seriously insane. Spew millions of tons of airborne sulfur into the sky, and watch the rain fall as acid. That's right, sulfuric acid. Kills trees, fish, crops and who knows what else. For the most evil effect, locate your operation next to a

national park, like Glacier in Montana. Disguise your plot as a factory. If anyone gives you any trouble, tell them jobs are at stake. Works every time.

This is a fun one, but the damage takes so long to show up, it is advised for only the patiently evil. Go to the head of a major groundwater aquifer, drill a well into it, and start pouring radioactive water down the hole. This makes sticking a syringe of LSD into an apple small potatoes. And potatoes is a clue. (Hint: one of the most heavily used aquifers around is the Snake River Aquifer in Idaho.) If anybody tries to stop you, use statistics from the Idaho National Engineering Laboratory which prove radioactive water is safer than mother's milk.

Don't like hunters? Think anybody who finds sport in shooting animals should suffer? Here's what you do. Spread a chemical, like endrin for example, all over crops where ducks and geese will eat it. Then just wait for the fall hunting season. The duck hunters will be playing a sort of Russian roulette at the dinner table. No matter how it's cooked, it'll always come out "endrin duck."

Okay, one more and then you're on your own. Manufacture a drug that doesn't need spiking — because you've made it unsafe to begin with. Ho, ho! If you get pinned down by the authorities, say "Oh, really?" agree to stop making the drug, and then simply make a new one that's even worse. If your victims try to sue you, file for bankruptcy and leave them high, dry and maimed.

+++

Glenn Oakley is a freelance writer in Boise, Idaho.

LETTERS

EXPROPRIATE

Dear HCN,

I think Steve Andreas' ideas on inheritance (HCN, 9/3/82) — that no one should be allowed to receive fortunes from rich forbears — will lead not to a more equitable division of land, but to farms owned by banks, investors, wealthy corporations and oil-rich foreigners.

Our farmland is not worth millions and out of reach of ordinary buyers because some boy has inherited his grandfather's spread and is continuing to scratch a living from it. It is worth millions because corporations and rich folks are buying it for tax purposes and inflating the price beyond the value for crop-growing.

Why should my cousins who have spent their lives working on the family ranch — and it's not easy to get up before dawn, ride roundup, brand, fix roads, mend fences and be 75 miles from the nearest movie house when you're a teenager — not inherit the land that they have spent all their energy to make productive? They love the place more than anyone else ever could. They have to live on it and therefore take better care of it than the bank that runs the ranch next door.

They know more about ranching than those with Andreas' dreams of owning land, and what they know can only be learned from generations of trials and failures. Land is delicate and cannot suffer too many ignorant mistakes.

Andreas suggests farmers not inherit their farms, but buy them at current market prices. They can't afford it, with the money they make by farming. And it would be cruel and unproductive to only let those who make millions in professions and industry own land.

A more equitable solution to Andreas' limited inheritance laws would be to expropriate all large landholdings. This is done in certain African and Latin American countries and the land is divided among poor people willing to work very hard and farm. I'm sure that solution would be equally unpopular in the U.S. agricultural community.

