

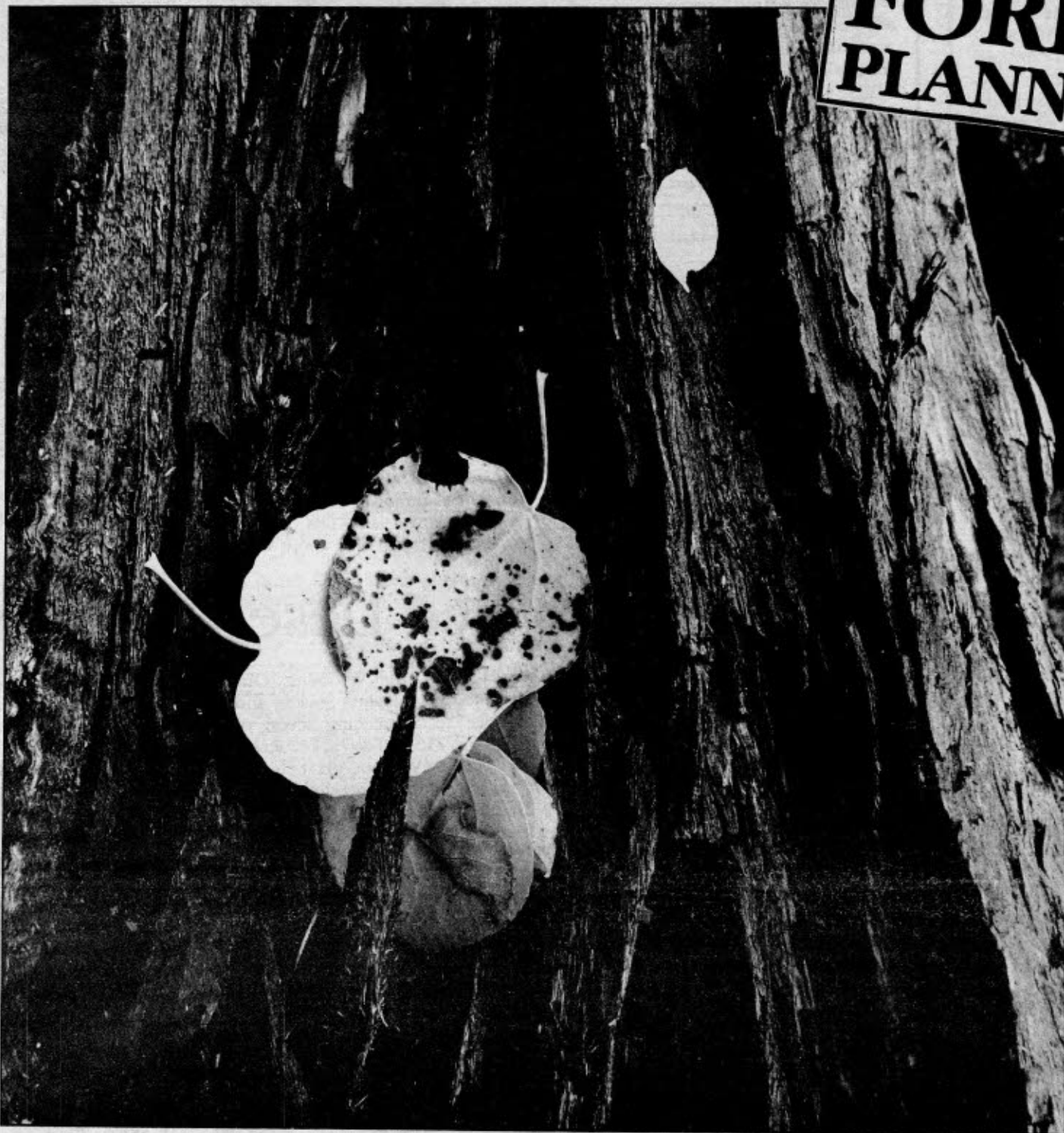
High Country

Friday, March 4, 1983

Vol. 15 No. 4



A SPECIAL ISSUE
ON
**FOREST
PLANNING**



Lynn Bama

To cut or not to cut

Forest plans advance despite "RARE III"

by Jill Bamburg

When U.S. Forest Service Chief John Crowell announced February 1 that the country could look forward to another RARE (Roadless Area Review and Evaluation) encounter — the third — he pulled the rug out from under a planning process that has consumed thousands of man-hours and millions of dollars and has yet to produce its first finished document.

If you thought that RARE II was difficult, consider the task that is now underway: nothing less than the resolution of the major resource conflicts on 187 million acres of multiple use land in the nation's 154 national forests through a set of plans designed to set the "direction" for the next 50 years.

Crowell's "RARE III" announcement

has set this remarkable undertaking back an estimated nine to 24 months, forcing planners to take another look at all the roadless areas on their forests, not only the ones designated for "further planning" under RARE II. The guidelines to implement that announcement have not yet been released and most forest planners are nervously going ahead with their plans as best they can, trying not to think about the additional inventory work, recalculations, rewriting and wholesale revisions they will have to do if Congress fails to override Crowell's directive. If, as the Montana Wilderness Association's Bill Cunningham maintains, the threat of a RARE III was a "calculated overreaction to stampede Congress into passing a RARE II release and sufficiency bill," it seems to have been a good bluff. It is at least generating a substantial amount of pressure for the passage of comprehensive state-by-state wilderness bills.

sive state-by-state wilderness bills.

Meanwhile, the individual plans are continuing to move forward, with plans in this region at virtually every stage in the process from the development of alternatives to the last revisions of the final plans. The results are mixed, but the tensions inherent in the process are fairly consistent, with the most difficult being the balancing act required to meet national goals, especially for timber, while working within the constraints of the landscape and the desires of the local populace.

That particular tension seems to have been deliberately built into the process from the very beginning. In 1974, responding to clearcutting abuses on the Bitterroot and Monongahela National Forests and to a pattern of forest management that the late Vice President Hubert Humphrey described

as a "mess," Congress passed the 1974 Forest and Rangeland Renewable Resources Planning Act (RPA). The act called for the development of a national "assessment" of supply and demand for renewable resources every 10 years and a "program" setting multiple use goals for the national forest system every five years. Under regulations worked out subsequently, these national goals are translated into regional goals, which are in turn allocated to the individual forests in each region.

Two years after this national process was authorized, Congress returned to the subject of forest planning and passed the National Forest Management Act (NFMA), essentially a set of amendments to the RPA which extended the planning process to the individual forest level. In 1979, after much debate, the Carter administration was finally able to

(continued on page 6)

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WESTERN ROUNDUP



High Country News

Published biweekly by the High Country Foundation, 331 Main, Lander, Wyoming 82520. Telephone (307) 332-6970. Printed by the Jackson Hole News, Jackson, Wyoming. Second class postage paid at Lander (USPS No. 087480). All rights to publication of articles herein are reserved.

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Subscriptions are \$18 per year for individuals, \$25 per year for institutions. Single copies \$1.00 plus \$1.25 postage and handling.

Rockies laugh off Superfund

The travails of Environmental Protection Agency administrator Anne Burford over the administration of the \$1.6 billion Superfund program haven't affected Rocky Mountain cleanup efforts, according to EPA Region VIII administrator Steven Durham in Denver. "There's been no change in our program. We're moving right along," Durham said.

A number of congressional committees with jurisdiction over EPA activities have charged that the agency is misusing the superfund, a \$1.6 billion fund established to finance cleanup of abandoned toxic waste dumps around the United States. EPA has been charged with mismanagement and cronyism regarding the Superfund.

Durham said that there are 14 sites in the Rockies that have been identified as needing Superfund money for cleanup. Durham said, "The sites in this region are relatively easy to deal with. They tend not to be big stacks of barrels." Durham could give no estimate of the total amount of toxic cleanup money that would be spent in the region. He

said most of the cleanup would be paid for by the companies responsible.

None of the 20 most serious waste sites in the country are located in the Rockies. In fact, the region's most notorious toxic dump, Lowry landfill near Denver, was not listed at all among the Superfund priorities because it does not immediately threaten a very large population. Durham said \$220,000 has been allocated for feasibility studies at the Woodbury Chemical and Argo Tunnel sites, provided Colorado comes up with 10 percent of the funding.

However, the Lowry site has focused attention on some of the cronyism charges at EPA. Denver attorney James Sanderson served as a consultant to EPA between March, 1981, and June, 1982. At the same time he was a consultant to Chemical Waste Management, the same firm that operated Lowry.

During Sanderson's work with EPA, the agency lifted a ban — originally imposed in November, 1981 — prohibiting the dumping of containerized liquid wastes in landfills. The ban's suspension lasted only about a month,



but Chemical Waste Management dumped 1,500 barrels of waste at Lowry. The ban was reimposed in early March, 1982.

The Justice Department is investigating whether Sanderson influenced a lifting of the ban. Sanderson said he had "walled himself off from these government agency decisions" affecting his other clients. Durham, asked if Sanderson had tipped off Chemical Waste Management about the lifting of the ban, said, "That's bullshit. You don't tip somebody off about something that's in the *Federal Register*."

Sanderson, once under consideration for the number three post at EPA, withdrew his name when the Justice Department began its investigations.

— Dan Whipple

BLM shorts Red Desert wilderness

Located in southwestern Wyoming is one of the state's most unique areas — the Red Desert. Rich in wildlife, geological wonders, oil and gas, and uranium, the area has been fought over between environmentalists and developers for more than 10 years. Recently the Bureau of Land Management, which manages the desert, released its draft wilderness environmental impact statement for the Rock Springs district and excluded the large majority of the desert from wilderness protection.

Of the 13 wild areas studied, the BLM is recommending that only one full area and half of another — or 57,900 acres — be designated wilderness. A coalition of conservation groups, including the

Sierra Club, the Wyoming Outdoor Council, the Audubon Society and others are recommending seven of the areas, or 146,060 acres, be designated wilderness. Without protection, conservationists fear the desert's unique characteristics will be affected by increased development.

The 4.5 million acres of the Red Desert is located within a triangle formed by Rock Springs, Lander and Rawlins. Its vast, arid, sagebrush acres of the Great Divide Basin are home to thousands of antelope, wild horses, raptors and one of the few desert elk herds in the country. Bruce Hamilton, regional representative of the Sierra

Club, said wildlife experts fear development on the desert is forcing the elk to retreat to the Wind River Mountains north of the area.

The area is full of unique geological formations and contains North America's largest unstable sand dunes. However, it is also covered with roads to oil and gas drilling sites, mining claims, and uranium development sites. Both a petroleum pipeline and a hazardous waste facility have been proposed for the area in the last two years.

A hearing on the EIS will be held March 16 in Rock Springs and public comment on the draft ends April 15.

— Carol Jones

Dear friends,

Chip Rawlins, our occasional correspondent in Boulder, Wyoming, has the frustrating task of serving as *HCN's* poetry editor. The job is frustrating because we rarely print poetry, our policy being that we use it on a space-available basis. (We got one in the last issue, though, Chip.) In any case, because of these constraints, Chip has asked us to let prospective poets know that he now has enough poetry on hand for this year, with the exception of very short (six lines or less) work.

We'd like to thank all our readers who have submitted work, and further thank them for their patience. There is a lot of fine work in the files and we'll print it as soon as we're able. *Short* poems should be sent to C.L. Rawlins, Box 51, Boulder, Wyoming 82923. Include a self-addressed, stamped envelope for reply if you want the poems returned. No unsolicited submissions will be returned unless accompanied by postage.

In the Dear Friends column of February 4, we offhandedly mentioned some good news about production assistant Phil Heywood playing guitar as the opening act for Leo Kottke at the Log Cabin Saloon in Jackson, Wyoming. We are pleased to report that everything went well for Phil at the show. He even received two encores from the crowd at the early show on Saturday night. (Kottke only got one.)

liked it even before Leo Kottke did.

Since Phil's travels prevented him from being here for his normal paste-up and proofreading duties for this issue, his place in the production room was taken by *HCN* veteran Cyndy Simer.

And once again, the Research Fund continues to grow. Thanks this issue to: Evelyn Bless, David Bogan, Paul Frank, Tim Hostettler, David Krusko, Rick and Eileen Levinson, KUTV, Inc./"Extra", Don R. Mabey, Rob and Ann Mathers, Melinda H. Reed, Van Shipp, Dr. Robert Skaggs, Leslie Snively, Dr. Lynferd J. Wickerham and Fred Windsich.

— the staff



Mike McClure

Clean air: a dirty subject in Montana

Like a vacuum-cleaner bag, the "Big Sky" over Missoula, Montana, fills with fine particulates and stays that way all winter. Health risks, poor visibility and the town's inability to attract clean new industry are among the oft-mentioned problems related to Missoula's dirty air.

The Montana Air Pollution Study, funded by the state legislature, documented lung impairment among Missoula grade-schoolers, and determined that fine particulates caused chiefly by residential wood-burning were probably the worst culprits in Missoula's dirty air.

During the past dozen years, several attempts have been made to clear the air in Missoula, but all have failed, chiefly because they relied on voluntary compliance and weak enforcement provisions.

Now, however, the Missoula county health department has taken a bold new initiative that has spurred enormous controversy across the county. Under a new set of wood-burning regulations proposed by the department, wood stove owners would have to buy a permit to burn, and only the very cleanest burning devices currently on the market would be eligible for permitting.

That was the Health Department's initial proposal and it became the target of irate Missoulians who have charged the department with using "Gestapo tactics" to clean up the city's air pollution mess. The department now seems to be backing off its strict proposals, and no one knows for sure what regulations Missoula will end up with.

Ron Erickson, professor of chemistry and director of the environmental studies program at the University of Montana, said that the recent attempt at organizing to clean up Missoula's air is the fifth try in the last 13 years.

More than a decade ago, a women's group called GASP — Gals Against Smog and Pollution — picketed the Hoerner-Waldorf (now Champion International) pulp mill at Frenchtown, in an attempt to protest hydrogen sulfide emissions from the county's largest industrial plant.

"Colorful, but largely a failure," said Erickson. Eventually, however, the company installed abatement devices and the plant no longer reeks like a sulfurous fumerole every day of the year.

Later efforts aimed at federal and state legislative assistance netted several pollution studies which were useful in clarifying the problem, but offered little relief.

Now, according to Erickson, city residents have perhaps found an effective solution at the local level by appealing to a gutsy Department of Health. The question now is whether the department's proposals can withstand the wrath of area residents who believe that some of the proposed regulations are a gross infringement on private rights, and an outright attack on the poor.

Said a stove dealer who testified at the department's first public hearing on the regulations, "The people who have invested in stoves are the people who could not afford to pay power bills. You're hitting hardest the people who can afford this the least."

But Missoula's problem is severe, and many believe that solutions to it must also be severe. Efforts at voluntary clean-up, reflected in current wood-burning regulations, have failed during the past two years. Under current regulations, the Health Department calls a Stage I alert when ambient total suspended particulates exceed 150 micrograms per cubic meter. At that level wood-



burners are urged to halt burning voluntarily. At 300 micrograms, a Stage II alert goes into effect and burning is banned.

The present regulations, however, do not work.

Under the proposed regulations, only three models of wood stoves and the so-called stick-fired furnace would probably pass Health Department performance tests and thus be eligible for permits. All other stoves would have to be replaced during a five year phaseout. These regulations are modeled after similar rules debated recently at the Oregon legislature.

