High Country News

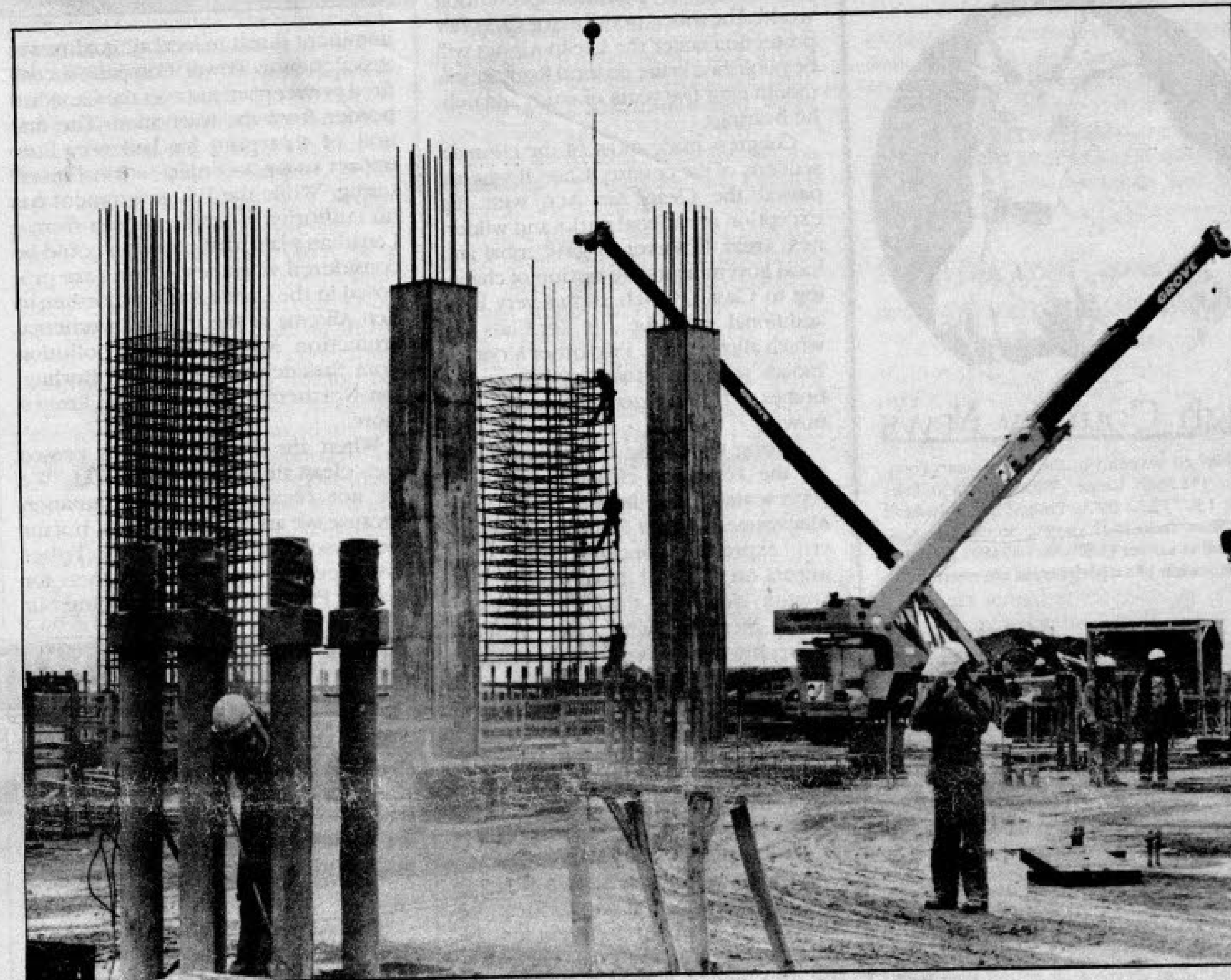
Friday, April 1, 1983 Vol. 15 No. 6 $1.00

FOREST SERVICE LANDS FOR SALE
A SPECIAL SECTION INSIDE

The Intermountain Power Project

Utah's regulatory riddle

by Jess Funk



Intermountain Power Project

Should the multi-billion dollar Intermountain Power Project be regulated by the Utah Public Service Commission? Although the controversy surrounding that question has raged for more than three years, it has never been answered conclusively.

The governor, the attorney general, the Public Service Commission, a state consumer committee and Utah Power and Light Company have all examined the issue and each has prepared a separate legal position on it. The attorney general says no, the project shouldn't be regulated; all of the others say it should.

At the root of the question is the special status IPP enjoys under Utah law, which allows it to issue tax-free, low-cost municipal bonds for construction of the project. If regulated, project supporters fear the project would be hard to finance and might even fail.

The Intermountain Power Agency, which governs IPP, has fiercely resisted any spectre of state regulation over the power plant. IPA is a consortium of 29 Utah and California municipal utilities, six Utah rural electric cooperatives and Utah Power and Light Company.

Under Utah's constitution, municipal operations, including power generation, are exempt from state regulation. IPA officials maintain that under the Utah Interlocal Cooperation Act, enacted by the state legislature in 1977, IPA gained special status as a political subdivision of Utah. IPA has operated as if it were a "quasi-municipality," meaning it is financing IPP by issuing cheaper, tax-exempt municipal revenue bonds.