Robin McKinney
Publisher
The Taos News
Taos, New Mexico

GOOD GOVERNOR

Dear HCN,

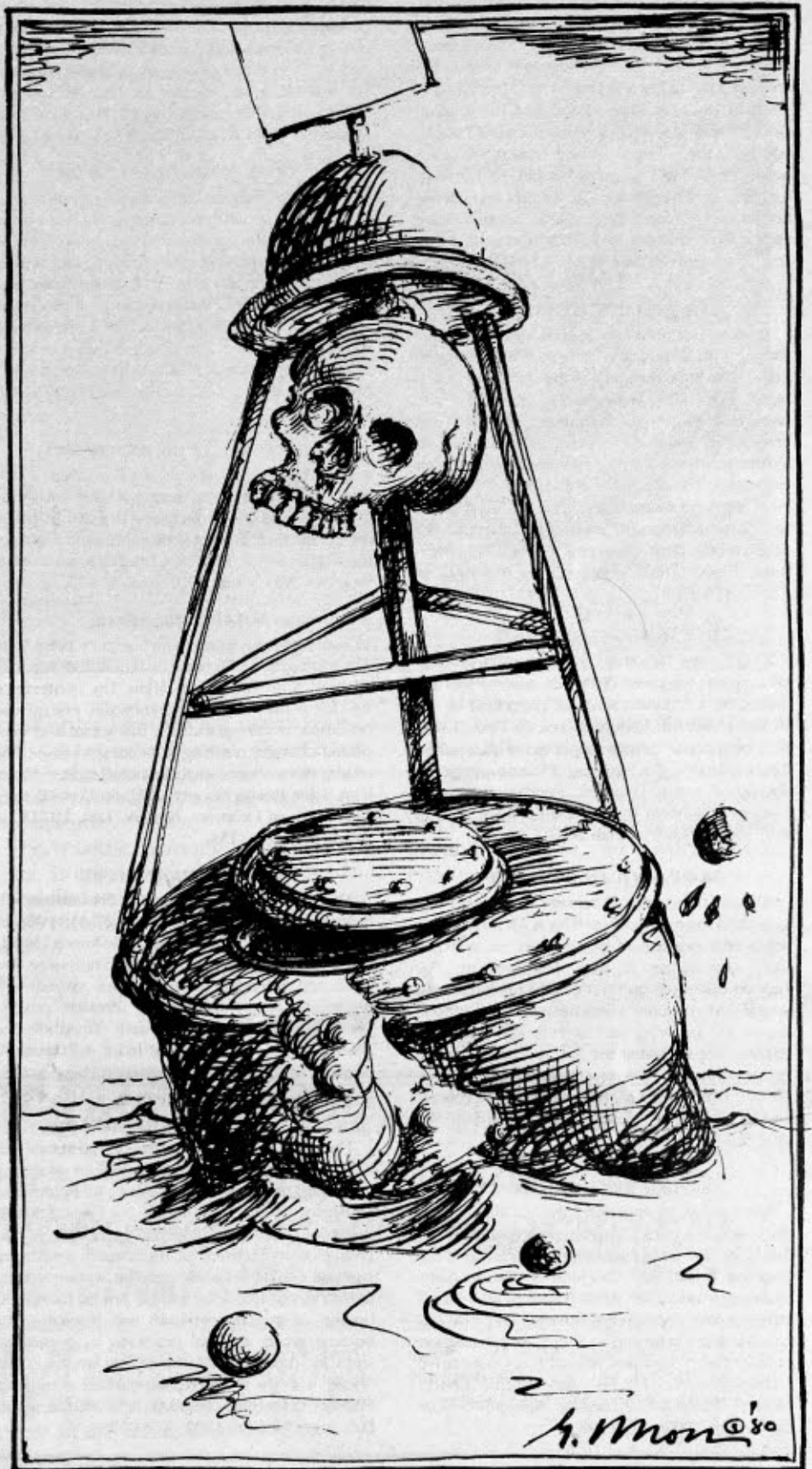
I just can't let the article about Governor Dick Lamm and co-author Michael McCarthy's book (HCN, 10/15/82) pass by without saying a few words.

First it is not written sloppy! The gentleman who was trying to write about the book ought to look at the West again. A person these days can live on the land and not really "see" it or know it. I'm not an expert but I like and care for this part of the West. Maybe he hasn't got the years in back of him yet to know these things — the feeling. So many just live from day to day not caring.

I found out about the book just the other day when I read *High Country News*. I knew right there I was going to buy the book. But it wasn't anything the article said.

Colorado has a good governor. Far better than most of the other states. He knows the West. The book is easy reading. Many people ought to read, study and think about it — not just for Colorado, but for your own state and the West.