Unfortunately, none of the approved stove models costs less than \$850 and some of the approved furnaces run as high as \$5,000. Low-income Missoulians have charged the Health Department with insensitivity to the poor.

Health Department hearings on the proposals are intended to clear up such problems, but members of Missoulians for Clean Air are not backing down from their support for tough standards.

"Previous air quality petitions in Missoula have gathered 15,000 signatures," said Erickson. "The clean air group will vastly outnumber the other side."

— Don Snow

HOTLINE

Discharge may harm trout stream

The ASARCO mining operation near Troy in northwestern Montana is seeking a permit from the state to allow it to send wastewater from its tailings pond into nearby Lake Creek, a high-quality trout stream. The company, which inquired about a discharge permit as early as last April, was cited by state water quality authorities last month for failing to follow the reclamation plan (HCN, 2/4/83). State authorities reviewing the permit request said there is no official explanation why the reclamation plan was not followed. One state staff person said he doubted if water could be discharged without degrading Lake Creek. There was some speculation that the company may have encountered more water than anticipated in developing the underground mine.

Rockies targeted for soil conservation

Six Rocky Mountain states have been targeted by the U.S. Department of Agriculture as being in critical need of soil and water conservation measures. The states — Colorado, Idaho, Montana, New Mexico, Utah, and Wyoming — are among 31 nationally declared as eligible for participation in the department's new National Soil and Water Conservation Program. The program's goals are to reduce excessive soil erosion and conserve water for agricultural purposes. Over the next five years the department will fund \$31.5 million for technical and financial assistance. Funding for improving the targeted areas is coming from the Soil Conservation Service and the Agricultural Stabilization and Conservation Service who share joint responsibility for the program. Participation will be on a competitive basis with each state submitting proposals to USDA for final determination.

Idaho herbicide spraying halted

The Idaho environmental community is claiming a "complete and total victory" in a battle that has been raging for more than five years between themselves and the U.S. Forest Service over herbicide spraying.

In particular, the Citizens for Environmental Quality (CEQ) has been trying to force the Forest Service to re-evaluate its decision to spray herbicides on up to 60,000 acres of northern Idaho forest. On February 5, the supervisors of the three forests involved signed a revised decision which will force the Forest Service to do just that.

News of the rescinding of their environmental impact statement was not released for several weeks, but when notified, CEQ supporters were ecstatic. The Forest Service has not ruled out the use of herbicides in the future, but Charles Sheroke, CEQ's staff attorney, maintained that any spraying would have to await the finalizing of another EIS, which is not likely for several years.

The release of a draft EIS in December, 1977, in which the Forest Service claimed to need herbicides to control brush competition on timberland, began the battle. A half-dozen citizens groups were formed throughout the Idaho Panhandle to fight the proposal. CEQ then named the Citizens Against Toxic Herbicides, appealed, but was denied several weeks after President Reagan was inaugurated.

CEQ then filed a federal suit challenging the EIS. According to CEQ, the statement did not adequately address the question of hazards to humans and wildlife and was written to justify herbicide application, not to evaluate all treatment alternatives, in violation of federal statute. However, aerial spraying for two sites was approved by the forest supervisor in November, 1981.

The Forest Service announced its intention to spray the first 50 acres near Avery in July, 1982. A request by CEQ for a temporary restraining order was denied.

However, two days before the spraying date, a caravan of about 30 people, calling themselves the Caretakers of the Earth, camped at the spray site and vowed to clear the brush for free. The Forest Service refused, and declared the protest an illegal trespass. They sprayed 50 acres most distant from the encampment, and the protestors were allowed to leave without being arrested. Six weeks later, under conditions of tight security and total secrecy, a second area of about 200 acres at Roundtop Mountain near Avery was sprayed.

In November, 1982, a hearing on a request by CEQ for a permanent injunction against further herbicide application in Avery was scheduled. Two days before the hearing, the Forest Service

announced that it planned no further spraying in Avery under the existing environmental assessment.

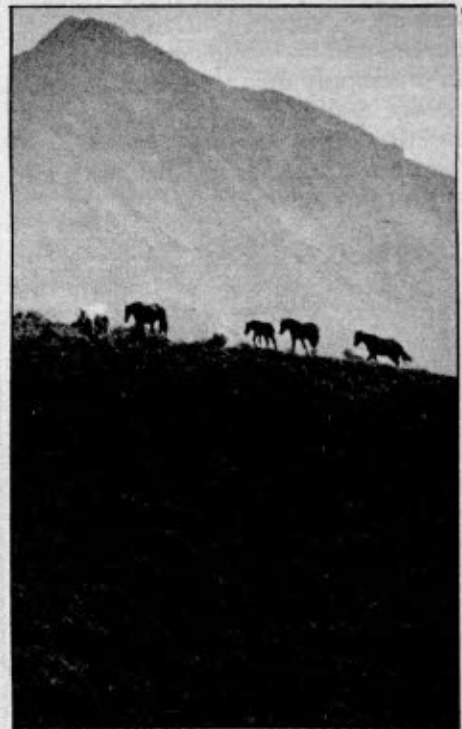
The spraying of more than 600 acres in the Lochsa Ranger District was planned for the summer of 1983. In January, 1983, the regional forester rescinded that decision.

On January 19, CEQ filed a discovery motion as part of its lawsuit, requesting the Forest Service reveal the results of several monitoring tests done at the Roundtop Mountain spray project. The Forest Service had evaluated water samples from the spray zone and one urine sample from a Forest Service employee who worked with mixed herbicides at the heliport. The Forest Service had refused an earlier CEQ attempt to get the results with a Freedom of Information Act request.

The water monitoring results were revealed, which according to CEQ attorney Sheroke showed high levels of pesticides. But the Forest Service refused the urinalysis, maintaining that the results are part of an employee's personal medical records.

"We don't intend to let the Forest Service hide the urinalysis results," Sheroke stated. CEQ is considering another Freedom of Information request, or a continuation of their discovery motion, or even fighting the USFS motion to dismiss the lawsuit.

— Bill London



Challis wild horses, Idaho

Wild horse meat

Demand for wild horses is not keeping up with the increasing supply of animals taken off Bureau of Land Management land in the agency's attempts to reduce the impacts on rangeland, and the agency is considering the slaughterhouse as a solution. In the federal adopt-a-horse program, people are allowed to adopt wild horses under stipulations that the animals are to be managed as pets or saddle animals. Adoption costs have risen in the last year to as much as \$350, reducing demand for the animals. Now the BLM has said it needs to ship some of the horses to the packing house because the cost of maintaining them is too high. Congress will probably be asked to consider the request.

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HOTLINE

Costly cleaning for Colorado tailings site

Cleanup of nearly one million tons of uranium contaminated soil at the mill tailings site near Gunnison, Colorado, could cost \$12 million according to a consultant studying the problem. The cleanup calls for stabilizing the contaminated tailings at the present site on 16 acres of ground one mile southwest of Gunnison. The project would take almost two years and involves enclosing the tailings with materials that would stop emissions of radiation and radon gas at the site. Water quality near the site, while showing above normal levels of sulfate and uranium, was still reported to be "very good" the consultant said.

Leaky pipe raises water plant costs

The Denver Water Board is going to pump between \$2 million and \$6 million into the troubled Foothills Water Treatment pipeline to try to keep it from leaking. The \$18.2 million pipeline will eventually link up to the Foothills Water Treatment Plant to provide 125 million gallons of treated water per day to Denver during the first phase of operation (HCN, 5/28/82). However the pipe has suffered from three cracks already, the most recent in November, 1982. The pipeline had been tested for leakage and durability before the November leak and given a clean slate. A dam construction specialist is lined up to strengthen the weakened welding joints in the line. The \$177 million Foothills Water Project is expected to begin operations in May.

Another uranium mine closes

The Homestake Mining Company's Pitch Mine near Gunnison, Colorado, has gone the way of many other uranium mines in the region. On April 29 the mine will close down, laying off 90 workers. The loss for the local economy of Gunnison is estimated at \$3 million annually. Company officials blame soft markets and the continued prospects of an oversupply situation for the closure. George Simchuk, mine manager, told the *Gunnison County Times* it was "anyone's guess" as to when the mine might open again.



Jackson Hole News

More timber please

A Colorado Western Slope lumber company has asked the U.S. Forest Service to double timber production on the Grand Mesa, Uncompahgre and Gunnison National Forests so it can be sure of a steady supply of lumber for a new sawmill it plans to open in Montrose. The Continental Lumber Company asked the Forest Service to consider its proposal in the agency's 50-year plan for the forests. The Forest Service told the *Denver Post* it isn't sure if the forests can supply that amount. Impacts on wildlife, tourism and recreation will have to be considered also. The Forest Service's current production of 28 million board feet per year on the forests, will be increased to between 35 and 41 million board feet per year in the 50-year plan. The lumber company is asking the level to be raised to between 55 and 60 million board feet.

BLM's aspen cutting plan sawed down

Half of the aspen groves that grace the landscape from Eagle to Rifle, Colorado, could be cut down in the Bureau of Land Management's attempt to increase water yields into the Colorado River. The "vegetation manipulation" proposal, part of the Glenwood Springs BLM management plan, identifies 34,500 acres as suitable for clear cutting in small patches. The cuts are estimated to increase water flow into the Colorado by 5,748 acre-feet per year for the benefit of local users.

Environmentalists claim the BLM's environmental impact statement was hazy on exactly what it intended to do to increase water yields, and the controversy over the proposal did not begin until the *Denver Post* revealed it in mid-February. According to Carolyn Johnson, public lands specialist with the Public Lands Institute of the Natural Resources Defense Council in Denver, the BLM keeps changing its intentions.

The BLM contends it will set up an experimental plot to determine the feasibility of the plan. Rex Wells, multiple resource staff leader with the Glenwood Springs BLM office, said the agency's research shows there "will not be many significant impacts" if the plan is implemented. "In the short run there may be some increased erosion, with effects on aquatic habitat, but in the long run the benefits will outweigh that," he said.

Johnson said every time she talks with the BLM the plan becomes more and more experimental. She said the EIS gives the BLM the authority to implement the plan no matter what the experimental plot reveals. Her group will be working to have that authority removed, so that the decision whether or not to go ahead with the plan will be based on solid data.

And environmentalists aren't buying the BLM's contention that the impacts won't be significant. Johnson's group, the Garfield County Citizen's Association, the Colorado Open Space Council and others are worried about increased soil erosion, loss of wildlife habitat, visual impairments and the loss of poten-



Colorado Dept. of Public Relations

tial wilderness. Plus they feel water yield increases are minor and benefit only a few interests.

"Aspen trees don't hold snow above the ground," Johnson said. "The aspens slow the melting and runoff. The foresters I've spoken with said the technique (that the BLM is proposing) is not operational. It's never been used before."

Johnson said the plan was "devised at the request of Union Oil and other oil shale developers who feared they would be unable to obtain sufficient water from the Colorado for their projects." The BLM flatly denied the charge, and Judy Moffat, president of the Garfield County Citizen's Association, said she has checked over the BLM's correspondence and finds no evidence of the agency conspiring with oil shale companies.

Johnson, however, said she did not make up the charge, that the BLM did tell her it conversed with oil shale interests about the plan. The BLM said its advisory council, which represents area BLM users, identified increased water

yields as a high priority for the management plan. But, Johnson believes it was the U.S. Department of Defense that applied the most pressure for the aspen plan. She explained that many of the cuts would be on the Navel Oil Shale Reserve, located west of Rifle, and that the Defense Department would benefit by increased water yields for its projects there.

Moffat said her group is concerned that the BLM's EIS only recommended 340 acres of a possible 30,000 acres for wilderness designation. She said many of the possible wilderness areas, including Castle Peak near Eagle, were excluded because those areas would fall under the vegetation manipulation plan.

The BLM's plan states that wildlife habitat could be significantly harmed, but that mitigation efforts would cancel any ill effects. Johnson said not one wildlife expert she has spoken with feels this plan would benefit wildlife.

The Glenwood Springs management plan is now being reviewed by the BLM. The final management plan is due by the end of the year.

— Carol Jones

★★★ LEGISLATIVE UPDATE ★★★

Wyoming closes "disastrous" session

The Wyoming state legislature brought its 1983 session to a close after torpedoing every major new environmental initiative. The biggest casualties were the long-sought minimum stream flow law and the wildlife trust fund proposal.

The wildlife trust fund bill would have set aside a \$250 million account for fish and wildlife in the state. Although the proposal passed the Senate by a healthy margin, the bill died in the House Travel, Recreation and Wildlife Committee on a 6-4 vote. Five of the six "no" votes came from ranchers and farmers.

The instream flow legislation, which would have provided a mechanism for maintaining minimum stream flows for the benefit of fish and wildlife, failed in the House Agriculture Committee on a 5-5 tie vote. The failure of this measure was particularly odd, since every major agricultural group in the state had thrown its support behind it. The Wyoming Stockgrowers, the Woolgrowers and the Farm Bureau all said they could support the bill as it was amended in committee. However, the committee refused to report it out anyway, with all five "no" votes cast by ranchers or farmers.

The committee actions were particularly bitter pills for conservationists because, according to the Wyoming

Outdoor Council's Maynard Grant, "We had enough votes on the floor to pass both bills."

According to Rep. Lynn Dickey (D-Sheridan), who led a referendum campaign that gathered about 30,000 signatures to place the instream flow measure on the general election ballot — the attempt failed by only about 2,000 signatures — "I was happy to see that the real reasons for the opposition to this finally came out." The "real reason," according to opponent Rep. Dan Budd (R-Sublette), is that a number of ranchers in the state are dependent upon taking more water than they are legally entitled to in order to run their operations. Requirements for instream flows would supposedly put these ranchers out of business. Budd is on both the ag and recreation committees and had the privilege of voting against both the trust fund and the instream flow legislation.

The wildlife trust fund legislation vote in committee came down to a popularity referendum on the state Game and Fish Department. The bill died because of the traditional mistrust of the department among the state's agricultural community and the preponderance of farmers and ranchers on the hand-picked committee.

Environmentalists responded to the committee actions with blistering criti-

cism, particularly of two House members, Budd and Rep. Marlene Simons (R-Crook). Simons is also a rancher. WOC director Tom Wolf said, "It is a shame that such narrow-minded, anti-environmental-quality legislators are able to dominate their more timid colleagues." Wolf called the 1983 session "a disgrace and an environmental disaster."

WOC is considering an initiative drive on the wildlife trust fund for the 1984 general election ballot consideration.

"Disaster" is probably too strong a characterization of the session, because at least little was passed to undo past environmental accomplishments. One bill, which would have weakened the Department of Environmental Quality's permitting authority, did pass, but was vetoed by Gov. Ed Herschler (D).

Another major piece of legislation creating authority for water export for two proposed coal slurry pipelines (HCN, 2/18/83) passed both houses of the legislature and is awaiting action by the governor. Environmentalists are pushing for a veto. Herschler has in the past been an outspoken opponent of slurry pipelines, but there are indications from his office that he may sign the legislation. No final decision had been made at HCN press time.

— Dan Whipple

★★★★★ Montana kills anti-environment bills ★★★★★

In a flurry of legislative action, the Montana Senate killed two bills aimed at weakening the state's Major Facility Siting Act and the Montana Environmental Policy Act (MEPA), while the House passed bills to establish funding for nongame wildlife management and tougher restrictions on the registration of pesticides.