Regulation by the PSC would mean the planning, financing and operation of IPP would be scrutinized by the PSC. Without regulation, there is no continuing state review of the project. As the single largest public works project in the state's history, it represents tremendous impacts in terms of the environment, jobs, natural resources and financial obligations.

Furthermore, if IPA were subject to the authority of the commission it might place its status as a quasi-municipal entity in enough doubt that the agency could eventually lose its capacity to market the cheaper municipal bonds.

IPA members insist that as public power operators they are already responsible to the voters in their cities, towns and cooperatives. And they say that is regulation enough.

The IPP project is now in the best position it has been since IPA began over a decade ago. By cutting the size of the electric power plant, located 10 miles west of Delta in central Utah, from its original 3000 megawatts down to 1,500 Mw, IPA reduced the project's costs from $11.2 billion to $5.8 billion, making it more financially viable.

IPA is proceeding with the bond sales needed to continue the construction program already under way. The bonding process had been delayed, in part because of the regulatory issue, since December, 1981.

By far the primary concern for IPA is that state regulation would hamper its bond sales. When UP&L or any other regulated public utility in the state proposes to sell securities, it must gain the approval of the Public Service Commission. This is one way the commission can review the need for a utility's construction program and other business operations.

IPA feels such a review would slow down its multi-billion dollar bonding scheme. The project has already sold $2.4 billion in bonds, $900 million of it in the past month.

According to IPA spokeswoman Ann Garrett, IPA plans to market large issues of around $400 million every three to four months until is is fully financed for $5.8 billion, sometime in 1985. "If we had to go before the PSC every time we wanted to sell the bonds, the delays could be disastrous. We need the flexibility to get into the market at the time when interest rates are best," Garrett said.

Another element in the IPP jurisdictional puzzle has been the continuing saga of the Washington Public Power Supply System default on $7 billion in municipal bonds for construction of five nuclear powered electric generators.

When WPPSS began to slide, the attorney general, the PSC and the state consumer committee began taking a closer look at IPP and its financial stability. Both projects were subject to the same troubles: namely, skyrocketing construction costs caused largely by rising interest rates for bond financing. At the same time, there was a nationwide decline in electric power demand.

One Utah regulatory offical said last summer that IPP would produce "the most expensive coal-fired generated power in the country." At that point the total cost of IPP had risen from around $4 billion in 1978 to $11.2 billion. Suddenly the need for expensive IPP power was highly questionable.

While the financial requirements for IPP are enormous, the jurisdictional question and accompanying legal matters are still unresolved. The body of legal arguments prepared over the regulatory issue raise considerable doubt as to whether or not the 1977 state law allowing the development of IPP would stand up under a court challenge of Public Service Commission review. If IPP lost any of these skirmishes, its whole financial framework could blow apart.

So far, however, IPP has won against all comers. Last September, Utah Attorney General David L. Wilkinson issued a memorandum stating that IPP was free of regulation by the Public Service Commission. The memo said the state legislature, in passing the Interlocal Cooperative Act, specifically wanted to allow the development of IPP outside of PSC jurisdiction. Legislators who sponsored the 1977 law have said it was their intention that IPP be unregulated.

The attorney general's memo is based largely upon interpretation of that legislative intent and stands as the most official legal word on the issue. However, the other sets of legal arguments dealing with the status of IPP reach dramatically contrary conclusions.

The earliest analysis of the IPP matter was made almost three years ago — before Wilkinson's election. Prepared by Utah State Division of Public Utilities staff counsel James L. Barker, the analysis is in the form of a draft petition asking the PSC to "exercise jurisdiction and regulation over the Intermountain Power Agency."

The document asked the commission

(continued on page 12)

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).

Articles appearing in *High Country News* are indexed in *Environmental Periodicals Bibliography*, Environmental Studies Institute, 2074 Alameda, Padre Serra, Santa Barbara, California 93103.

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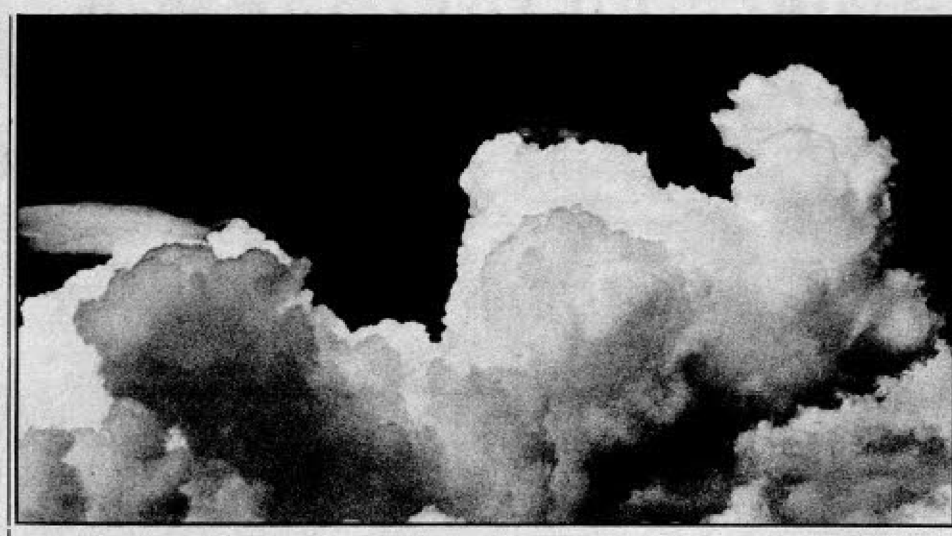
Advertising information is available upon request. To have a sample copy sent to a friend, send us his or her address. Write to Box K, Lander, Wyoming 82520. ISSN: 0191-5657.