Calling ourselves "The New Indians" is just a saying to try to get something across to people. The Indians were never treated fairly. We are not going to be treated fairly either. We are not bemoaning improvement and business. We want it done right. We do not want



to wind up looking like the surface of the moon. We have a good governor. He's not letting people just coming here to make money, ruin our land and move on.

Agnes P. Baker
Security, Colorado

SAGE ADVICE

Dear HCN,

Enjoyed your recent article on conflicts of interest in citizen legislatures (HCN, 10/1/82). Of equal concern to me is the prospect of public interest groups being used for private interest representation, through conflicts of interest among citizen group leadership.

Perhaps it is time we saw an article on how organizational efforts in support of the Colorado "bottle bill" were inhibited by fears that passage of such a measure would jeopardize separate passage of state funding subsidies for Colorado recycling enterprises? When the owners of otherwise laudable recycling enterprises (who seek such subsidies) are also active local leaders of prominent national environmental groups organizing to support an initiative which promises to alienate key state legislators, perhaps a conflict of interest exists.

Perhaps ethical persons would remove themselves from such predica-

ments rather than risk discrediting the public interest groups with which they are associated. If they do not, perhaps they are in need of sage advice from their peers.

Michael S. Hamilton
University of New Mexico
Albuquerque, New Mexico

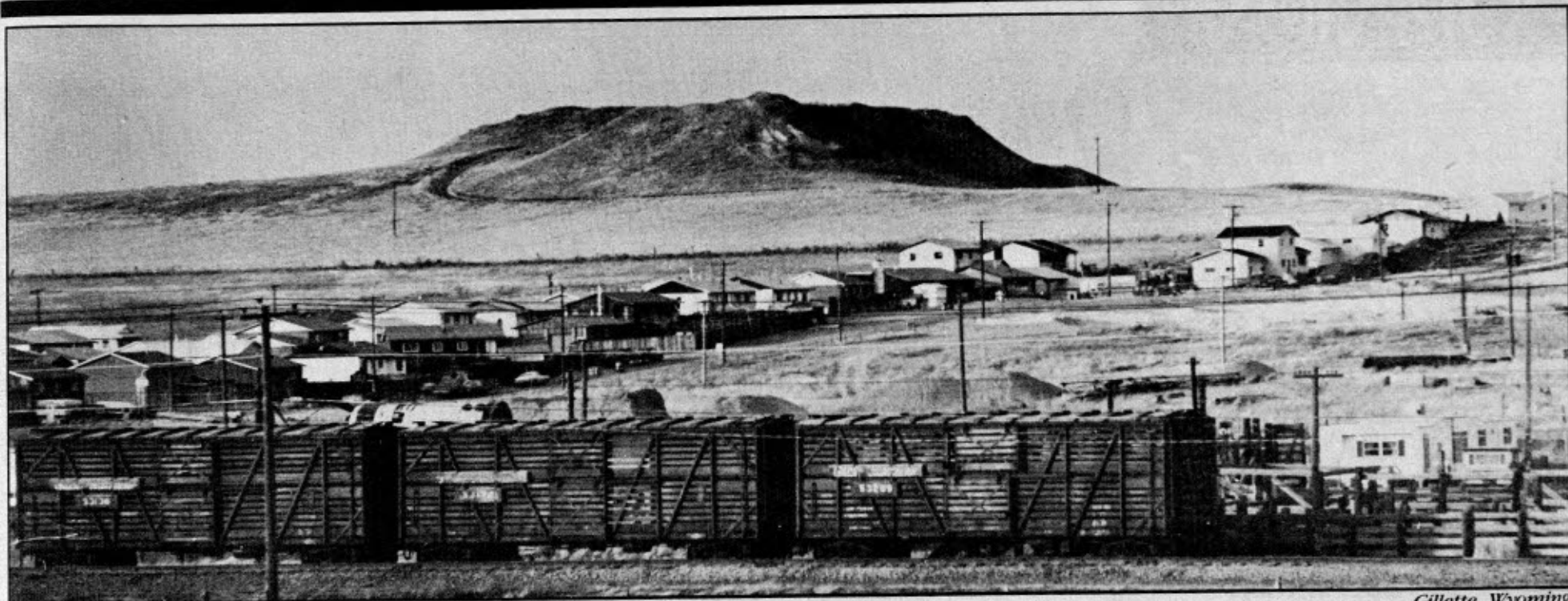
BUCKING BUCKS

Dear HCN,

The many stories appearing in the media about the vast sums of money being contributed to and spent by candidates running for political office underscore what is probably the most serious weakness in our representative form of government.

Under the laws of most states, that weakness is that this form lends itself extremely well to the methods and objectives of the special interest groups to control the government. This enables them to get legislation passed for their benefit at great expense to the rest of what is the majority of the population.

It is expected by many analysts that over \$300 million will be contributed to and spent by the candidates for the U.S. Senate and the U.S. House in the 1982 election. The National Association of Realtors announced that \$6 million would be given by that group alone to help candidates for public office.



Gillette, Wyoming

Of profit and risk

by Marjane Ambler

The Wyoming Industrial Siting Council is being prudent in considering requiring the Hampshire Energy Company to post a performance bond to protect local governments. The company is planning a coal-to-gasoline conversion plant in Gillette, Wyoming.

Synthetic fuel development is different from the everyday coal-fired power plant or trona mine, for which the technology has been proven and used extensively. This would be the first synthetic