The Senate action was unexpected. Environmentalists believed that the Republican-controlled senior chamber would accept arguments that both MEPA and the siting act, as currently administered, are impediments to industrial growth in the state. But heavy lobbying by both the Schwinden administration and representatives of environmental organizations caused the Senate to overturn preliminary approval of a bill that would have allowed energy companies to avoid alternative siting

studies and departmental assessments of the need for new energy facilities.

The death of the MEPA bill means that the courts are left to settle the question of whether the act is substantive or merely procedural. In a 1982 case involving the ASARCO Troy Project, a copper-silver mine near the Cabinet Mountains Wilderness in northwest Montana, Judge Gordon Bennett of Helena ruled that the Montana Department of State Lands had erred when it granted the mining permit despite findings that the project would disrupt critical wildlife habitat and impact nearby Libby — impacts not covered under the state Hard Rock Mining Act.

Bennett ruled that MEPA requires state agencies to consider all impacts related to new projects, not just those impacts specifically treated in the major regulatory laws.

The Bennett decision touched off an

angry response by Gov. Ted Schwinden (D) and a host of legislators, who argued that a substantive interpretation of MEPA would create a "moving target" for applicants who had complied with all specific laws and regulations, except the relatively vague policy act. The Senate, however, rejected those arguments.

Passage of the nongame funding measure came after exhaustive lobbying by the Montana Audubon Council and the Montana Conservation Congress, a coalition of 45 groups. The bill would provide funds for nongame management and research through a voluntary income tax check-off system.

Sponsors of the measure believe they now have a slim majority in the Senate, but are wary of the deep resentment against the measure within the ranks of the powerful Montana Stockgrowers Association, the Montana Petroleum

Association and Women Involved in Farm Economics, whose lobbying killed the bill in two previous sessions.

The pesticides bill, carried by Butte Democrat Rep. Dave Brown, would require that the Departments of Fish and Wildlife, and Health and Environmental Sciences review and comment on pesticides approved by the state Department of Agriculture. The bill arose in the wake of rampant endrin contamination which nearly caused cancellation of the 1981 bird hunting season on Montana's eastern plains.

Recent statistics show that the sale of bird hunting licenses dropped by 22 percent in 1982, presumably due to fears over endrin-contaminated waterfowl and game birds. The bill faces a tough test in the Senate where a weaker measure has already failed.

— Don Snow

★★★★★ Idaho land sale memorial may R.I.P. ★★★★★

After narrowly passing the Senate, the conservationist-backed memorial opposing the Reagan administration's sale of surplus public lands may have sunk into quicksand in the House State Affairs Committee.

Although a memorial has no force of law, and simply conveys the intent of the legislature, the Idaho Conservation League, which wrote the memorial, made it a top priority issue. The memorial, which would be a letter to President Reagan urging "termination of the public land sale program under the direction of the Property Review Board..." was the subject of ICL alerts and fact sheets mailed to its members. With the sponsorship of rancher Sen. John Peavey, (D-Carey), the bill squeezed out of the Senate Resources and Environment Committee 6 to 4, and went on to slip through the Senate 18 to 16. The memorial had support from such Republi-

cans as Senate Resources and Environment Committee chairman Laird Noh (R-Kimberly), who said, "I'm going to vote for this, not necessarily because I oppose the sale, but because ...the Property Review Board has been such an administrative boondoggle."

Memorial backers hammered away at the impact the sale would have on ranchers and farmers — the primary occupations of Idaho legislators. The ICL produced a map which showed one region where as much as 70 percent of the Bureau of Land Management grazing allotments would be up for sale. Both sides invoked the name of U.S. Sen. James McClure (R-Idaho) to bolster their support or opposition to the memorial.

In a surprise move, the memorial was assigned to the House State Affairs Committee, rather than the Resources and

Environment Committee. State Affairs Committee chairman Rep. Walt Little (R-New Plymouth) said he personally opposes the memorial and will only introduce it into committee "if the members want to consider it later on." However, he said, "A lot of the members said they'd just as soon never see it on the agenda."

Another bill that passed the House may have met a similar fate in the Senate — but for different reasons. A bill exempting grain and grass seed field burning from control under the state's emergency orders was at least temporarily withdrawn from the Senate Agricultural Affairs Committee. The grass and grain growers are meeting the state Air Quality Bureau to try to work out a compromise over the burning dispute. Growers in northern Idaho say it is necessary to burn off their stubble fields in the fall. But the resulting smoke has

set the growers at odds with the large northern Idaho tourist industry and the Air Quality Bureau. The bill exempting the growers had passed the House 62 to 7. However, ICL lobbyist Renee Quick, who met with growers, tourist representatives, state representatives and legislators prior to the bill's withdrawal, said the bill may not even do the job the growers expect it to. "The section in the law that they're getting at isn't the one Health and Welfare uses to stop the burning," she said.

If a compromise cannot be worked out, the bill could return to the Senate Committee, and then attempt passage in the Senate. Quick said she is hoping for a compromise settlement. "Our local chapter has always supported the grass growers," she said. "We don't want to polarize the groups."

— Glenn Oakley

★★★★★ Colorado tackles toxic waste problem ★★★★★

If they made a movie of it, they could call it "The Monster That Ate Colorado." The Colorado legislature's attempts to deal with approximately 3,600 hazardous and toxic waste dumps — including the "flagship" Lowry landfill — would make a great political horror show.

Prior to 1981, during the reign of then-Speaker of the House Bob Burford, Rep. Anne Gorsuch (now Anne Burford), chair of the powerful House State Affairs Committee, and Steve Durham, hazardous waste legislation tended to die in committee. However, in the dying hours of the 1981 session, with Burford, Gorsuch and Durham moved on to

greater things — head of the Bureau of Land Management, director of the Environmental Protection Agency and head of EPA's Region VIII, respectively — the legislature passed the State Siting Act for Hazardous Wastes.

Realizing that the bill had numerous imperfections, many legislators agreed to it, hoping for a later chance to strengthen the bill. Sen. Cliff Dodge (R-Denver) included an amendment which has come back to haunt the legislature ever since. In effect, his clause hamstringing the state's control over hazardous wastes by requiring that state laws be "no more stringent" than federal regulations.

The latest entry into the complicated issue is a moderate piece of legislation proposed by Sen. Martha Ezzard (R-Cherry Hills). Ezzard was a leader in the final compromises that led to adoption of the original act in 1981 and is intent on tackling additional legislation this session. Her bill, an attempt to tighten the loopholes in the original act, is the result of numerous consultations with industry, county governments and environmentalists. The bill would remove land use approval for locating hazardous waste sites from county control under the premise that siting is a matter of state-wide concern. It would also create an appointed commission to oversee the process and allow for public input. In addition, it removes a clause in the existing law that allowed for operators of disposal sites to be forewarned of inspections. Ezzard's bill may also be used to make provision for inclusion of any potential operator's previous "track record" to be a consideration in the siting procedure.

Another Ezzard bill would eliminate the cumbersome "no more stringent" clause altogether. According to Jody Berman of Greenpeace in Denver, "Colorado can't be progressive in using new technologies for dealing with hazardous wastes until this clause is removed. Land disposal of hazardous waste is like pounding clothes with a rock to wash them." Chances for the second Ezzard bill hinge on passage of the first. While Ezzard's bill has the support of a broad cross section of liberals and conservatives and the support of Senate President Ted Strickland (R-Westminster), House legislators are less likely to let it pass unamended.

In the House, Rep. Frank DeFilippo (R-Golden) favors his own hazardous waste bill which would provide for the

reopening of Lowry landfill southeast of Denver. Since the Colorado Association of Commerce and Industry withdrew support for the bill, it remains to be seen whether or not DeFilippo will choose to drop the bill altogether or introduce it into the State Affairs Committee which he chairs.

Probably the safest bet to make it through the legislature this session is Sen. Harold McCormick's (R-Canon City) bill which provides for a fund to aid in hazardous waste emergencies. "Current emergency response is a bureaucratic mess," according to Briggs Gamblin, Colorado Open Space Council lobbyist who added, "The McCormick bill should pass on its own merits — providing funds can be found."

Finally Sen. Cliff Dodge and a host of other sponsors introduced a bill that would provide for funding and extension of Colorado's participation in the federal Superfund program until July, 1988. Three sites identified for clean-up are Marshall Landfill near Boulder, the Woodbury Chemical Company in Adams County and the Argo Mill area in Clear Creek county. Funds are already allocated by the County of Denver for a fourth area, the Denver radon sites.

Another aspect of the bill would be to provide for an inventory of all the remaining hazardous waste sites in the state. The Colorado Department of Health estimates there are 3,600 additional areas of potential danger. Even in a lean budgetary year, the \$65,000 needed for Colorado's 10 percent participation in the Superfund program is deemed a small amount, especially considering the political value of such clean-ups. The Senate Appropriations Committee is endeavoring to come up with the needed money.

— Deldre Duncan

BARBED WIRE

I don't think that's what Adam Smith had in mind. On the pages in which it covers the Colorado state legislature, the *Denver Post* runs a "Quote of the Day" from a state legislator. The purpose of this practice is somewhat obscure, since the quotes rarely make any sense. This is probably not the fault of the quoted legislator, but rather a nameless editor at the *Post*. In any case, our favorite so far is one by Rep. Molly Markert (D-Aurora), who said, "There is risk in everything. I bought a (sweet roll) this morning. I had hoped it would have grape jelly. It had strawberry. I ate it anyway."

A preposition at the end of a sentence is something up with which we shall not put. York College in Queens, New York, has founded the Grammar Hotline, which (or is it that?) writers can (or may?) phone to get answers to troublesome grammatical problems. The hotline has already unearthed at

least one scoop, according to the *Wall Street Journal*. The service said the plural of ms. is mses. The phone number is (212) R-E-W-R-I-T-E.

They don't have the bomb yet, so they'll destroy us piece by piece. Cloisonne jewelry imported from Taiwan and being sold in Denver is radioactive, according to the *Denver Post*. Cloisonne is enamel work with different colored areas separated by thin metal bands. The most heavily radioactive pieces discovered were orange elephants.

Wait 'til Disney bears about this. U.S. Bureau of Land Management director Bob Burford told an interviewer at KUWR-FM in Laramie, Wyoming that the huge Magna copper mine in Utah was that state's biggest tourist attraction. He also predicted that "one of those large oil shale refineries" or an open pit mine might eventually become major Colorado tourist attractions.



Overview...

(continued from page 1)

publish the regulations required to implement the act and forest planning got underway in earnest. (Only to be brought up short two-and-a-half years later by a set of rule changes proposed by the Reagan administration. That, however, is another story, which Tom Wolf tells on page 10.)

A *Conservationist's Guide to National Forest Planning*, a useful, short and slightly out-of-date handbook jointly published by the Sierra Club, The Wilderness Society, the National Audubon Society and the Natural Resources Defense Council (available for \$1 from Sierra Club Information Services, 530 Bush Street, San Francisco, California 94108), identifies 10 steps in the planning process and urges conservationists to involve themselves early and often. The 1979 regulations actually required that individuals and groups filing administrative appeals of the plans have had "direct and documented" involvement in the planning process. The revised regulations have dropped this requirement, but conservation professionals say that it still exists as a *de facto* prerequisite to a successful appeal.

The steps in the process are:

1. Identification of issues and concerns;
2. Development of criteria — both "process criteria," which determine what happens during each step in the process, and "decision criteria," which are the standards to be used to evaluate the final alternatives;
3. Inventory and data collection;
4. Analysis of the management situation, a resource cost/benefit analysis;
5. Formulation of alternatives;
6. Estimating the effects of alternatives, an evaluation of the specific economic, environmental and social effects of each alternative;
7. Evaluation of the alternatives, a more global comparison of the alternatives using the criteria decided upon in the second step;

Need help?

One of the best places you can go to gain insight into the forest planning process is to a three-year-old publication called *Forest Planning*. It is published monthly by CHEC (Cascade Holistic Economic Consultants), a non-profit forestry consulting firm based in Eugene, Oregon.

Forest Planning regularly features articles on timber, wildlife, economics, old growth and many other controversial issues. It has done pioneering work on the economics of forest planning and the way in which Forest Service numbers are frequently skewed to favor timber and exaggerate the cost of protecting wildlife and old growth. Its 1982 *Citizens' Guide to Forest Planning*,

KEY TO LISTINGS	
NAME OF FOREST	Status of EIS Primary issues in forest
COLORADO	
ARAPAHO & ROOSEVELT	Draft EIS 1/81; comment period closed; final EIS 5/83 (est.) Timber and recreational use, fuel wood, wildlife and water yield.
GRAND MESA, UNCOMPAHGRE & GUNNISON	Draft EIS 10/82; comment period closed 2/83; final EIS 5/83 Timber: cut levels, cost efficiency, road construction impacts, wildlife diversification; mineral leasing and environmental impacts; water yield planning and impact.
PIKE & SAN ISABEL	Draft EIS 9/82; comment period closed; final EIS 5/83 (est.) Timber, range and minerals: resource management alternatives and impact on wildlife, wilderness recommendations; Quail Mountain ski development; wildlife/recreation/watershed protection.
RIO GRANDE	Draft EIS 4/1/83 (est.); public review and comment three months after draft release (7/1/83) Timber: levels, location and type; mineral development vs. recreation and wildlife; Wheeler geologic study area recommendation; water yield.
ROUTT	Draft EIS 12/82; comment period closes 3/25/83; final EIS 7/1/83 Timber harvesting levels; mineral leasing vs. recreation and wildlife; water yield; Williams Fork and St. Louis non-wilderness recommendations.
SAN JUAN	Draft EIS 6/82; comment period closed; final EIS 7/1/83 Timber harvest: location, levels and type; range management and conditions; wildlife habitat and roadbuilding impact; watershed sediment levels; mineral lease grade; wilderness area designations.
WHITE RIVER	Draft EIS 3/30/83 (est.); comment period closes 6/30/83 (est.); final EIS 9/30/83 (est.) Timber cutting levels; mineral leasing; water yield.
IDAHO	
BOISE	Draft EIS 3/84 Anadromous fishery protection; high elk and deer population; recreational opportunities near Boise metro area; wild and scenic river designation.
CARIBOU	Draft EIS 7/83 Mt. Naomi wilderness; recreation/water quality/wildlife habitat protection; maintain/improve recreational opportunities.
CHALLIS	Draft EIS 12/83 Anadromous fish habitat; deer and elk population
	8. Selection of an alternative, an action that takes place at the regional level;
	9. Implementation of the plan, a process subject to budget appropriations; and
	10. Monitoring, according to a program specified within the plan.



which costs \$3 or is available free to new subscribers, is an invaluable introduction to the subject.

Subscriptions to *Forest Planning* are available for \$15 (rates are slightly higher for agencies and commercial organizations) from CHEC, Box 3479, Eugene, Oregon 97403.

FOREST PLANS IN THE ROCKIES: WHERE THE

maintenance; roadless area protection; environmentally sound mining projects.

CLEARWATER

Draft EIS in review stage, not circulated
Big Horn Wexx Wietas roadless area protection; Elk Summit wilderness designation; big game population protection; anadromous and cutthroat habitat protection; roadless area vandalism.

NEZ PERCE

Draft EIS in review stage, not circulated
Anadromous fish habitat; forest timber harvest level; Meadow Creek and Rapid Creek protection.