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

Reservation gains clean air status



David Spear

The Assiniboine-Sioux Tribes of the Fort Peck Reservation in northeastern Montana will soon join the ranks of the elite in the air pollution prevention world. The tribes' petition for Class I air protection under the Clean Air Act will be published in the Federal Register this month after five years of study and public hearings.

Congress made most of the clean air sections of the country Class II when it passed the Clean Air Act, with the exception of national parks and wilderness areas. However, it gave tribal and local governments the option of changing to Class I, which allows very little additional pollution, or to Class III, which allows more. Two other Montana Indian tribes are the only governing bodies to have utilized that power until now.

During the public comment period on the Fort Peck clean air decision, representatives of the Bureau of Land Management and of Burlington Northern expressed concerns about the impact on area coal development. Burlington Northern, through its subsidiary, Meridian Land and Minerals Company, owns coal under several hundred miles of land near the reservation and plans to build a synthetic fuels plant. Monitoring indicates that two alternative sites for the plant would be precluded by the reservation's Class I status. The favored site at Circle West would probably not be affected since it is downwind of the reservation.

A spokesman for the BLM in Montana said the redesignation would foreclose options for tribal development and for development of federal coal. The coal in the area, lignite, is best suited for use directly by power plants or synfuels plants because of its low heat value and its tendency to ignite spontaneously, according to the BLM. The BLM said the two highest development levels considered for coal in the Fort Union coal region would violate Class I limits on the reservation.

When the tribal council passed its clean air resolution in 1978, the most imminent threat to local air quality was Saskatchewan Power Company's coal-fired power plant just over the Canadian border from the reservation. The first unit of that plant has had very little impact so far, according to tribal monitoring. While the U.S. government has no authority to limit pollution from a Canadian plant, that pollution could be considered when new sources are proposed in the United States, according to Ken Alkema of the U.S. Environmental Protection Agency. Thus, if pollution from Saskatchewan increases, Burlington Northern's plans could be limited more.

When the Fort Peck tribes passed their clean air resolution, they said, "We are not requesting this redesignation because we are against progress, but for the reason that the Fort Peck Tribes have been struggling for progress for years ... Progress means developing our environmental resources in renewable and compatible manners, such as our agriculture and irrigation projects ..." Currently there is extensive oil and gas but no coal development on the reservation.

The Northern Cheyenne Tribe won its redesignation in 1977 and the Salish-Kootenai Tribes in 1982. Through court action, the Northern Cheyenne succeeded in forcing utilities to strictly limit emissions from the Colstrip coal-fired power plant north of the reservation. The U.S. Supreme Court confirmed the tribe's authority in December, 1981.

Meanwhile, the Spokane Tribe of Washington state has passed a resolution to initiate a Class I study. Washington Water Power Company plans a four-unit coal-fired power plant near the reservation's recreation area.

— Marjane Ambler

BARBED WIRE

Honesty in politicians is so welcome. Colorado State Sen. Harold McCormick (R-Canon City), quoted in the *Denver Post*: "The only problem I've had (with the press) is when I've said something dumb and they quoted me accurately."

We were pushing for Steve Symms. The Idaho legislature has voted an extinct horse as the state fossil.

Government should always rely on experts. The Environmental Protection Agency hired TRW Inc. to study the causes of pollution at certain hazardous waste dumps. TRW, it turned out, was one of the companies responsible for creating pollution at one of the sites it was investigating, according to the *Wall Street Journal*.

Next thing you know it'll be Radio Free Canada. The U.S. Department of Justice has declared that two Canadian documentaries on acid rain are "political propaganda" because they point out that half of Canada's acid rain is caused by emissions from U.S. smokestacks. Under the ruling, the federal government must be supplied with the names of all persons who receive copies.

Yeah? Well, your mother wears combat boots! W.C. Watson, M.D., professor of medicine at Victoria Hospital in London, Ontario, has found that people who play bingo regularly may develop a malady known as Bingo Brain. The symptoms are chest pains and feelings of confusion.

Dear friends,

This issue marks the last one in which our current intern, Jess Funk, has had a hand. Jess, who is also known as Tim, wrote our front page story on the Intermountain Power Project and has otherwise been a whirlwind of activity ever since he got here.

Funk was raised in Salt Lake City. Prior to serving his sentence at *High Country News*, he was the director of the Utah State Coalition of Senior Citizens for five years. He initially became interested in *HCN* through his work with the seniors on utility/consumer matters. "A lot of that work had to do with energy development and natural resources," he said. "*HCN* became a regular part of our reading about the issues in the region."

Funk enrolled in graduate school in journalism and communications at the University of Utah. When he finished that program late last year, he wanted to "get some experience in something I care about." He settled on *HCN*.

Of his time here, he said, "Lander and Fremont County are a great secret that ought to be kept. And any intern who cares about survival will bring his own typewriter instead of using the dinosaur here in the office.