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gasoline plant in this country. The speculative nature of the enterprise is obvious since Hampshire partners have said they would not be willing to risk their own capital without federal price and loan guarantees from the U.S. Synthetic Fuels Corp.

Even with help from the federal government, the \$3 billion Colony oil shale project near Parachute, Colorado, went under last May. After thousands of workers had come to the area and been working for some time, Exxon and TOSCO abandoned construction two years before it was to have been completed. Overnight, the dreams of local people were dashed, the jobs of trans-

planted workers were lost, and the millions already invested by Exxon and TOSCO were sacrificed.

In Colorado, the local governments were lucky: They had already received thousands from the Colony partners; the state had provided social and economic impact mitigation funds from a special oil shale trust fund; and the towns had not obligated themselves beyond the money provided up front from these two sources.

But the biggest difference between Colony and Hampshire is Battlement Mesa, a new town near Parachute. TOSCO and Exxon had poured between \$55 million and \$70 million, according to their estimates, into housing, schools, sewer and water facilities for their new community, which absorbed nearly half of the new workers coming into the area. In Battlement Mesa, industry assumed 100 percent of the risk.

In Wyoming, Hampshire has negotiated mitigation agreements with the local governments, which will have to provide for the needs of the 10,000 additional people brought to the area in the peak construction year. While quite encompassing and costly, the agreements won't cover all the capital construction and additional administrative costs necessary for the local governments.

Gillette, Moorcroft and Campbell County will be counting on the revenues that are projected to be generated during construction and operation of the plant. Having no company-owned Battlement Mesa to absorb the brunt of the impact, they will be pledging that projected income to construct sewer and electric lines, roads, schools and jails. And they will be hiring planners, teachers and sheriff's deputies.

Some of these commitments will necessarily be made before the construction period is completed, and will be made under the assumption that Hampshire will proceed along its timetable as planned.

However, if the Hampshire project should suddenly go belly up, it would not be buying concrete and its employees would not be buying hamburgers. The projected sales, use and property tax revenues would not be paying city and county debts.

Even assuming Hampshire would fulfill its obligations under the mitigation contracts, the local governments would be in big trouble.

Wyomingites have learned by now that even their proven industries — coal, uranium, oil and trona — involve a certain amount of risk. The unemployed school teachers in the former uranium boom town of Jeffrey City can tell us all about it.