PANHANDLE

(COEUR D'ALENE, ST. JOE, KANISKU)

Draft EIS prepared

Long Canyon Wilderness area designation; elk roadless area habitat preservation; forest timber cut levels; woodland caribou habitat protection.

PAYETTE

Draft EIS 10/83

Salmon and steelhead fisheries protection; Idaho Batholith sensitive area protection; French Creek roadless area logging, deer and elk population maintenance.

SALMON

Draft EIS 2/83

Anadromous fish habitat; deer and elk population maintenance; environmentally sound mining projects; roadless area protection.

SAWTOOTH

Draft EIS 10/83

White Cloud Wilderness proposal; anadromous fish habitat protection; big game pop. maintenance; environmentally sound mining projects; recreation as a primary forest resource.

TARGHEE

Draft EIS 11/81

Douglas Fir timber harvest levels; elk population maintenance; mountain goat and riparian zone protection; preservation of greater Yellowstone ecosystem.

MONTANA

BEAVERHEAD

Draft EIS completed

Timber vs. roadless areas; watershed protection; downstream fisheries and wildlife habitat protection; West Pioneer Wilderness Study Area designation.

BITTERROOT

Draft EIS alternatives completed; writing draft

Sapphires and Blue Joint WSAs; River of No Return wilderness extension and contiguity; Allan Mountain roadless area protection; past timber "mining" practices.

CUSTER

Draft EIS in review stage, not circulated

Extensive mining activities; hard rock mining impacts, strip mining on roadless area boundaries; oil and gas leasing in Little Missouri Grasslands, concomitant impact on wildlife.

DEERLODGE

Draft EIS alternatives completed; writing drafts

Mining and timbering vs. wildlife and recreational use; Sapphires WSA determinations; wilderness areas contiguity; "commercial" forest acreage levels.

FLATHEAD

Draft EIS available 3/83 (est.)

Protection of Swan Front and addition to Bob Marshall Wilderness; oil and gas leasing in North End roadless area; marginal timber harvesting in North Fork drainage; wild and scenic river system protection (Three Forks of Flathead); leasing in Jewel Basin hiking area; grizzly bear and gray wolf habitat protection.

GALLATIN

Draft EIS in review stage, not circulated

Timber harvest; wilderness area size and contiguity; Hyalite WSA determination; elk winter range preservation.

HELENA

Draft EIS alternative completed; writing drafts

Bob Marshall Scapegoat wilderness inclusion; timber planning proposal; Elkhorn WSA land exchange prototype; hardrock mining conflicts, esp. Crow Creek Falls.

KOOTENAI

Draft EIS completed; public comment period open

Timbering and extensive road building impacts downriver: fisheries, sedimentation, elk security; hard rock mining in Cabinet Mountains and impact on grizzly bear habitat; Great Northern ski area development; oil and gas leasing and development; Mount Henry and Ten Lakes wilderness designation.

LEWIS & CLARK

Draft EIS completed; public comment period closed

Timbering/road building vs. wildland preservation; sediment/water quality, quantity and effect on fish resources; timber harvest locations and levels; elk range protection; oil and gas development; wildlife habitat, esp. grizzly bear recovery.

LOLO

Draft EIS completed; public comment period closed

Adequate public participation in development of Rattlesnake NRA and wilderness area management plan; Clearwater-Mature inclusion in Bob Marshall wilderness; Great Burn and Quigg wilderness areas; Colstrip 3 and 4 transmission corridors; small grizzly population.

UTAH

ASHLEY

Draft EIS 10/83

Wildlife habitat protection; timber cutting; proposed wilderness areas; Central Utah Project.

DIXIE

Draft EIS 10/83

There is a built-in tension in forest planning between the national/regional plans produced under the RPA and the individual forest plans produced under the NFMA amendments. It is the tension between centralized and decentralized planning and, more importantly, between planning based largely on the demand for resources and planning based primarily on the ability of the resources to produce commodities and amenities on a renewable and sustainable basis. The problem is frequently presented as the difference between planning from the "top down" or from the "ground up."

At present, the Forest Service is attempting to have it both ways. The RPA targets were developed first and handed down to the individual forests as a set of goals based on regional and national needs. Forest planners were told, however, that these goals were to be plugged into their forest plans as simply one alternative among all those being considered. Then, once an alternative is selected for each national forest through the NFMA process, its projected outputs will be incorporated into the next five-year RPA plan.

Mike Griswold, director of planning and budget for the Forest Service's Region IV (Utah, Idaho, Wyoming and Nevada), described the process as being like a "carousel and depending on where you jump on the thing, you can look in front of you or behind and see where you are." Right now, it may

appear that, as many conservationists charge, the RPA goals are "driving" the individual forest plans simply because the RPA process has been completed and the forest plans have not. But once those local plans are complete, the resource data and public input that they are based on will be fed into the regional and national plans and will appear to "drive" them. In both cases, according to Griswold and other Forest Service planners, the challenge is to "blend the resolution of those local issues with the accomplishment of (the forest's) assigned goals."

That long-term view does little to allay the fears of conservationists who are concerned that timber targets, which they believe have been set too high, will force poor choices in this round that will be carried forward to the next. Peter Kirby, director of the forest management program of the Wilderness Society, said, "Crowell has been saying publically that he wants to double the timber harvest. He's saying the RPA goals aren't high enough for timber, so we're really skeptical that they'll take an objective look at goals that are lower."

In Montana, Bill Cunningham is even more critical. "We're still experiencing 'top down' planning," he said. "We're still facing arbitrary commodity targets that are dictated from Washington so that there are some real constraints on the local decision makers in responding to public concerns. There is big opposi-

PLOYS ARE

Timber production vs. wildlife; Pine Valley Wilderness designation; watershed protection; Box Death Hollow wilderness planning.

FISH LAKE

Draft EIS 10/83

Roadless area protection; grazing and range management; elk population maintenance.

MANTI-LA SAL

Draft EIS 9/83

Coal and minerals leasing process; coal mineral development vs. watershed and wildlife; roadless area protection; elk herd protection.

UINTA

Draft EIS 10/83

Closure of four-wheel drive trails; watershed protection; wilderness designation in Mount Nebo area.

WASATCH

Draft EIS 7/83

High Uintas north slope and western end management; wilderness vs. timber cutting of marginal lodgepole pine; Mount Naomi and Stansbury Mountain wilderness planning; big horn sheep/domestic sheep forage allocation and wildlife in Uintas.

WYOMING

BIGHORN

Draft EIS anticipated late '83

ORV management, road closures; Cloud Peak Primitive Area; Little Bighorn and Tongue wild and scenic river designation.

BLACK HILLS

Draft and final EIS completed

Congress has designated one RARE II area (Hartney Peak) as the Black Elk Wilderness. However, the legislation did not declare the RARE II final EIS legally sufficient for the state of South Dakota so a reevaluation will be necessary.

BRIDGER-TETON

Draft EIS late '83

Roadless areas — Gros Ventre (especially Little Granite Creek), west slope of Teton (also in Targhee N.F.), Palisades future planning area, and Grayback Ridge and Bridger additions; management of grizzly habitat; road closures; timber sales (Klondike Hills, Jack Creek); oil and gas leasing (Riley Ridge etc.); ski area expansion and development (Jackson, Snow King).

MEDICINE BOW

Draft EIS late '83

Roadless areas — Huston Peak, Snowy Range, Laramie Peak, North Platte River Canyon, Encampment River Canyon; timber sales; road closures and new roads; ORV management.

SHOSHONE

Draft EIS late '83

Roadless area review — Deep Lake, North Absaroka, Washakie, Popo Agie, Whiskey Mountain additions; road closures; management of grizzly habitat; oil and gas leasing; hard rock mining in wilderness and non-wilderness; Wiggins Fork wild and scenic river study.

tion locally to roading and invasion of roadless areas by subsidizing timber sales, but land managers are telling us that their hands are tied, that they've got to meet their quotas."

Even though local land managers are only technically required to consider one alternative that meets their RPA targets, they must offer a rationale with some "pretty good reasons," according to Griswold, if they favor an alternative that does not meet the RPA goals. Then, too, the regional forester, the person who set the individual forest targets to begin with, is the one who actually selects the preferred alternative. If he goes along with a non-conforming local recommendation, he must either make up the difference by changing the target(s) on other forest(s) in his region or enter into negotiations with the Forest Service Chief to have his regional goals modified.

Over the long haul, this system may or may not prove responsive to the concerns of those who would like to see the Forest Service plan from the "ground up." But it is already quite clear that the planning process cannot be responsive to short-term changes in the marketplace. The timber harvest targets for 1983, for example, were published in 1980, before the current recession. So, with a four-year backlog of sold but uncut timber on national forest lands and with western sawmills operating until very recently at as little as 50 percent of capacity, forest planners are still

trying to juggle resource values to meet timber targets grossly above both present and historic demand levels.

One way of doing that is to juggle the timber resource base; that is, to classify as "suitable" for timbering certain lands that have been regarded as marginal for economic or biological reasons.

The 1979 regulations said that only land capable of growing more than 20 cubic feet of wood per acre per year would be considered suitable for timbering. Conservationists had fought for a 50-foot-per-year criterion and had argued, among other things, that such a standard would eliminate the vast majority of the present resource conflicts between timber management and wilderness. When the new rules were pending, they argued the point once again, but the result this time around was elimination of any biological standard for suitability.

The change means not only that marginal areas with slow growth cycles will be available for logging, but, more importantly, that they will be included in the figures for total commercial timberland, thereby inflating the calculation of the allowable cut and putting additional pressure on the more productive and accessible lands.

To Bill Cunningham, part of the problem has to do with the Forest Service's reliance upon its FORPLAN computer program, which has been a central tool in the development and evaluation of

the current round of forest plans. "The forest plans are basically machine-made," he said, "and what we're seeing is complex biological data simplified to a 10-digit computer model. The land can't really produce what the computer says it can and still preserve these other values. They're setting things up for serious conflicts down the road in the second decade of the 50-year plan."

Economics also enters into the calculation of timber "suitability" and for once it appears that economics are on the side of the environmentalists. The 1980 RPA program shows that roughly 22 percent of the 1983 proposed sales are below cost and that in four of the nine Forest Service regions (including regions II and IV, which cover most of the HCN area), "there was no level of timber management, which, on the average, timber receipts would exceed the associated costs," according to the Wilderness Society. In such cases, Forest Service timber sales amount to a subsidy of their private purchasers.

On the basis of these facts, conservationists have pushed for an economic analysis of timber management to be included in the forest plans. Unfortunately, the analysis that is included doesn't get at the heart of the problem because it uses "cost effectiveness," rather than profit and loss, as the criteria for judging sales. Under the present system, the timber sales do not have to make money or pay their way in order to be put into the plan; they simply must be

the most "cost effective" way of meeting the RPA goals for timber. And if those goals are set too high, the sales that are the most cost-effective can still be far from a good buy.

Bill Cunningham thinks that the numbers being used are also a problem. He said that they tend to "greatly exaggerate the economic value of timber and grazing outputs while essentially ignoring the value of a wilderness experience or hunter-day." As examples he cited a \$12/AUM (animal unit month) figure used to establish grazing values and a \$21/day figure used to place a value on an elk hunting day. The former figure is based on grazing fees charged on private land and has nothing to do with the \$1.80/AUM fee that is actually being charged on federal lands. It's unclear what the hunting figure is based on, but it is substantially less than any self-respecting outfitter would charge for a day in the woods.

Another recurring problem in the planning process has to do with "departures," or exceptions to the rule that all national forests be managed to produce an even flow of timber in perpetuity. "Departures" allow timber to be harvested more rapidly, at a rate that could not be sustained over time, under special circumstances.

By all accounts, the departures provision in the 1976 National Forest Management Act was intended to permit a

(continued on page 15)

The citizen as planner

The forest planning process now underway has offered conservationists a provocative challenge: If you don't like the Forest Service alternatives, go ahead and write your own. And the Forest Service, for its part, will even run your ideas through its FORPLAN computer.

Despite the formidably technical and time-consuming appearance of that challenge a number of conservation groups have taken the Forest Service up on its offer. The Jackson Hole Alliance for Responsible Planning, a local conservation group in Jackson Hole, Wyoming, is one of them.

Members of the group's public lands committee spent over 200 hours last summer developing a citizens' alternative for the Bridger-Teton National Forest, which surrounds the scenic Jackson Hole valley. The Alliance decided to take that approach, according to committee chairman Colleen Cabot, because "we hoped to influence the Forest Service's preferred alternative — not in the standard way of just presenting something at a public hearing, but actually working with them in their process to get part of our alternative included in theirs."

While it is too early to tell whether that objective will be met — the Bridger-Teton forest plan is just approaching the in-service draft review stage — the group has already seen one major victory, the creation of a new "management area description," or set



Richard Murphy/Jackson Hole News

of management guidelines designed to emphasize certain resources. Originally, the Forest Service had a set of guidelines which emphasized wildlife and a separate designation which emphasized roadless areas, but the Alliance felt that a new category was needed to protect both kinds of values in a single area. When a citizen's group in Pinedale expressed the same concern, the Alliance came up with a new combined designation, which the Forest Service subsequently incorporated into two of its own alternatives.

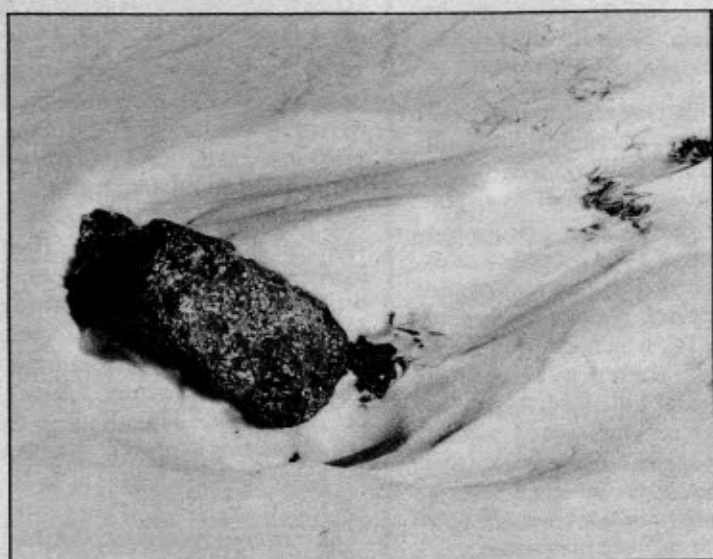
Two other major Alliance recommendations included a revision of another set of guidelines, which are designed to protect grizzly bear habitat, and a major change in the Bridger-Teton road closure policy. Cabot said that debate over road closures made it clear that "we were willing to accept less reclamation of old roads in exchange for more stringent standards for new roads." This is an important change, she said, because the reclamation of old roads is very expensive and would have been a major budget constraint working against acceptance of the Alliance's alternative. "We think we got somewhere with that," said Cabot, "but we won't know until we see the preferred alternative."

One of the most valuable aspects of developing the Alliance alternative was the chance it afforded Alliance volunteers and Forest Service staff to work together closely and begin to better understand each other's perspective. Cabot said her committee spent roughly half of its time "bringing ourselves up to snuff" on the forest planning process, jargon and technical considerations, all of which were explained by Forest Service staff members who attended meetings regularly. A couple of committee members felt that having Forest Service people sit in on the meetings inhibited discussion and inappropriately influenced the development of the group's alternative, but most felt that they gained far more in information than they lost in autonomy.