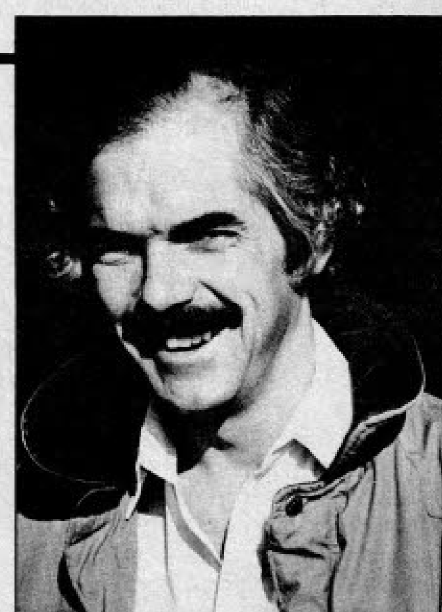
"I got what I came to get, though. One thing that impressed me was my new perspective on the enormity of the region, both in issues and geographically. I'd always known it was big, but working here really impressed me with how big."

When he leaves Lander on April 1, Jess plans to do some traveling, perhaps bicycling in the Northwest or in Europe, "depending on which I can best afford." Upon his return from that adventure, he will try to find a job in some political position and continue to write for *HCN* on a freelance basis.

The intern for the next three months will be Dan Gorham from Evergreen State College in Olympia, Washington.

■

There was a mistake in our February 4 issue on New Mexico and Arizona. (*HCN*, 1/21/83). Because of some confusion in transmission, the photographs of the Bisti Badlands on



Mike McClure

Jess (aka Tim) Funk

pages six and seven of that issue were credited to Cathy Pate, when in fact they were the work of Kathy Patey. We are also pleased to pass along the information that Patey's photos are on sale from the Taos Nightsong Galleries, 1919 Old Town Road, Albuquerque, New Mexico, 87104. The telephone number is (505) 842-0579.

— the staff

Idaho split over possible nuclear plant

"I thank the good Lord every night that I think about it that the atomic bomb was developed," said state Sen. Walt Yarbrough (R-Grandview).

"I can't remember an industry which has broken as many promises as the nuclear industry," countered state Sen. John Peavey (D-Carey).

When the debate ended and the vote was tallied, the Idaho Legislature approved a memorial urging the federal government to build a $5 billion weapons-producing reactor at the Idaho National Engineering Laboratory. The memorial was another move in a campaign to have Idaho selected as the site for the new production reactor (NPR), a massive nuclear plant to produce tritium for arming nuclear warheads.

The Department of Energy says it needs to build a new tritium producing reactor to replace the aging reactors at Savannah River, South Carolina. Tritium is an ingredient in nuclear warheads, and, unlike plutonium, tritium decays rapidly, making it necessary to periodically replenish the warheads with the material. All the tritium produced in the United States comes from three plants at Savannah River built in 1954 and 1955. A fourth Savannah River plant has been shut down because of safety problems, and attempts to re-start it have been met with stiff opposition.

Many people believe the three working reactors are also unsafe. U.S. Sen. James McClure (D-Idaho), who is spearheading the drive to site the reactors in Idaho, said, "There isn't anyone that I know of who is comfortable with the idea that we would try to force those reactors to work beyond the early to mid-1990's.

But a DOE panel placed Idaho last on the list of three possible sites for the NPR. The existing Savannah River site came in first, followed by the Hanford facility in Washington.

The INEL site, the panel reported, lacked barge facilities, equipment and properly trained personnel, making it more costly. The panel recommended the cheaper, proven reactor design at Savannah River, rather than experimenting with the more expensive power-producing reactor proposed for Idaho.

While Idaho came out last in the choice of the DOE panel, it is leading the pack in aggressively campaigning for the reactor. Leading the campaign is McClure, who happens to be chairman of the Senate Energy and Natural Resources Committee. The decision on where to site the reactor is expected to be made by DOE Director Donald Hodel early this April. But Congress must approve funding. McClure has stated there is still a 50-50 chance of building the reactor in Idaho.

Proponents are pushing Idaho as ultimately the most cost-effective site. An Idaho reactor would most likely be a high-temperature, gas-cooled type which could produce between 1,000 and 1,500 megawatts — half of Idaho Power Company's total generating capacity. IPC, however, is making no commitment to buying any possible electricity. "We would investigte the possiblity of forming a consortium to buy the steam," said IPC spokesman Larry Taylor. But, he added, "We don't know the economics of it. We really don't know much about it at all."

The high-temperature, gas-cooled reactor is still fairly experimental. While a research and development reactor of that type is in operation at Fort St. Vrain, Colorado, the DOE panel remained leery of its practical applications. The Savannah River reactor, like its predecessors, would not produce electricity.

Leading the fight against the reactor is the Snake River Alliance, an anti-nuclear peace group.

Snake River Alliance staff member Kerry Cooke said the NPR is the only big nuclear project now being considered in the entire country. Because of that, she said, everyone with a stake in the nuclear industry is hustling for it.

DOE

Measuring nuclear fuel pellets

The strongest support for the NPR comes from southeastern Idaho, where 8,900 people are employed at the INEL site, a research and development, waste storage and reprocessing facility.

The Snake River Alliance charges the NPR would exacerbate the existing problem of radioactive waste disposal. INEL now pumps wastewater into the Snake River aquifer and discharges small amounts into the atmosphere through smokestacks. Cooke said the waste disposal, plus the threat of an accident, could damage Idaho's reputation for tourism and as a producer of wholesome agricultural goods. Cooke also said the effects of a boom-bust construction project have been ignored.