Hampshire should not ask local taxpayers to assume the substantial risks involved in a synthetic fuels project.

One way to avoid this would be for Hampshire to guarantee loans for the expenditures necessary beyond the basic mitigation agreements, as the Missouri Basin Power Project did in Wheatland, Wyoming. So far, Hampshire has not offered to do so.

A socioeconomic performance bond is a new concept. However, it is a good start to dealing with the question of premature termination of a synfuels plant.

Public institutions are created to be conservative, to discourage the rash impulses of the individual. Corporations, on the other hand, are designed to take risks — and to be rewarded well when they are right.

Let the stockholders assume the risk remaining after the federal government's subsidies. While some of the local officials would let their boosterism override their good sense, it is the state's role to be sure the citizens in their communities are protected.

Marjane Ambler is a former managing editor of the *High Country News*. She is now a freelance writer based in Atlantic City, Wyoming.

Under existing laws in almost all states, once a candidate is elected, there is almost nothing the voters can do to get him out of office before the end of his term. This is true even though he obviously votes to help a special interest group at very great expense to the vast majority of the population.

These office holders usually vote to help the special interest groups in the early months of their terms. They hope, as usually happens, that by the time they must stand for re-election, people will have forgotten those earlier votes and/or that they will be distracted by the more current issues which the candidates can use to enhance their image until after they are re-elected. This makes it possible for the special interest groups to manipulate the elected officials to their own advantage on a continuing basis.

There is a method whereby it would be possible to make the office holder defend himself immediately after he voted for the benefit of a special interest group to the detriment of the rest of us. That is to require him to stand in a recall election if such an election is demanded by a recall petition signed by a reasonable number of voters.

In Montana, every person holding public office, either elected or appointed, is subject to recall. To pass such a law it was necessary to do it

through the citizen's initiative process whereby the voters petitioned that the question be put on the election ballot so that the people themselves could pass the law. It was passed in 1976. Obviously no elected legislature would ever pass such a law that would give the people that much control over it.

This writer would be willing to lead such a citizens petition drive in Wyoming to put a similar recall initiative on the ballot if sufficient support for such an initiative is evident. Any reader who would be willing to sign such a petition or who would like more information about such a petition is asked to please write to me at Box 127, Gillette, Wyoming 82716.

Stephen Tarver
Gillette, Wyoming

STEAMING

Dear HCN,

I found your recent interview with Master James Watt (*HCN*, 10/1/82) rather boring. Couldn't you have stressed some of the useful things he has done in the past, such as inventing the steam engine? The steam engine has been a great boon to mankind and even today has potential for increasing usage.

Bob McFarland
Boulder, Colorado

Rivers...

(continued from page 12)

designation by the Reagan administration.

Reactions in Montana to the federal river preservation system have been cool, even hostile. Protection of the state's free-flowing, undeveloped rivers has been much more successful on the local level.

The Missouri Breaks, a 149-mile prairie stretch of the Missouri River in northcentral Montana, became part of the national system in 1979. The three forks of the Flathead River in northwestern Montana were included in 1978.

The rivers — a total of 219 designated wild and scenic — are truly wilderness rivers, surrounded by public lands administered for the most part by policies of protection.

In the late 1970s, the Carter administration recommended that sections of Montana's Yellowstone and Madison rivers be studied for possible designation as wild and scenic. However, both were dropped from the 1979 Omnibus Rivers Bill that gave certain rivers study status.

Although federal protection of rivers was never popular in Montana, the idea of protection was — and still is. In an atmosphere of progressive environmental legislation and a union of agriculture

and conservationists over the issue of coal development, a bill was introduced in the state legislature in 1974 to establish a state wild and scenic river system. But the battle over the bill was "vicious," according to most observers who also say that the state wild and scenic rivers proposal was used by opponents to drive a wedge between agriculture and conservation interests. Ranchers with riverfront property were told, among other things, that their land would be taken away if the bill passed.