The single most consistently frustrating aspect of the experience, according to Cabot, was always having to rely on others — the Forest Service, Wyoming Game and Fish, local outfitters — for basic information about the actual resources in the field. "Their planning process is very sophisticated," she said, "but the hard data that goes into it is very limited. That was always our biggest constraint."

— Jill Bamburg

8-High Country News — March 4, 1983



NIWOT

PHOTOS BY SKIP GREENE



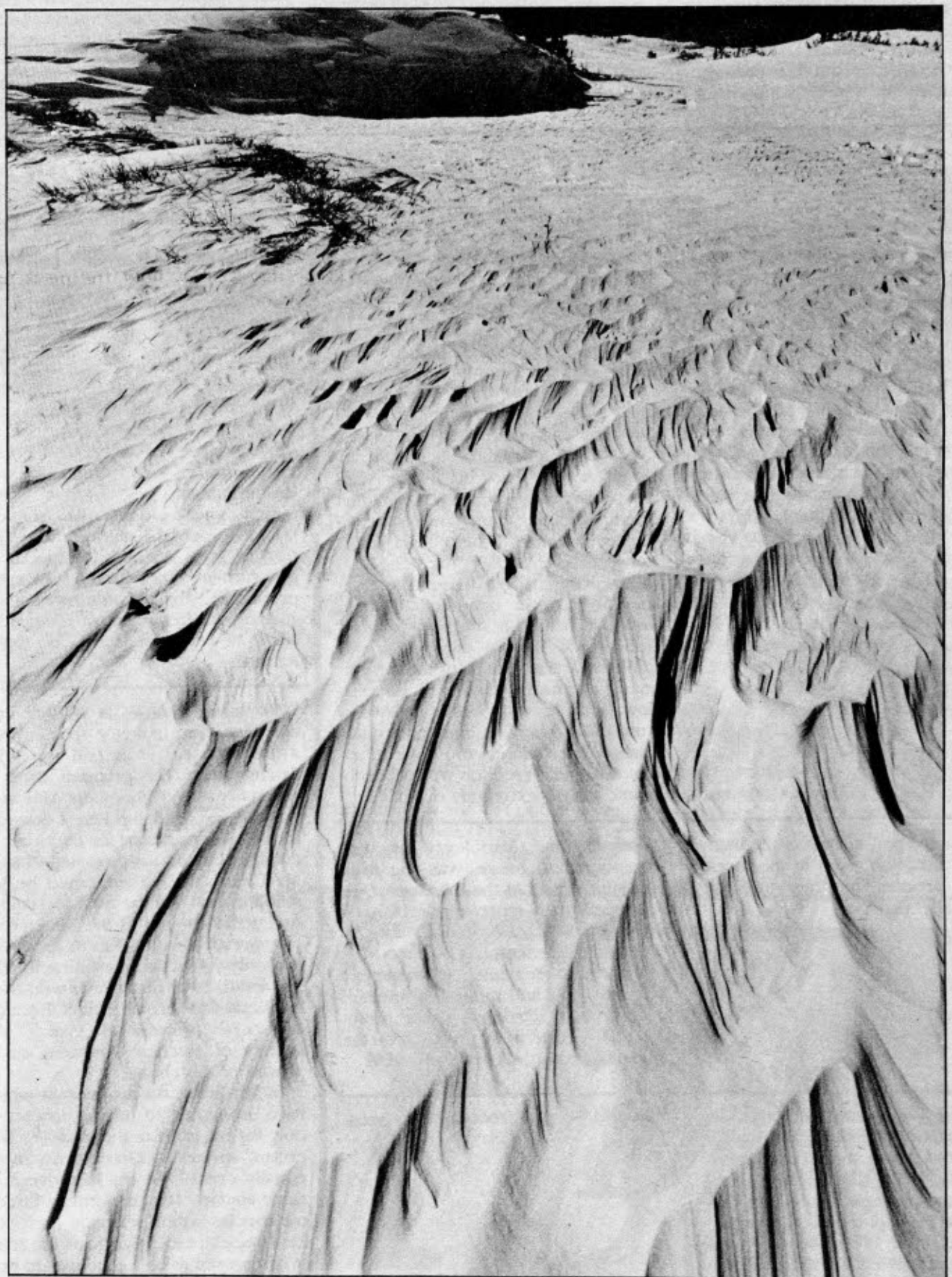
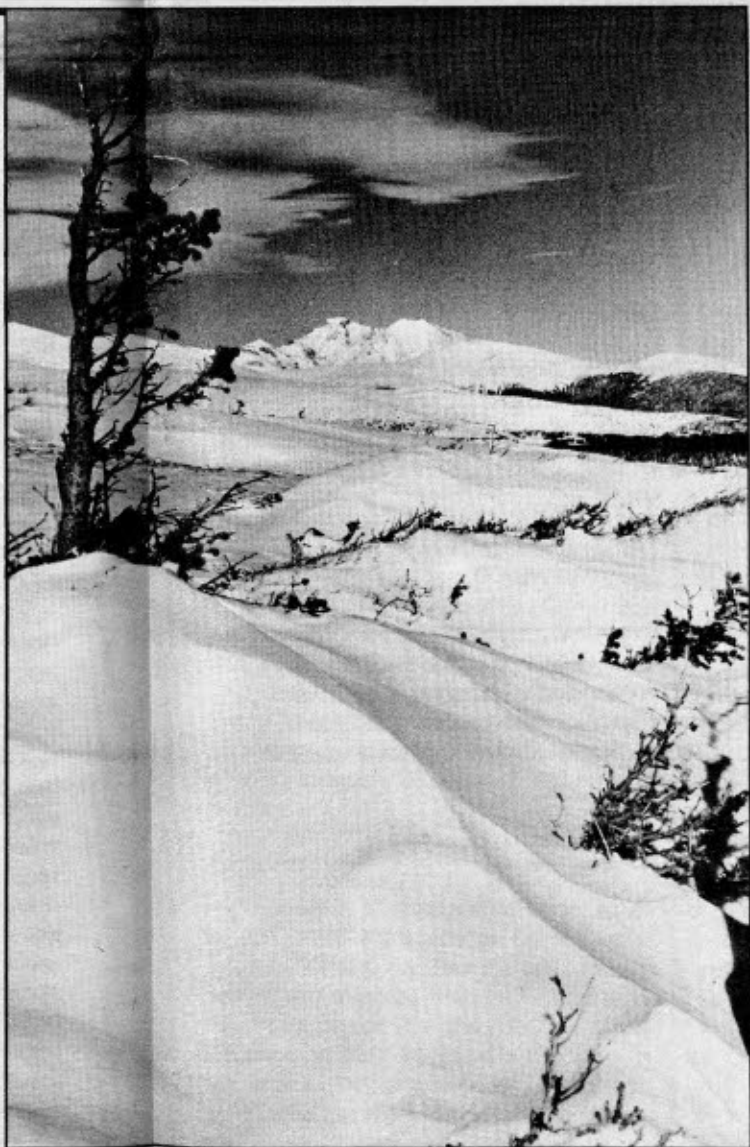
One day a snow field, the next open rock — winter conditions are never static on Niwot Ridge in the Colorado Front Range. In rare moments when the roar or murmur of wind against snow is silent, the world of the ridge has a scalloped serenity, and the sun's rays work their own patterns in and around the snow and rock.

Few signs of life are found on the open tundra of the ridge. Tree islands grow very slowly to the leeward and depend on enshrouding snow drifts for protection — exposed branches are killed by the abrasive, dessicating effect of blowing wind and snow that dominates in winter.

Much snow falls, but little stays. Some is lost to sublimation; more is blown into standing timber below the tundra, where it is stored in drifts for slow release in warmer seasons.

At its worst, the maelstrom of winter on the ridge can produce a wind chill factor to 80 below — and a rare beauty.

— Liz Caile



When cutting paperwork means

When the Reagan administration came to power, one of its first orders of business was an assault on that old conservative bugaboo, federal regulations. The president appointed Vice President George Bush to head up the Presidential Task Force on Regulatory Relief.

Targetted for review in March of 1981 were the regulations for the Forest Service's administration of the National Forest Management Act of 1976. Though the "old" regulations were only finalized in the fall of 1979, and only after long and bitter controversy, they were to have served as the guidelines for the forest planning process mandated by the NFMA.

Four years in the making, the old regulations were the product of many compromises between industry and conservationists. The tortured syntax of practically every sentence reflected this process, and whole paragraphs could easily be interpreted as meaningless technotalk by a skeptical reader.

Yet before even one complete forest plan emerged from the 1979 regs, there was the Reagan administration proposing changes to "clarify and simplify the planning process," as Douglas MacCleery, Deputy Assistant Secretary for Natural Resources and the Environment, put it. MacCleery is a political

appointee, the successor to Rupert Cutler, now with the Audubon Society, under whom the 1979 regs were written. Before taking his present job, MacCleery was a lobbyist for the National Forest Products Association.

In the game of Washington musical chairs, Cutler was out and MacCleery was in at a meeting held in Washington on February 22 of last year, where the Forest Service soft-pedalled the proposed changes. The first responses of the conservation groups' economics-oriented analysts, people like Peter Kirby and Gloria Helfand of the Wilderness Society, were uncertain but skeptical. After working for years to force the Forest Service to include economic analyses in its decision-making, the conservationists were dismayed to find the Reagan team retreating from the clarity of an economic concept like net present value to the vagueness of something called "net present benefits." Net present value is the sum of the benefits minus the sum of the costs, all discounted to the present using a realistic array of interest rates.

The more conservationists found out about the new proposed rules, the less they liked, even when Forest Service Chief Max Peterson tried to assure aroused members of Congress that his agency was only trying to "remove phi-

losophical material." Under pressure, Peterson even extended the public comment period to accommodate the remarkable public response to the changes.

Rep. Jim Weaver (D-Oregon) was particularly concerned, since his district faces the kind of bitter timber-or-wilderness fight that the forest planning process is supposed to help resolve. Weaver held hearings in April, 1982, before his House Subcommittee on Forests, Family Farms and Energy. The result was a joint House-Senate resolution demanding that the Forest Service hold a public meeting and also reconvene the Committee of Scientists, a group of resource professionals who had guided composition of the old regs.

So the Forest Service agreed to a second try at the beginning of the summer, calling a three-day public meeting early last July and agreeing on a return engagement for the original Committee of Scientists, though they insisted that the group now be known as the "Panel of Experts."

Arthur W. Cooper, Professor of Botany at North Carolina State University, was one of those experts and also moderator of a panel at the July meeting. Whether known as "experts" or "scientists," the group seemed quite impatient with the proposed changes.

Cooper summed it up, saying, "If it ain't broke, don't fix it." He added that some of the proposed revisions "change the intent of the regulations, and several so far that they effectively change congressional intent."

Not exactly in the vanguard of the radical environmental movement, even the prestigious and conservative Wildlife Management Institute said that the Forest Service was trying to "squeeze the new regs through a loophole in the law, apparently to permit rapid disposal of old trees." Peter Kirby of the Wilderness Society said that the testimony of those three days represented "a real rebuff for the administration."

The upshot of the whole process finally appeared in the September 30, 1982 *Federal Register*, along with a detailed commentary by Rex Hartgraves, head of the Forest Service's Land Management Planning Team.

What did the Reagan administration hope to accomplish through all this? And what did they in fact accomplish? Was it worth the thousands of hours and dollars expended? The answers to such questions depend on who you talk to, but one thing is clear: The president has chosen to try to redefine forest policy through regulation rather than legislation.

THE FOLLOWING IS A SUMMARY OF THE MAJOR PROPOSED CHANGES AND THE

Proposed: Complete omission of the "Principles of Forest Management" section of the old regs, which required interdisciplinary planning.

Result: Restored.

Proposed: Changes in the public review process and in public access to Forest Service draft planning documents. The most important of these review changes involves the difficult question of so-called "departures," or exceptions to the National Forest rule that timber must be managed on a sustained yield basis, providing an even flow of timber in perpetuity.

Result: Under the old regulations, the importance and the controversial nature of departures was recognized in the fact that only the Forest Service chief could authorize them. Under the new rules, departures may be treated simply as changes in the implementation schedule. The forest supervisor may now change the implementation schedule without a new environmental impact statement, if his budget somehow changes, and if the long-term effects of the changes do not differ from the effects of the non-declining even flow program. This means that forest plan analysts may be faced with two implementation schedules for the preferred alternative. One will be even flow, and one will permit departures from even flow if budget constraints change. Uncertainties about the meaning of the budget section will make economic analysis extremely difficult.

Proposed: The "analysis of the management situation" step in the forest planning process must now use the "benchmark" process.

Result: Doug MacCleery says that retaining this change was the main accomplishment of the whole process. The benchmarks represent the high and low bounds of various forest outputs. For ecological reasons, planners may not exceed these bounds when they set the maximum and minimum levels of management activities. These proto-alternatives determine the limits on the range of alternatives in the final EIS.

Proposed: Omission of the Forest Service's obligation to identify and explain its preferred alternative. Conservationists like the Sierra Club's John Hooper felt that this change would have forfeited a useful tool that focuses public scrutiny on the Forest Service's real intentions at the draft EIS stage. Another related change would have eliminated the requirement that all alternatives in an EIS be achievable.

Result: Original procedures restored.

Proposed: Substitution of Net Public Benefits (NPB) for Net Present Value (NPV). Forest Service critics like Randal O'Toole of Oregon's Cascade Holistic Economic Consultants, who have devoted years of effort to forcing the consideration of economics in forest planning, felt that the new term was too vague to be of much use to anyone. O'Toole feared that NPB was only a screen for a return to favoritism for commodities like timber and grazing that easily lend themselves to quantification.

Critics also feared this section's related proposal requiring the evaluation of gross revenues that go to the government. They claimed that this procedure ignored the costs, such as roading and reforestation, incurred in such revenue producers as timber harvest.

Proposed: Changes in wildlife management from indicator species management to selected species management. This proposal drew as much fire as any of the others. Almost no one agreed with the Forest Service's idea to substitute one for the other. In commenting on the proposed change, MacCleery said, "There could be less wildlife than you are used to seeing." And John Hooper of the Sierra Club interpreted the proposals to mean that the only protection remaining for fish and wildlife was that species would not be allowed to become extinct. Even the foresters' professional group, the Society of American Foresters, disapproved of this change.

In Wyoming, the new system would have amounted to habitat protection only for big game or the so-called "ice cream" species — at the expense of the equally crucial but less lucrative non-game species. The management indicator species system selects at least one key species for each significant life zone. It has proven to be a good way to protect all the species in a food chain, especially if the species selected is near the top of the food chain.

Result: The old language was restored.

Result: Even the Panel of Experts recommended a change to the old indicator species system, but with changes whose practical meaning is still unclear at this time.

cutting trees

by Tom Wolf

To many environmentalists, both the proposed and the final changes add up to the same thing: sabotage of the intent of NFMA. The list of agencies, groups, and individuals commenting on the 1979 regulations filled 10 pages in the *Federal Register*. The eventual total of comments on the new rules was 2020, including 88 percent from individuals, two percent from government agencies, one percent from industry, and five percent from environmental groups, plus inquiries from members of Congress.