The Snake River Alliance is also opposed to the NPR because it feels the production of tritium for use in nuclear weapons will enhance the arms race.

McClure acknowledged that a funding problem exists in a January 7 interview with the Idaho Falls *Post-Register*. He noted that Congress prefers entire projects to be funded at the outset "so they don't get into projects and run into large expenditures they hadn't planned on. If this project has to have the entire authorization carried in the first year, it's going to be very difficult to get it in." McClure then suggested, according to the *Post-Register*, that the planning and design funding be approved separately to enhance its chance of passage.

— Glenn Oakley

Wild and scenic changes promising

New guidelines clarifying portions of the Wild and Scenic Rivers Act may pave the way for the designation of new rivers as part of the national wild and scenic rivers system. However nothing much has happened since the guidelines were published last September in the *Federal Register*, and not much is expected to happen in the future because the Reagan administration has made no effort to support new river legislation.

Chuck Hoffman, director of the River Conservation Fund, a Washington, D.C., based research and education organization working for river preservation, said his group had a hand in developing the new guidelines. The guidelines interpret the portions of the river act concerning evaluation, classification and management of wild and scenic rivers.

Hoffman thinks the guidelines could be helpful in several ways. He said, assuming new designations are made, the new guidelines provide for speeding up the study schedule. The new schedule shortens the current timetable from as much as six years to 24 months. This is especially important, according to Hoffman, because in the effort to preserve rivers the constituency for a particular river is often lost because it takes so long for studies to be completed.

Equally significant is that the guidelines explicitly suggest that zoning and easements be used as alternatives to direct outright purchase of land along river corridors. With federal funding for land purchase hard to come by, Hoff-

man sees the promise of what he calls a "Nature Conservancy" approach to river preservation coming into vogue. In simple terms the conservancy approach allows limited public access to private land along a river corridor. The landowner is compensated for allowing the public use but still retains title to the land.

Hoffman thinks the conservancy concept could help dispel private landowner fears of federal intrusion but he cautions that since the guidelines have not been used they are still open to interpretation and potential "bureaucratic abuse."

The guidelines also eliminate the 25-mile minimum length requirement for wild and scenic rivers. This has special bearing in Wyoming where segments of the Clark's Fork of the Yellowstone River and the Sweetwater River in Sweetwater Canyon are now eligible for designation. Both had been denied consideration because the sections considered were less than 25 miles long.

"It's a chance to consider quality rather than quantity in some cases," Hoffman said.

Other major changes in the guidelines include: clarification that free-flowing rivers near urban areas may still be eligible for consideration; consideration of rivers whose water quality is questionable but is in the process of restoration to acceptable levels; specification that a river's ecology is an "outstandingly remarkable value" and thus is sufficient cause for wild and scenic designation; and clarification of timber-cutting guidelines in scenic and recreational river areas.

For now Hoffman is skeptical that the new guidelines will make much difference. "We don't know if anything will happen under this administration. And Sens. Malcolm Wallop (R-Wyo.) and James McClure (R-Idaho) are not exactly ecstatic to declare new scenic use limiting rivers. We met with McClure last week about a new scenic rivers bill and he's not pushing it.

"Until some new rivers come in for designation its going to be hard to know how the new guidelines shake down," Hoffman said.

— Jess Funk

HOTLINE

Idaho leads natural area designations

An Idaho volunteer group is credited with gaining protection for more research natural areas than any other group or agency in the country. The areas are given special protection under a U.S. Forest Service program designed to preserve undisturbed environments for scientific study. The group, the Idaho Natural Areas Coordinating Committee, is made up of Idaho college teachers and scientists who work with the Forest Service to identify and study undisturbed areas to learn the natural productivity of certain types of vegetation. In the last four years 17 of the research natural areas have been established in the country; 10 of them in Idaho. The areas set aside since the program began in 1927 include those featuring rare plants, wetlands and land and rock formations.

Studying coal- and wood-burning problems

A Colorado Air Quality Control Commission study has recommended limiting the sale of certain types of coal and establishing maximum emission standards for all new stoves, inserts and fireplaces sold in the state. The study also recommended eventual regulation of air pollution from wood- and coal-burning stoves and fireplaces and consideration of a program of economic incentives aimed at decreasing pollution from existing burning devices. An education and information program aimed at proper selection and operation of coal and wood burning units was also recommended.

Speeding up reclamation refund

Disbursement of millions of dollars collected from coal companies for reclamation may soon be sped up. Under threat of new federal legislation that would take monetary control away from his office, James R. Harris, head of the Office of Surface Mining, told a congressional committee he would try to be more flexible in funneling the money back to the states for reclamation work. The money, collected through the coal tonnage tax, is set aside for use by the states impacted by coal mining development. About $575 million is now in the fund and the governors of several states, including Wyoming's Ed Herschler (D), are asking Congress for more flexibility in handling the fund. OSM has been criticized as being too slow in distributing the money.

Preserving Alaska's parks

A lobbying effort is underway to downgrade more than a third of the national parks in Alaska by taking away their protective status. The effort centers around legislation introduced by the Alaska congressional delegation which would declassify 12 million acres of Alaska's national parks and open them up to sport hunting. The park lands would be reclassified as national preserves. The classification would allow hunting but prohibit timber cutting, oil drilling and mining. The legislation is being pushed by the Wildlife Legislative Fund of America, a confederation of sportsmen's groups and wildlife management organizations. The Wilderness Society is opposed to the bill saying it would undo the carefully constructed compromise that resulted in passage of the 1980 Alaska Lands Act. The society is also afraid that passage could set a dangerous precedent for the possible downgrading of other national parks such as Yellowstone and Yosemite where hunting is now prohibited.