"The debate over the state wild and scenic rivers bill was a horror," recalled conservationist Jim Posewitz. "After that, what the designation meant or whether it was federal or state was irrelevant. People were totally polarized over the issue."

Five years later, when the Yellowstone and Madison rivers were recommended for national study, most Montanans did not wish to see the debate re-ignited. Instead, they turned to state statutes and local efforts for river protection.

On the Madison River in southwestern Montana, local efforts are beginning to succeed. A committee of county officials, landowners, and representatives from the county conservation district, Bureau of Land Management, and Montana Department of Fish, Wildlife and

(continued on page 16)

Rivers...

(continued from page 15)

Parks designed a plan for a "greenway corridor" along the Madison River by means of conservation easements. The committee studied a landowner easement program along western Montana's Blackfoot River and helped Madison County obtain state and private funds for its own easement program. Although reactions have been positive — one landowner put his entire ranch in conservation easements — progress has been slow.

The courses taken by Madison County and landowners along the Blackfoot River may be more advanced than other efforts, but they are indicative of a statewide trend in protecting Montana rivers — making it local rather than federal business. Local control "is not as scary as the wild and scenic system," said Shouse. "It has diffused animosity towards the concept of wild and scenic rivers and set a possible course for river protection without federal involvement."

— Ellen Ditzler

UTAH

Although Utah has some of the best potential "wild and scenic" rivers in the country, none of them have been so designated.

According to Ken Sleight, a river guide from Green River, Utah, the fight to save the Utah rivers has been "a sad and bitter tale. Initially there was great interest but the roadblocks were too

great," he said. The roadblock Sleight refers to is the apathy displayed by state officials. "They have not shown any interest in our effort," Sleight continued. "We have to compete with other industries and they are more organized and have more money to spend than we do. We are currently working to maintain a continuous water flow in the

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The lack of official help and interest was pointed out by Dick Carter of the Utah Wilderness Association. "There are three reasons why Utah has no designated wild and scenic rivers — Scott Matheson (governor), Jake Garn and Orrin Hatch (Republican U.S. Senators)," he said. "They are not at all interested in working for it because they would be interfering with the irrigation rights. All the water in the rivers has been spoken for, for irrigation and mining projects. One requirement for a wild and scenic river is for it to have water. In our case, if all the people who have rights to the rivers exercised those rights there wouldn't be any water left."

The Utah Wilderness Association is actively working to have more wilderness areas designated in Utah but Carter admits, "It will be easier to pass the most controversial piece of wilderness legislation than to have any of our rivers declared wild and scenic."

Utah's rivers have been a source of controversy for years. Recently, river runners and environmental groups have made an effort to protect the scenic qualities of many rivers, but so far their efforts have only brought about a study of the Dolores section of the Colorado River for a wild and scenic designation. That study has ended and no further action is anticipated or planned.

— Layne Miller



'Twas six weeks before Christmas

... and all through the West,
Myriad creatures were stirring, they were cold and distressed.
The grizzlies and mule deer and ferrets black-footed
looked in wonder at plunder, and asked: How'd they stood it?

James Watt in his fervor and Big Oil in its zeal
Were increasingly leasing the great commonweal.
The rigs and the draglines arose such a clatter,
We sprang to our typewriters and started to batter.

Out of their beds jump your friends in a panic,
Tear open the mailbox in a state nearly manic,
When what to their wondering eyes should appear
But a sixteen-page paper, with prose fair and clear

On Utah, Wyoming, Montana, New Mex,
On endrin, on Exxon, on shale and BuRec;
On cows, Colorado and overthrust belts;
On ecotage, wetlands, on land trusts and pelts;

On Idaho, tailings, on solar and peat;
On things that you plant and things that you eat;
On smelters, on elk bugles, on gas and more such;
On BLM, EPA, Burford and Gorsuch.

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