Rex Hartgraves summarized their comments in the *Federal Register* when the new regulations appeared. "The majority of the comments were general in nature, addressing broad issues. About eight percent of the responses contained substantive recommendations... Most respondents viewed the proposed revisions as much more than 'streamlining.' When viewed as a whole, the revisions represented to most of those who wrote, an 'upsetting' of a carefully developed balance between environmental and industrial interests... Most felt that the substantive changes favored commodity output at the expense of multiple-use management. Language that had been deleted as 'unnecessary' apparently had great symbolic meaning to many people. The con-

cern, in short, was that, in the Department's desire to expedite planning and shorten the existing regulations, the basic purpose of the Forest and Rangeland Renewable Resources Planning Act and the National Forest Management Act of 1976, may have been compromised."

Debate will continue about the meaning and value of the new regs, but at least litigation has been avoided for now, and the proof of the pudding will appear in the 100 or so forest plans still to be drafted and reviewed in the next year or two.

It seems a shame that we will have no forest plans from the 1979 regulations, for they would have provided a useful comparison with plans developed from the new rules. In the meantime, whatever the net effect of the changes, it is clear that the consensus of the Carter years has collapsed. It is also clear that the Forest Service will continue to try to centralize its planning. One result of such centralization is that specific needs in some regions, such as those of the amenity-oriented national forests in the Rockies, are likely to be slighted by the commodity-oriented bureaucrats in Washington, D.C.

Tom Wolf is the director of the Wyoming Outdoor Council.

FINAL RESULTS:

Proposed: Weakening of the standards for determining timber harvest suitability. Randal O'Toole said, "This could add hundreds of thousands of acres of extremely low site lands to the national timber base." He pointed out that in many cases these poor sites have not even been inventoried by the Forest Service. In the past, O'Toole and others have insisted that the present standard be raised from 20 cubic feet per acre per year to 50. If implemented, this suggestion would have eliminated wilderness-timber harvest conflicts on most of the national forests.

Result: The suitability standards were completely eliminated. Doug MacCleery regards this as the other great accomplishment of the change effort, since it makes lands accessible to timber harvest that were not even available before. He points out that other considerations like accessibility are more important than site class in determining whether or not a stand should be harvested.

Proposed: A 5,000-acre minimum on wilderness area designations. The Society of American Foresters attacked this proposal, claiming that its language was vague and unworkable. Conservationists pointed out that the Wilderness Act itself contains no such limitations, and that the proposal would have eliminated wilderness designations for areas less than 5,000 acres but also contiguous to existing designated wilderness areas.

Result: No change. As the Society of American Foresters said, "Surely, additions or deletions of any size might appropriately be made to any existing wilderness areas."

Proposed: Elimination of the Integrated Pest Management (IPM) program. This seemed to many conservationists to invite a Forest Service regression to the old days of reliance on pesticides and herbicides to the exclusion of a mix of chemistry, biological controls, and common sense.

Result: No change. On the other hand, some observers pointed out that IPM is already required by the Forest Service Manual, and that its elimination from the regulations would have provided a good example of legitimate regulatory reform.

Proposed: Changing the production schedule for new forest plans from a 10 to a 15 year cycle.

Result: Done.



Bernard C. DeVoto Memorial Cedar Grove, Clearwater National Forest, Idaho

Looking for balance in Idaho's far north

"Our plan is a good compromise of recreational and timber values," said Gerry House, planning team leader on the Idaho Panhandle National Forest. By and large, conservationists agree with that statement, while the timber industry does not — making this forest plan something of an anomaly in timber-dependent northern Idaho.

The Panhandle National Forest, the northernmost in Idaho, contains within its 2.5 million acres not only prime timber-producing land but also herds of elk and deer, threatened species like mountain caribou and grizzly bear, thousands of acres of roadless areas and streams populated by cutthroat trout. Balancing conservationists' desires for protection of these resources with the powerful timber industry's demand for a steady supply of lumber at or above the current harvest level of 278 million board feet hasn't been easy.

Still, Liz Merrill, field organizer with the Idaho Conservation League, has been basically pleased with the process. On the whole, she feels that the draft plan's present preferred alternative "doesn't look too bad," and many of the planks of the ICL "conservationists' alternative" have at least been partially incorporated.

The plan is now in draft stage. Though no one outside the Forest Service has been able to read it yet, selected alternatives have been discussed openly with the public. The plan now is in Washington, D.C., awaiting approval by the chief of the Forest Service and the Department of Agriculture. The release of the draft is expected in May.

The plan calls for 141,000 acres of designated wilderness areas and 137,000 acres of roadless areas left

undisturbed for animal habitat and semi-private recreation, although the Long Canyon roadless area that environmentalists had hoped would be preserved is slated for multiple use and timber harvest. Timber harvest is being deferred in 40 watersheds that have erosion problems. Some old growth areas are being maintained. While ICL is still concerned that the objectives set by the Idaho Department of Fish and Game for increased habitat may not be fully met, road closures and improved timber-cutting practices are expected to enhance game habitat.

According to the draft plan, these conservation objectives would be achieved at the same time that the annual timber harvest level would be increased.

Although the proposed harvest level of 288 million board feet (mmbf) per year is well above the 200 mmbf level suggested by conservationists and 10 mmbf above the current harvest level, it is the timber industry that is most upset with the present draft of the plan.

Bill Mulligan, a logging manager for Potlatch Corporation, distrusts the forest's high harvest levels and said that "the timber industry is the big loser in the plan as it is now." He fears that by lowering the quality standards of sawlogs, assuming high budget levels and withdrawing so much land from timber production, the Forest Service will be unable to actually meet its annual timber targets.

He and other critics of the plan should get their next go at it in May. "There will be a lot of hot issues," Gerry House said.

— Bill London

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12-High Country News — March 4, 1983

Montana's Lewis and Clark plan gets bad reviews

Montana's Lewis and Clark National Forest includes portions of the spectacular Rocky Mountain Front along the east slopes of Montana's Continental Divide. The eastern third of the Bob Marshall Wilderness is in the Lewis and Clark, as are the isolated Highwood, Little Belt, Big Snowy and Castle Mountains that tower above Montana's central plains.

The Lewis and Clark also covers much of Montana's northern Overthrust Belt, where recent oil and gas activities have stirred up controversy over public lands management. But oil and gas concerns are beginning to pale in the recent controversy over forest planning in the state's 10 national forests.

Both Bill Cunningham of the Montana Wilderness Association and Montana Gov. Ted Schwinden (D) have issued strong letters criticizing the Lewis and Clark draft forest plan, the first in a series bound to enrage Montana conservationists.

In a detailed and strongly-worded letter to Lewis and Clark Supervisor Dale Gorman, Schwinden asked that the Forest Service drop its plans for a regulated timber harvest on the Rocky Mountain Front, and that more atten-

tion be paid to wildlife management in roadless areas.

MWA's Cunningham echoed many of Schwinden's comments on the Lewis and Clark plan, a document that Cunningham said is "hard to read, harder to believe."

Most upsetting to Cunningham is the Forest Service plan to carve roads into the Upper Judith Basin in the Little Belts and the Rocky Mountain Front, two areas that Cunningham and the governor agree ought to be left roadless.

"It's ironic that the Forest Service recommends non-occupancy oil and gas drilling along the Front, on the grounds that roads should not be built on steep and erosive slopes, then they turn around and recommend roading in the same areas to get at some marginal and uneconomic timber," said Cunningham. "While it's too steep for oil and gas drilling, it's not too steep for timber harvesting."

Moreover, the Forest Service has backed away from its 1977 position that the Big Snowies be recommended for wilderness, according to Cunningham. The other large area in the Lewis and Clark recommended for its wilderness values under the Montana Wilderness



Lolo National Forest, north of Thompson Falls, Montana

Study Act is the Middle Fork of the Judith. Cunningham notes that the only "good" parts of the plan are recommendations for roadless management in the Pilgrim Creek and Deep Creek drainages. Otherwise, the plan, according to Cunningham, is "abysmal."

He said that Forest Service officials have received so much criticism of the Lewis and Clark plan that they are now backtracking.

"They're offering to reduce the 1.5 million board-foot sale on the Front to one million feet per year and one mile of new road for every sale," said Cunningham. "But they maintain the same timber base of 400,000 acres. That means that they'll take a little longer to cut it. These are minimal and incidental changes, not substantive ones, and they will not appease the critics of the Lewis and Clark plan," he said.

But the Lewis and Clark is only one of four recently-issued draft plans that conservationists are attacking in Montana.

"All of the forest plans so far are horrible," said Cunningham. "The Lolo plan was bad, the Beaverhead worse, and the Lewis and Clark worse yet," said Cunningham. "We've just seen the Kootenai and it's the first plan so far to exceed timber targets" suggested by Washington.

The Kootenai plan recommends 12,000 miles of new roads on 1.5 million acres of forest. "That's one road every 300 yards — an awesome road density," said Cunningham. "I talked with John Crowell, the head of the U.S. Forest Service, about the Kootenai plan, and even Crowell, Mr. Timber himself, was startled."

— Don Snow

Recreation vs. firewood on Colorado forest

The eastern boundaries of the Arapaho and Roosevelt National Forests loom over the Colorado Front Range cities of Denver, Boulder and Ft. Collins. The gateway to these forests is within a few minutes to an hour's drive for most of the area's 1.5 million people. Not surprisingly, the forests rank 10th in the nation in recreational use.

However, in the final management plan for the two forests, expected to be released this spring, construction of new recreational facilities is not scheduled, despite predictions that demand for the facilities will rise dramatically. In contrast, timber production is scheduled to almost double in the coming years, while demand is expected to rise only one percent.

The Arapahoe and Roosevelt forests stretch from the Wyoming border on the north to as far south as I-70 as it heads out of Denver. The forests include almost 1.5 million acres, with 193,000 acres in the Pawnee National Grassland located northeast of Greeley. The forests contain seven wilderness areas,

seven downhill ski areas and the Arapaho National Recreation Area, which contains five major lakes and is heavily used by boaters. Nestled within the forests is Rocky Mountain National Park on the northern end and the Dillon reservoir, Colorado's largest, on the southern. In 1982, almost five million recreational-use days were recorded for the forests.

Despite all the attractions and heavy public use, the management plan for the forests will allow for only small increases in recreational services for the coming years. Because of budget cuts, the construction of new facilities and maintenance of existing facilities has been de-emphasized. Road closures are planned to discourage access into some areas of the forests. And although fewer facilities may discourage visitors, they may not. If not, the forests' already over-taxed facilities will become even more critical.

The draft management plan states that about one-half of the existing developed recreation sites — including campgrounds, picnic areas, boat ramps, scenic overlooks, trailheads and interpretive service centers — require some reconstruction.

Use of developed recreation sites has tripled since 1965 and current use exceeds the capacity by four percent, according to the draft. Use is expected to climb steadily and "by 1990, even the low projection of demand will be approximately 1.5 times the supply that would be available if current management emphasis on maintaining the existing capacity and improving sub-standard sites to original design conditions is continued. By 2030, demand will be more than three times greater than current supply."



Guord Lake, Indian Peaks Wilderness Area, Arapaho National Forest, Colorado

In the preferred alternative of the draft plan, as in all but one of the five alternatives, upgrading existing facilities is recommended, as is construction of new sites. But according to Bob Davis, forest planner for the Arapaho and Roosevelt forests, the final plan will not recommend new construction because of Forest Service budget cuts. Maintenance of old facilities will be a higher priority, but reconstruction will take place much more slowly than recommended in the draft plan.

Davis said the agency will also close several roads in the forests in an effort to cut back on maintenance of some areas and to discourage heavy use. He said he anticipates problems with those road closures because people who are used to using particular roads will expect to continue using them. The draft plan states that road closures will increase non-motorized recreation opportunities and protect wildlife habitat.

Despite the lengthy discussion of recreation in the draft, Larry Mehlhaff, program director of Colorado Open Space Council, accused the plan of being "driven by timber production levels" rather than recreation levels.

Mehlhaff is referring to the increased amounts of timber to be harvested under the new plan. Under the proposed action, for the next 10 years, the amount of commercial sawtimber

offered for sale will be about 50 percent higher than current levels although demand is expected to increase by only one percent. The plan states that the excess is "needed to accommodate fuelwood demand not accounted for in the demand study and to allow for the use of commercial timber sales as a management tool for achieving the objectives of the forest plan."

The fuelwood demand makes these forests unique, according to Davis. He said the final plan will call for a harvest of between 22 and 23 million board feet of timber per year. That figure includes some but not all of the fuelwood harvest. The current cutting level is about 15 million board feet per year.

Mehlhaff argues that these forests do not need to produce that much timber. "Colorado produces one-half of one percent of all timber," he said. "We're not cutting twice as much timber to meet the needs of the country." Mehlhaff blamed the increase on the production levels the forests are required to meet. "Putting this emphasis on the money to be made off the harvesting takes the emphasis off recreation," Mehlhaff said. "It's a narrow view of how much money can be made from harvesting for the agency as opposed to how much money recreation brings into the local economies."

— Carol Jones

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WYOMING WILDERNESS PUBLIC HEARING

The Bureau of Land Management, Rock Springs, Wyo. District, will hold a public hearing on a draft environmental impact statement on 13 wilderness study areas covering over 200,000 acres in southwestern Wyoming. The hearing will begin at March 16 at 7 p.m. in Room C-204 at Western Wyoming College in Rock Springs. Comments received will be considered in the final recommendations. Written comments will be accepted until April 15. For more information contact Joe Zilincar, BLM, Highway 187 North, Rock Springs, Wyo. 82901, or phone (307) 382-5350.

AGRICULTURE COMPUTING

A computer workshop for farmers, ranchers and other agricultural professionals will be held March 9-10 at the Snow King Resort, Jackson, Wyoming. Participants are expected to gain a basic knowledge of both large computers and microcomputers and how they fit into a farm or ranch business. There will be ample time for "hands-on" use of computers and computer software. For more information contact AGNET, Box 3354, University Station, Laramie, Wyo. 82071, or phone (307) 766-2107. Registration is \$75 per person or \$100 per couple.

OIL SHALE MANAGEMENT REGS

The Bureau of Land Management is seeking comment on the draft environmental impact statement for the federal oil shale management program in Utah, Colorado, and Wyoming. Proposed regulations have been published along with the draft EIS. The statement assesses the cumulative impact of oil shale development and production in the three state region for 1990 and 2000. Comments on the draft EIS and the regulations must be received by April 11. Questions and comments on the EIS should be directed to Jack D. Edwards, BLM, 555 Zang Street, First Floor East, Denver, Colo. 80228; phone (303) 234-6737. Questions and comments on the proposed regula-

tions should be directed to Donald W. Brabson, Branch of Tar Sands and Oil Shale, BLM, Washington, D.C. 20240; phone (202) 343-3258. Public information sessions and a public hearing on the proposed oil shale management regulations and the companion draft environmental impact statement for the oil shale management program are scheduled as follows: information sessions (tentatively) March 14 — Rock Springs, Wyo., 7 p.m.; March 15 — Vernal, Ut., 7 p.m.; March 16 — Grand Junction, Colo., 7 p.m.; March 17 — Denver, Colo., 1 p.m.; public hearing March 29 — 2 p.m. (approx.), Howard Johnson's, I-70 at Horizon Drive, Grand Junction, Colo. 81501, phone (303) 243-5150. For more information about the public information sessions contact Connie Albrecht at (303) 245-7047.