HOTLINE

Stockholder protest needs more support

A planned stockholder protest by a northern Montana citizens group opposed to a Canadian open pit coal mine proposed near Glacier National Park needs more stockholder support before it can work. The group, the North Fork Preservation Association, wants to propose that the mine, at Cabin Creek, be scuttled. Sage Creek Coal Ltd., a joint venture of Rio Algom, Toronto and Aberford Oil of Alberta is planning the mine. North Fork needs five percent of the Rio Algom stockholders before it can propose that the project, a development with twin open pit coal mines a mile wide and a thousand feet deep just northwest of the park, be discontinued. The association fears the mine will pollute the air and water in the North Fork Valley of the Flathead River along the park's western edge.

Selling water rights down the river

A coal slurry bill has been modified to give states absolute authority to decide if their water will be used for such purposes. Recent court rulings denying state control over the export of water caused Wyoming Rep. Dick Cheney (R) to seek the modification giving the states authority over water (*HCN* 3/18/83). Cheney wants to facilitate construction of slurry lines by giving states the right, in certain cases, of federal eminent domain. The measure is under consideration in the U.S. House Interior Committee.

EPA finds PCBs in wells

The Environmental Protection Agency has found evidence of toxic PCB contamination in seven private wells near a fur recycling center near Pocatello, Idaho. While the contamination did not appear to be a serious health threat, EPA asked residents not to drink water from the wells surrounding the Pacific Steel-Hides Furs Recycling works. On March 1, EPA called an emergency at the Pacific site after the company refused to clean up over 500 PCB-laden electrical capacitors stored at its gravel pit. Workers have since dug up the contaminated material. EPA said it would determine the extent of groundwater contamination before any attempts to clean the water are made. PCBs have been found to cause skin, reproductive and liver disorders in humans.

Montana two wheeler right on

Bicycles may soon become legal vehicles in Montana. The state legislature seems likely to pass a bill classifying bicycles as vehicles thereby giving them the same status as cars. Bicyclists have all the rights and duties of drivers of motorized vehicles but their two-wheelers aren't recognized in the same way. Supporters maintain that clarifying the state law will result in better traffic enforcement and help reduce the confusion and inconsistency that often exist in legal disputes involving motorists and bicyclists in Montana.

State wilderness bills moving slowly

As the possibility of a RARE III (Roadless Area Review and Evaluation) looms before Congress, the effort is on to pass state-by-state wilderness bills. Wyoming and Montana, which were close in the the last session to passing state bills, but were closed out in the lame duck session, are trying again. Idaho and Utah are considering statewide bills. And Colorado, which already has a statewide law, will probably consider introducing another one.

Colorado's law was passed in 1980 and included additional wilderness study areas. Those areas are now ready for designation and Mike Scott, southwest regional representative of The Wilderness Society, expects legislation out within the next two months. He expects acreage recommended for wilderness in Congress to be less than what conservationists hope for, especially in the Sangre de Cristos area of Pike/San Isabel National Forest. Other areas sure to be controversial are Buffalo Peak, Greenhorn Mountains, additions to the San Juan Wilderness and the Oh-Be-Joyful area.

The current Wyoming wilderness bill is slightly different from the bill proposed last fall that died in the lame duck session. Most significant, said Bruce Hamilton, regional representative of the Sierra Club, is the exclusion of the Laramie Peak area as wilderness. The point of conflict involves a corridor to the summit of the area where radio and television transmitters are located. Hamilton said, however, that in last year's bill, the corridor and the transmitter area were excluded from wilderness designation, keeping access to the facilities open. He said removal of the Laramie Peak area from recommendation was a surprise and an unnecessary move.

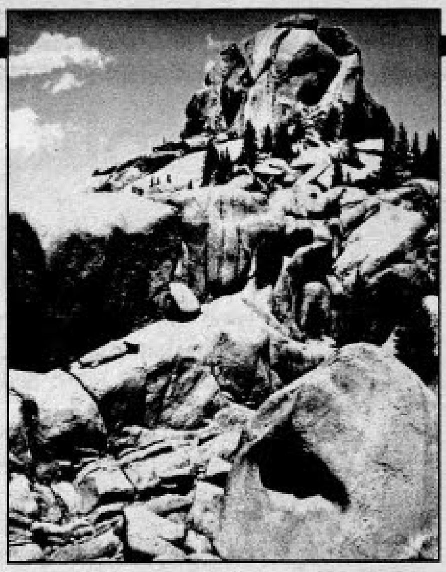
Hamilton said the Wyoming bill was stalled in the Senate because of a dispute between Sen. Malcolm Wallop (R-Wyo.) and Sens. James McClure (R-Idaho) and Steve Symms (R-Idaho). Apparently McClure and Symms requested that the western slope of the Teton Mountains not be recommended for wilderness because of timber interests there. The senators finally agreed on 101,000 acres for recommendation, a substantial reduction from the 116,000 acres recommended in last year's bill. The bill has passed the Senate Energy and Natural Resources Committee and now goes to the Senate floor.

The Lee Metcalf Wilderness bill for Montana has passed the Senate Energy and Natural Resources Committee and is now on the Senate floor. The bill is virtually unchanged from the way it read during last session. It, too, died in the lame duck session.

However, Rep. Pat Williams (D-Mont.) has told conservationists he is seriously considering recommending that the Deep Creek area, located on the east flank of the Bob Marshall Wilderness, be added to the bill. The area received the highest rating for potential wilderness of any mentioned in RARE II, but was not recommended by the Forest Service because of heavy oil and gas development potential, Sierra Club's Hamilton said.

If Williams attaches Deep Creek to the Lee Metcalf bill, it could set the pace to combine that bill with one to propose additions to the Bob Marshall Wilderness. Another move to devise a statewide wilderness bill is still on the drawing board, according to Hamilton.

The Utah delegation seems to be moving independently of one another in designing a statewide wilderness bill. According to Rob Smith, Southwest representative of the Sierra Club in Salt Lake City, Sen. Jake Garn (R-Utah) and Rep. Jim Hansen (R-Utah) are both working on legislation, but not necessarily to the same end. Garn has always advocated a combined three-agency wilderness bill, which would consider acres on Bureau of Land Management, Forest Service and National Park lands. Hansen is working toward a bill dealing with Forest Service land only. Smith said, however, it looks as if Garn may be coming around to that idea.


David Sumner

Lost Creek Roadless Area, Pike National Forest

Smith said the only thing that is certain to be in the bill is firm release language, that will definitely set up a struggle between the delegation and the state's conservationists. Conservationists have proposed 1.6 million acres for wilderness designation, with almost half of that being in the High Uintas area. "It could end up being a High Uintas bill only with this delegation," Smith said.

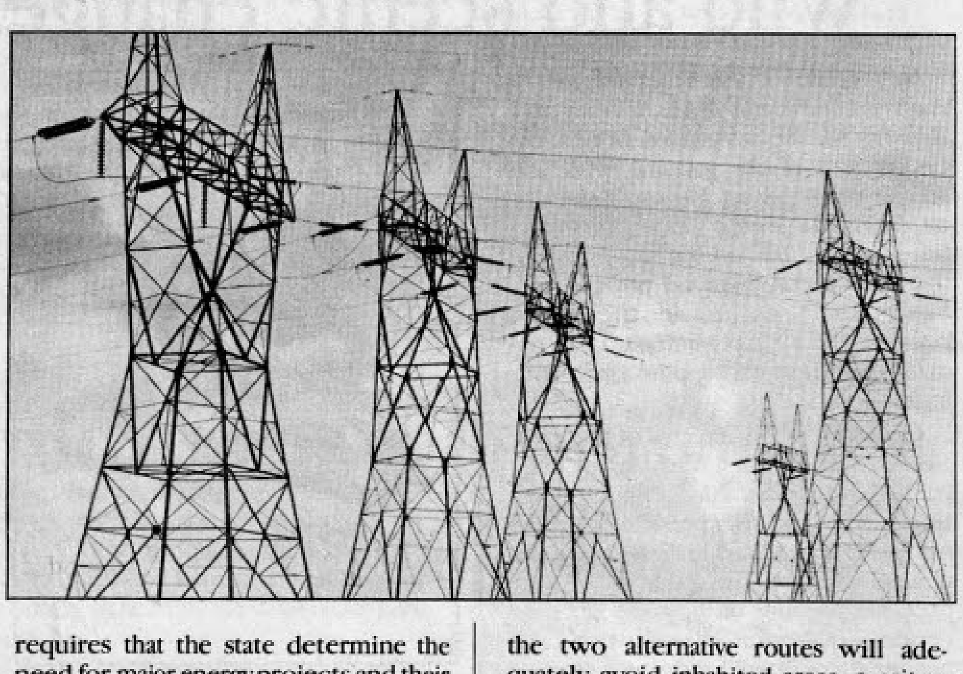
In Idaho, Sen. McClure's aides have indicated he will introduce a statewide bill by the end of April. Tom Robinson, Northwest regional representative of The Wilderness Society, said he expects the only areas to be considered are those listed as recommended wilderness or non-wilderness under RARE II. He does not expect McClure's bill to include any wilderness study areas. Robinson said conservationists in the state have been asked to come up with acreage they would like considered for wilderness, as have the timber and mining industries.

Idaho's other senator, Steve Symms, has gone on record as opposing any more wilderness in the state.

— Carol Jones

BPA power line route approved

The State of Montana and the Bonneville Power Administration seem to have agreed on the route for the final segment of BPA's twin 500-kilovolt transmission lines across western Montana. The agreement came in the state's draft environmental impact statement on the project in which the Montana Department of Natural Resources and Conservation reported that BPA's own preferred route, known as the Taft South Route, presented the best opportunity to avoid or reduce environmental and human impacts.



The Taft South Route runs from the town of Garrison, passes southeast of Missoula, and then proceeds west roughly parallel to the Clark Fork River valley. The route is the third and final leg of the transmission lines that will integrate power from coal-fired plants at Colstrip in southeastern Montana into BPA's Pacific Northwest transmission system. The first segments of the power line have been approved and are under construction.

The agreement on the western route was hardly surprising since last November representatives from BPA and the Department of Natural Resources and Conservation met to jointly review alternative routes for the project. They agreed that the Taft South Route and another route north of it were the two best alternatives. The cooperative effort is in contrast to previous conflicts between the state and federal agency over the siting of the power line.