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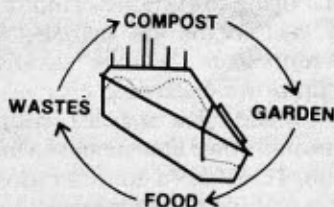
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Pursuant to W.S. 9-4-103(ii) NOTICE IS HEREBY GIVEN that the Industrial Siting Council intends to amend Chapter 1 Industrial Development Information and Siting Rules and Regulations. The proposed amendments apply to the following areas:

- Definition of gas processing plant;
- Definition of oil and gas producing and drilling facilities;
- Expiration of permits;
- Amendments to permit applications;
- Completeness of permit application;
- Annual reports; and
- Confidentiality.

Copies of the proposed amendments are available from the Office of Industrial Siting Administration, Suite 500 Boyd Building, Cheyenne, Wyoming 82002.

Comments and recommendations concerning these proposed regulations are invited and should be addressed to Richard C. Moore, Director, Office of Industrial Siting Administration.

Public hearings on the proposed regulations will convene at 9:00 a.m. on March 25, 1983 at the Tower West Lodge, 109 N.U.S. Highway 14-16, Gillette, Wyoming and at 9:00 a.m. on April 7 at the Outlaw Inn, Rock Springs, Wyoming. Persons desiring to enter an appearance at the hearing are urged to notify the Director, Office of Industrial Siting Administration, concerning the scope and extent of prospective testimony. At the hearing, the presiding officer will establish time limits for appearances.

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|---------------------|-----------------------------------|
| (1) APPLICANT NAME: | The Rissler and McMurry Company |
| MAILING ADDRESS: | P.O. Box 2499
Casper, WY 82602 |
| FACILITY LOCATION: | Washakie and Natrona County |
| PERMIT NUMBER: | Wy-0031836 (Lass Pit) |
| PERMIT NUMBER: | Wy-0031844 (Benson and Clark Pit) |
| PERMIT NUMBER: | Wy-0031852 (By the Way Pit) |

The Rissler and McMurry Company intends to open three separate gravel pits. Two of the pits (the Lass and the Benson and Clark) are located in Washakie County and the third (the By the Way Pit) is located in Natrona County.

Depending on water quality, water encountered in the pits will be discharged directly to the receiving stream (the Big Horn River for the Washakie County pit and the North Platte River for the Natrona County pits) or to settling pond(s) which will then discharge to the receiving stream. Both

STATE OF WYOMING PUBLIC NOTICE

receiving waters are Class II.

The proposed permits require compliance with effluent limits which are considered to represent best available treatment effective immediately. Self monitoring of effluent quality and quantity is required on a regular basis with reporting of results quarterly. The permits are scheduled to expire March 31, 1988.

- | | |
|---------------------|---|
| (2) APPLICANT NAME: | Banks Operating Company |
| MAILING ADDRESS: | P.O. Box 487
Gillette, WY 82716 |
| FACILITY LOCATION: | Banks Federal #2-22, NE 1/4, Section 22,
T45N, R67W, Weston County |
| PERMIT NUMBER: | Wy-0031861 |
| FACILITY LOCATION: | Banks Federal #5-22, SW 1/4, NW 1/4, Section 22,
T45N, R67W, Weston County |
| PERMIT NUMBER: | Wy-0031879 |

Facilities are typical oil treaters located in Weston County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharges are to Lone Tree Creek (Class IV) 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

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14-High Country News — March 4, 1983

OPINION

"Thus spake FORPLAN"

by Tom Wolf

The Resources Planning Act of 1974 and the National Forest Management Act of 1976 directed the Forest Service to improve its accountability to Congress and the general public. One of the

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tools the Forest Service has chosen to achieve this goal is the computer-based planning technique called FORPLAN.

FORPLAN (for "forest planning") is the most ambitious application of computer-based planning ever undertaken. In spite of its complexity, FORPLAN may help democratize forest planning if it is rightly used by the Forest Service and rightly understood by the public, especially by organized environmental groups. Those who can understand FORPLAN will benefit from it. Those who cannot will be left out of the planning process.

FORPLAN is a linear program. Linear programming (LP) is a mathematical technique for allocating limited resources among competing activities in an optimal manner.

Aside from its sheer scale, FORPLAN is also philosophically ambitious, since it claims to know what nature is (through its inventories) and what it ought to be (through its management prescriptions, scheduling, and allocation). No other culture has ever asserted such claims so confidently. Yet FORPLAN's great advantage is that it can predict the results of various management activities under conditions where it is admitted that: 1) resources are limited; 2) various activities are competing for limited resources; and 3) optimal decisions are desirable. Of course, all these assumptions follow the primary assumption that the inventory's version of "nature" is accurate. Then a final assumption remains: in FORPLAN, "optimal" is generally defined as "economically efficient."

But as Chris Leman, a policy analyst with Resources for the Future, has said, "The legal and technical objections to an exclusive commitment of land management agencies to a strict criterion of economic efficiency seem formidable... The efficiency model should always be consulted, but it cannot always be heeded."

"The final requirement for policy-making that no system of resource assessment and program development can fully supply is the leadership and consensus to choose one outcome over another. Many conflicts over natural resources require a political, rather than a technical solution. There is little disagreement over which actions will produce more wood, jobs, wilderness, clean water, and so on; the disagreement is in choosing among these results. No amount of data and analysis can substitute for decisions on the values that are at the heart of political decisions."

Consider a simple example. Suppose that the planners on your particular

national forest tell you that they made FORPLAN runs with "present net worth" as the objective function. Even if you understand these terms, would you be able to understand the planners, much less argue with them in a reasonable way, if they went on to say: "Our run shows that dispersed recreation will increase if we increase road construction, because roads give people better access to the land. And since road construction takes place where timber is harvested, the higher the harvest levels, the higher the value of dispersed recreation. Thus spake FORPLAN!"

A sure source of conflict among interest groups is the question of non-quantifiable benefits. Only those practices which can be well quantified should be included in a linear programming model such as FORPLAN. The users must be very conscientious about quantification procedures. They must realize that a complete and professionally done plan must contain far more than the computer program's allocation of prescriptions. What does not belong in the model in the first place will be seriously abused and distorted if it is fitted into the wrong place.

Model size is another problem. Size limitations, model costs, computer solution time, data and inventory gathering costs and updating, and storage requirements for data are all serious limitations.

There are other problems as well. The National Forest Management Act requires simultaneous solutions of many possibly conflicting objectives. In some ways, linear programming does meet these criteria, and in others it distorts and obscures them. Linear programs give only the optimal solution for each objective of interest. The one multi-objective optimization technique available, called goal programming, seemed promising a few years ago, but it has shown in practice all the disadvantages and liabilities of linear programming, along with many problems of its own.

Though the Forest Service uses linear programming to deal with a living system, the "fit" between the two is not good. FORPLAN freezes living, dynamic processes, so it can never deal adequately with the feedback mechanisms whereby living systems like national forests change and adjust to change. Linear programming assumes only a constant, linear rate of change.

FORPLAN's simplification of natural ecosystems generates management prescriptions that become self-fulfilling prophecies. Artificially simplified ecosystems are more likely to require intensive management, especially if planners direct to particular benefits (like short-term profit maximization) the energy and nutrient input of intensive management.

This is why it is discouraging to see the priorities proposed by the Forest Service for its fiscal year 1984 budget, which schedules large increases for timber sale administration and mineral development.

A linear increase in such intensive interventions into a natural ecosystem may lead to an exponential increase in adverse ecological consequences. If the interventions themselves increase exponentially (as in the case of oil and gas drilling and exploration on forest lands), then the ecological effects might well increase synergistically. Such is the stuff of ecosystem collapse. As good a forecasting tool as FORPLAN is, its built-in biases mean that its prophetic eye is blind to such apocalyptic events, since it handles neither exponentiality nor synergism.

Planners are visionaries and dreamers, even though their dreams might not be made of such catastrophic stuff. Budget analysts, on the other hand, stalk the dreams and waking hours of planners, constraining every plan. And then politicians ride herd on budget analysts, for there is a senator for every computer program, just as there is a senator for every forest. Planning and budgeting come closer daily.

Unfortunately, neither planning nor budgeting can teach us what we most urgently need to know about nature — how to "value" it in the philosophical sense of either imposing or discovering value where man and nature interrelate. FORPLAN may never give us authoritative insights into our noneconomic relations with nature. But it may also show us the limitations of imposing formal logical and mathematical demands on our relations with nature. Knowledge of those limitations would be a valuable thing to poets and artists, whose work should pick up very close to where FORPLAN leaves off.

With all its pretensions to the "science" of forestry, the Forest Service is deeply uneasy with knowledge that can't be quantified precisely, and that might be one of the reasons it has embraced FORPLAN so enthusiastically. It is a long way from landscape architecture's formalities to that other, deeper world of aesthetic experience.

Historically, the notions of "science" and economic efficiency that drive FORPLAN are close to Gifford Pinchot's old European idea that we should work all the land all the time to achieve maximum sustained yield of commodities. Pinchot was an educated man, and it is no accident that his autobiography is full of references to Milton's *Paradise Lost*,

where mankind loses its pleasuresome and aesthetic relationship to nature in favor of a relationship defined by work. This is the way culture becomes silviculture.

Pinchot's position assumes that land is scarce, which may or may not be as true under American conditions as it is or was in Europe. In any case, it is a magnificent example of "seeing" or "valuing" the New World through the eyes of the Old World. Scarcity assumptions on the part of the Forest Service have led to attempts to intensively manage land which could not physically respond to such intensity, or "responded" much as a nonrenewable resource does when progressively mined out.

Foresters seem ambivalent about economics and economic efficiency. Forest Service personnel levels have been relatively constant since the mid 1960's. During this time, however, the Forest Service's budget has grown significantly, even in absolute terms, to today's \$2 billion. Increasingly, the extra money has been channeled into planning, contract administration and timber harvest, as opposed to environmental concerns like reforestation and timber stand improvement.

So the Forest Service has been striking a progressively more perilous bargain with Congress and with various budgeting agencies, stubbornly holding onto the primacy of timber harvest at the price of a grudging surrender of its professional discretion to legislation like NFMA and its associated regulations. These trends may reflect a growing lack of public trust in the Forest Service's ability to justify its expenditure of so much public money in intensively managing the nation's forests.

Does FORPLAN contribute to this trend? After all, its choice was not inevitable, and it has come under increasing fire from within and without the Forest Service. FORPLAN II, the new and improved version, is supposed to answer critics' concerns by permitting more tailoring to the needs of individual forests. Yet in the last analysis, FORPLAN represents the most significant centralization of planning ever undertaken outside of a socialist country. Aside from its own limitations as a linear program, FORPLAN's concentration of decision-making power may well be its greatest significance.

Ironically, as much as FORPLAN centralizes, so does it also democratize, since its vast powers of information synthesis and projection over time are available to anyone who can understand and use them. Whether environmentalists will be among this select group remains to be seen. Also remaining is the question of whether environmentalists, who ought to know something about values, can find a place for those values in the computer picture of the world given to us by FORPLAN.

+++

Tom Wolf is the director of the Wyoming Outdoor Council.

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(continued from page 13)

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

(3) APPLICANT NAME:
MAILING ADDRESS:

FACILITY LOCATION:

PERMIT NUMBER:

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 Alkali 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, 1983.

(4) APPLICANT NAME:
MAILING ADDRESS:

Exxon Co., U.S.A.

2000 Classen Center-East
Oklahoma City, OK 73106Graham Unit #20, SW 1/4, Section 15, T37N, R89W,
Natrona County

Wy-0031828

Mineral Resources & Engineering

P.O. Box 772856

Steamboat Springs, Colorado 80477

FACILITY LOCATION:

PERMIT NUMBER:

Facility is a typical oil treater located in Crook County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Mule Creek (Class II W.W.) 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, 1984.

(5) APPLICANT NAME:

MAILING ADDRESS:

FACILITY LOCATION:

PERMIT NUMBER:

Facility is a typical oil treater located in Crook County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Rush Creek (Class IV) via an unnamed drainage. The discharge must meet Wyoming's

Wagner E Lease, Tank Battery #2, SW 1/4, SE 1/4,
Section 1, T49N, R66W, Crook County
Wy-0031887

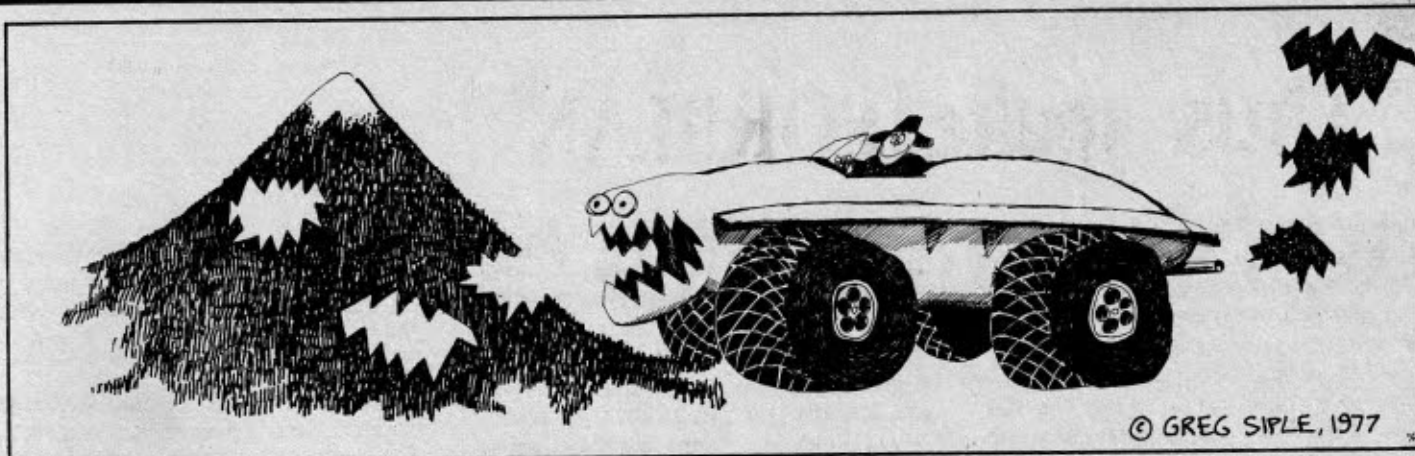
Energy Reserves Group

P.O. Box 3280

Casper, WY 82602

Elizabeth "B" Hoffine Lease and L.H. Robinson "F"
Lease, Section 5, T49N, R67W, Crook County

Wy-0025682



ALL-TERRAIN VEHICLE

Whose land is it, anyway?

by Peter Iverson

Whose land is it, anyway? The latest effort by the federal government to rid itself of part of the public domain is but the latest chapter in an enduring saga.

GUEST EDITORIAL

While it is easy to take aim at Wyoming's contribution to the Reagan cabinet, the issue clearly predates Interior Secretary James Watt. Even before Teapot Dome, the matter of the public lands has bedeviled the American West and the American nation.

From the viewpoint of the historian, the terms "private" and "public" seem misleading. The so-called private sector within the American West has not been and will never be entirely separate from the federal government and its various agencies; the much-maligned feds do not operate in some vacuum totally removed from the desires or needs of individual citizens or corporations.

To be sure, there is always posturing to the contrary. The dean of Wyoming historians, T.A. Larson, has observed cheerfully that the people in Wyoming tend to look upon the United States as a foreign country. Westerners in general view southern New Jersey with the same kind of enthusiasm they reserve for strange creatures that emerge from the swamp. Emissaries for the Potomac speak about the "public good" or the "public well-being," as if to imply that all federal actions are absolutely even-handed and never serve special interests.

Such illusions of separation, independence and equity may not be hazardous to one's health, but they should certainly be appreciated for what they are. For better or for worse, the fates of the West and the rest of the country, the roles of "private" and "public" interests are as intertwined as the strands of a rope. That interdependence rankles, but there it is.

Why the outcry over the sale of isolated parcels of the public land? Perhaps we may turn to that venerable, crusty west Texan, Walter Prescott Webb, for part of the answer. Writing in the depths of the Depression, he suggested that "American democracy was founded on government relief and that it existed for many classes until 1890." Webb called the public domain "the original relief fund of the United States, and by far the

greatest that the country has had." The frontier's glamor, in Webb's eyes, thus altered the person who received 160 acres from the government from "a reliefer" to "a heroic soul who braved the perils of the frontier in search of a home."

With the close of the frontier, the government's role in the West had to continue and indeed to expand. Irrigation is but one of many cases in point. In Wyoming and elsewhere, the federal government bailed out the beleaguered citizens after private and state initiatives had failed. To recognize that the West has been, as historian Joe Frantz once phrased it, a child of subsidy, is not to make more ignoble.

What most proponents of any variation of the Sagebrush Rebellion do not recognize or will not admit is that the federal government has often been a rather unwilling landlord. When the Hoover administration proposed returning certain public lands to the states, representatives like Idaho's William Borah rejected such acreage "on which a jack rabbit could hardly live" and, noting federal preservation of forests and minerals, labeled the offering "skimmed milk." And in 1904, that intrepid Indian Bureau inspector, James McLaughlin, negotiated an agreement with the Shoshone and Arapaho of the Wind River Reservation in Wyoming to open part of that reserve to settlement by outsiders. Despite grandiose predictions to the contrary by boosters such as Riverton attorney Fenimore Chatterton, most of the land was not purchased, even at most inexpensive prices. The land not sold remained as part of the reservation, held in trust for the Indians by the federal government.

Even if the public land often could be defined as the land no one (Indians generally being excluded) wanted, even if parks and other entities came to be only because they weren't good places to grow corn, the resulting legacy had become precious to a nation no longer blessed by a frontier. The public lands, after all, do help make the West different from the East. But a fundamental tension has inevitably remained, precisely because in a day of diminished opportunity, the public domain has endured as the relief fund that would once again bail us out.

One can argue that some of the public land the government proposes to dispose of is hardly worth the fuss. That that may be true on one level is a tribute

to the degree to which private land holdings are already keyed to the use of intertwining public lands. Yet ease of administration and federal financial woes should not be permitted to emerge as the dominant issues in this debate. For if they are once allowed to do so, they will crop up time and again. Few things are certain in this life, but administrative problems and financial shortfalls seem reasonable bets for perennial bloom.

Equally we can always rely on feverish formulation from representatives of the not-so-private sector and not-so-free enterprise that, in the words of Tuscarora, Nevada's Dean Rhoads, "God made the earth and put man on it to use the land and its resources, not to lock it up." What we must realize is, as Benjamin Horace Hibbard wrote in 1924, there really is "no genuine land policy in and for the United States." The New Deal has come and gone and the world has changed dramatically over the past six decades, but our land policy is still characterized by drift and indecision, with crises and events dictating in the immediate what we do in the future. The federal government may be ubiquitous, but it is not as powerful and separate as we might want to believe.

What the debate over the sale of the public lands asks of us is as unsettling as it is central. Whose land is it, anyway? To answer that question, we must ask ourselves nothing less than what kind of country we want, and, like it or not, what kind of government we must have for our nation to evolve in those directions. To do otherwise is not to take responsibility for the collective future we bequeath to our children.

Peter Iverson is associate professor of history at the University of Wyoming. Past chairman of the Wyoming Council for the Humanities, he has recently written *The Navajo Nation* and *Carlos Montezuma and the Changing World of American Indians*.



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.

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, 1984. (6)

(6) APPLICANT NAME: TOWN OF PAVILLION
MAILING ADDRESS: P.O. Box 37
Pavillion, WY 82523
Fremont County
FACILITY LOCATION: WY-0020222
PERMIT NUMBER: WY-0020222

The wastewater treatment facility serving the town of Pavillion consists of a single-cell non-aerated lagoon which discharges to the Pavillion - Ocean Lake #6 Drain (Class III Water).

The proposed permit for this facility requires only that the existing facilities be operated at maximum efficiency until the Town is offered Federal construction grant funds which means the wastewater treatment facilities must be upgraded to meet Federal effluent standards and Wyoming's In-Stream Water Quality Standards. The proposed permit includes limitations on BOD5, Total Suspended Solids, Fecal Coliform Bacteria, pH and Total Residual Chlorine.

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

The permit limitations for the parameters fecal coliform, and total residual chlorine are based upon the following:

1. Projected design discharge volume - .061 MGD.
2. Q7-10 of receiving stream - .78 MGD.
3. In-stream Water Quality Standard for fecal coliform 1,000/100 ml (May-September only).
4. In-stream Water Quality Standard total residual chlorine - .01 mg/l.

The proposed permit requires monitoring of effluent quality and quantity on a regular basis with reporting of results quarterly. The permit is scheduled to expire March 31, 1988.

STATE/EPA TENTATIVE DETERMINATIONS

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

PUBLIC COMMENTS

Public comments are invited any time prior to April 5, 1983. 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 April 5, 1983 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-83-003



Overview...

(continued from page 7)

one-time harvest of certain old-growth stands that would otherwise die and be lost to human use. However, the 1979 regulations broadened the basis for departures to include concern about the well-being of local, timber-dependent economies and the need to meet RPA targets.

Even at that, however, departures were still very much the exception to the rule and had to be approved by the Forest Service chief. According to Randal O'Toole of Cascade Holistic Economic Consultants and *Forest Planning* magazine, the new rules change all that, making it possible for a departure to be regarded as a simple change in the "implementation schedule" of a given alternative in the event that additional funds became available. Since "the environmental effects of a departure are almost entirely short-term, not long-term...an EIS would not be written."

According to O'Toole, Forest Service officials have denied that this will happen and the Wilderness Society's Peter Kirby also sees it a somewhat unlikely possibility. His concern is with the departures themselves and the fact that they can cause great ecological damage while simply postponing the day of reckoning for timber-dependent communities. It can be argued, in fact, that two or three decades of departure harvests could actually harm those communities by allowing them to become more dependent rather than less.

A final nagging problem that has worried environmentalists throughout the planning process is the protection of wildlife, whose fortunes seem to have taken a radical turn for the worse in the regulatory revisions of last fall. The 1979 regulations required that wildlife habitat for "indicator species" — populations whose health could be used as an indicator of the health of their ecosystem — be either maintained or improved. Now, according to Kirby, the new regulations permit reductions in the population of indicator species so long as they still remain "viable." But "viability" can be a political question, as well as a biological one, since what you know about the health of a species is frequently contingent on how much money you're willing to spend to find out.

And budgeting, as always, is the final arbiter of politics. "In the end, it's the budget process that determines whether (the plan) will be carried out," said Peter Kirby. "If you lose the forest plan, you can still win the budget. And vice versa." □

Do it yourself

A guide to reviewing National Forest plans

by Randal O'Toole

The National Forest Management Act of 1976 (NFMA) led to major changes in the process of planning for the future of the 154 national forests. The act prescribed a number of steps which forest planners must take. Additional requirements are found in regulations issued in September, 1979, and revised last October. In addition to being aware of these legal requirements, you may want to look for some of the following problems.

Economics

Perhaps the most important new aspect of forest planning is in the area of economics. Past Forest Service management usually ignored economic efficiency, and studies have shown that many national forests, particularly those in the Rocky Mountains, provided heavy subsidies to the local timber industry.

Everyone agrees that NFMA requires improved economic analysis in planning, but few agree just what that means. To environmentalists, it means that forest lands which lost money when managed for timber should be removed from cutting. To the timber industry, it means that more money should be invested in timber regardless of environmental costs because monetary values often cannot be placed on environmental resources.

But to the Forest Service, it means business as usual. In fact, the economic language might as well not exist in NFMA. The Forest Service is doing what it calls a "cost efficiency" analysis. This means that it will spend the least amount of money necessary to produce the amount of timber and other resources that it has previously decided to produce — even if it means losing money on most of the timber program.

This differs from what most people think of as efficiency ("benefit-cost efficiency"), which requires that activities take place only if their benefits are greater than their costs. As a result, the timber "targets" which were selected prior to any economic analysis will prevail over any benefit-cost efficiency arguments.

The Forest Service also makes some questionable assumptions when it places values on timber and other resources. These assumptions often lead to the conclusion that the more timber cut the better. For example, the San Juan National Forest, in Colorado, loses money on most of its timber sales. Yet the forest plan claimed enormous benefits from timber.

To reach this implausible conclusion planners assumed that timber prices would continue to increase at the same rate predicted during the peak of the mid-1970s housing boom. Since the plan was a 10-year plan they increased the stumpage prices of 1979 by 67 percent because of this supposed price increase, to bring prices to a base year of 1985. At the same time they assumed that the costs of timber management would not increase at all. In fact, prices have dropped dramatically and are not expected to greatly increase, while costs steadily continue to rise.

Many plans also presume that roadless recreation has the same value as roadless recreation, but that the amount of recreation will increase by 20 to 30 times when roads are constructed. Since road construction is also needed for timber, the Forest Service's computer model, FORPLAN, will want to build roads everywhere to get the recreation benefit even if timber loses money.

Questions to ask

- ☐ Does the environmental impact statement contain an alternative which attempts to be as benefit-cost efficient as possible, insuring that no projects will lose money?
- ☐ Does the EIS show the benefits and costs of each alternative broken down by resources such as timber, recreation, and grazing?
- ☐ Does the plan display the values which were assumed for timber prices and management costs? Are those values reasonable in light of today's market for timber?

Timber

NFMA was originally written in response to controversies over clearcutting and other timber harvest methods. For this reason it contains specific language on these "silvicultural systems." For even-aged management (including clearcutting, seed tree cutting and shelterwood cutting), forest plans must show that the cutting methods chosen are "optimum" for the forest. They must also limit the size of each cutting unit and insure that two units are not placed side-by-side until one has been reforested.

These requirements are neglected in many forest plans. Some do not even identify if and where clearcutting and other even-aged management is to take place. Those that do often fail to consider alternatives or describe why one cutting system was selected over another.

An important part of forest planning is establishing the allowable cut or "programmed harvest" level. To do this the planners must know how fast trees will grow in the future. This is described in a set of "yield tables" which show for each forest type how much volume will be produced at different ages given different practices like thinning and hand planting.

Standard or "normal" yield tables have been prepared by the Forest Service for pure, fully-stocked stands of ponderosa pine, Douglas fir, and other species of timber. Unfortunately, these tables only remotely apply to many of the national forests, which contain a complex mixture of species and which often are not capable of being fully-stocked because of low rainfall or other site problems.

These subtleties are often ignored by forest planners, who base their yield tables on normal tables which sometimes are totally inapplicable to the national forest and which sometimes are only partially inapplicable. Many forests have been found to be overestimating future productivity by a third or more. This has a profound effect on the allowable harvest level because the "even flow" policy limits current harvests to the rate of future timber growth.

Plans rarely disclose how the yield tables were developed, and never display them. Outside of western Washington, northwestern Oregon, and the southeastern United

States, where yield tables are fairly scientific, reviewers should suspect that Forest Service yield tables may be rather speculative.

Questions to ask

- ☐ Does the plan demonstrate that the cutting methods selected, such as clearcutting, are the best for the forest? Is scientific literature supporting the selection of cutting methods cited in the bibliography?
- ☐ Does the plan limit the size of shelterwood cuts or just clearcuts?
- ☐ Is a map included showing the location of high, medium and low quality timber lands?
- ☐ Are the assumed relationships between timber and other resources like water quality and recreation displayed?
- ☐ Are timber yield tables described or displayed? Are sources cited in the bibliography?

Wildlife

Timber and other forest management activities have major impacts on wildlife, and NFMA requires planners to protect wildlife species. The Forest Service has decided to do this using a system called "management indicator species." Forests are to identify major habitat types such as old growth or riparian areas, and select a management indicator species to represent each type.

The indicator species should have the largest range of any animal which uses that habitat type to insure that animals with smaller ranges will also be protected. Indicator species can also be selected to represent water quality and other values. In addition, all federally listed threatened and endangered species should be indicator species.

While forest plans usually (but not always) identify which species have been chosen to be management indicator species, they rarely describe how that selection was made. The species selected are frequently inappropriate, and sometimes no species is selected to represent an important forest type.

One forest, for example, had two major timber types, mixed conifer and lodgepole pine. The goshawk, which was selected to represent old growth mixed conifer, requires only 40 acres of old growth per breeding pair. Another bird on the forest, the barred owl, requires 300 acres of old growth per pair but was not mentioned in the plan. No species was selected to represent old growth lodgepole pine.

In short, many plans are using the management indicator species system to obscure the fact that many species of wildlife will be severely impacted by proposed plans. Plans do not even list wildlife species which were not selected as indicator species, much less describe their habitat requirements or how they will be affected by the plan. Most frustrating, the effects of the plan on indicator species are often described in terms of "acre equivalents" of habitat, giving the reader no clue as to how many animals will survive in the long run.

Questions to ask

- ☐ Is a list of all wildlife species found on the forest provided?
- ☐ Are management indicator species included for each forest type? Does the plan demonstrate that no significant habitats were ignored?
- ☐ Does the EIS describe the effects of alternatives in terms of numbers of each species or simply in terms of acres of habitat?

Water

Quality water is another resource which is heavily affected by timber management. Past Forest Service managers bragged that they made greater efforts to protect water quality than were made on private lands. But today many plans hardly mention water quality. Some national forests simply make the assumption that if they meet local forest practice standards established by the states that they will automatically produce clean water.

Questions to ask

- ☐ Is a management indicator species identified for water quality?
- ☐ Does the plan provide for protection of flood plains and wetlands, especially from erosion and sedimentation?
- ☐ Does it protect areas 100 feet from the edges of all perennial streams?

Process

Forest plans, which are supposed to describe how the forest will be managed for the next 10 years, are accompanied by EISs which are supposed to describe the alternatives which were considered and display their environmental effects. Sound alternatives are crucial to the planning process, since they give the public and the decision-maker an idea of how forest management might be improved.

But forest plans embrace thousands of various decisions, while the number of alternatives presented is usually limited to six or eight. Alternatives must be carefully prepared to show how changing one of these decisions will change the results of the plan. Many plans contain alternatives which are really just "straw men" — alternatives developed to make the proposal look good.

Questions to ask

- ☐ Is the process of formulating alternatives described?
- ☐ Do the alternatives make it possible to estimate the effects of changing one part of the plan — say, changing the allocation of one roadless area from timber to wilderness?
- ☐ Is the rationale for selecting the preferred alternative over the others described?

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