Montana's Major Facility Siting Act requires that the state determine the need for major energy projects and their environmental, social and economic impacts. In 1982, when BPA claimed it was exempt from the act, a federal court ruled that it must comply with the act's substantive but not its procedural requirements. However, several months later the same court held that those requirements were "subjective" and lacked specific criteria for BPA to follow in order to comply with them. That ruling was considered a setback for state jurisdiction over federal projects and Montana has appealed the decision.

The consensus on the final portion of the power line is apparently intended to deflect further conflict between BPA and the state. Both believe that either of the two alternative routes will adequately avoid inhabited areas, a criterion that received strong public support during hearings on the project. However, the reduction of impacts on people, residences and livelihoods is a trade-off, the state report said, since "the potential for adverse impacts on natural systems is high." The report makes several recommendations for reducing the project's effects on wildlife and natural areas.

After further public hearings, the Board of Natural Resources must approve the report and ultimately make a decision on the siting of the BPA powerline route.

— Ellen Ditzler

★★ LEGISLATIVE UPDATE ★★


Kent and Donna Dannen

Lawn Lake Dam flood, Estes Park

★★★ Colorado eyes ★★★ groundwater protection

"Underground water is the ace in the hole for our future drinking water needs," said Hester McNulty, water chair for the League of Women Voters of Colorado. "Everyone wants to protect our surface water, so I don't understand how people can be so casual about underground supplies." A legislative proposal which would have helped protect underground water from injection of harmful fluids was postponed indefinitely February 23 after meeting stiff opposition from industry and its supporters.

For two years, Colorado had tried to write guidelines more inclusive than those of the Environmental Protection Agency's current approach to the Safe Drinking Water Act. EPA Drinking Water Branch section chief Patrick Crotty said that EPA is willing to let the state assume more authority over such programs, but is working on developing its own plan for the underground injection.

Charging that EPA has been dragging its feet in implementing such a program, the National Wildlife Federation filed a 60-day notice of intent to sue EPA on behalf of Colorado and the other states currently without their own programs. "In the old days," said Frances Green, NWF cousel, "EPA regulations were more stringent that the states', but now a whole body of regulations is weakened and the states had better move to protect themselves."

Meanwhile, a bill put forth by Rep. Frank DeFilippo (R-Golden) could increase the potential for Denver and the metropolitan area to mine the large eastern plains aquifers for water. The League worries that the bill lacks adequate safeguards on the amount of water withdrawn annually and alters the traditional legal separation of land rights and water rights.

Sen. Tilman Bishop (R-Grand Junction) put forth a bill that would make the state pay part of the costs for any discharge of pollutants into waterways. Supporters feel that since "everyone benefits from clean water, everyone should pay for it." Opponents contend that the pollution discharge permit holders should assume the entire cost, but agree that smaller municipalities might receive some help for a part of their costs. Opponents also fear that in a revenue-lean year such as this one, the operations of a program that cannot pay for itself might become less effective.

Also on the minds of legislators is a proposal by Rep. David Skaggs (D-Boulder) that would mandate more public input on water projects brought before the state's Water Resources and Power Development Authority. His bill would also provide for social and environmental effects to be included in studies relating to proposed projects.

Concerned over the Lawn Lake dam collapse last summer in Rocky Mountain National Park, which killed three campers, flooded Estes Park, and caused millions of dollars in property damage, several legislators introduced bills to address dam safety. The dam safety branch of the Department of Natural Resources employs 11 engineers, of which only six or seven are available to do on-site inspections of Colorado's approximately 2270 dams. Of those, 237 dams are currently considered high hazards and 348 are of moderate hazard. Rep. Don Mielke (R-Lakewood) won unanimous approval in the House Agriculture, Livestock, and Natural Resources Committee for a bill which would inventory the locations, size and condition of all the dams in Colorado.

One of the dam safety bills would make the owners of dams and reservoirs — mostly farmers and ranchers who use the water for irrigation — pay for inspections, evaluations and improvements. "It's a struggle between the need for such improvements and the public's willingness to pay for them," according to Alan Pearson, chief of dam safety in the State Engineer's Office.

Consulting engineers, hired by the owners and meeting criteria set by the State Engineer, would help ease the department's manpower shortage, but would increase costs to owners. Former State Senate President Fred Anderson, now a lobbyist for the Northern Colorado Water Conservancy District and the Big Thompson Water Users, urged the legislature to set up a committee to assess the issues surrounding dam safety, specifically the issues of owner liability and insurance.

— *Deidre Duncan*

★★★★★★ Montana kills slurry water use ★★★★★★

On a 57 to 43 vote, the Montana House of Representatives killed a measure that would have eliminated that state's ban on using water in coal slurry pipelines. HB 893, written by the Montana Department of Natural Resources and Conservation, died on the floor despite feverish lobbying by Gov. Ted Schwinden (D) and officials from both DNRC and the Montana coal industry.

In its place, the House passed a bill calling for a two year study of the coal slurry ban — a study that the governor has refused to support.

The bill that passed, HB 908, establishes a water marketing system and brings all large pipelines intended for the transport of water under compliance with the state's major facility siting act. It also establishes public interest criteria and mandates legislative approval for any appropriation of 10,000 or more annual acre-feet of water intended for consumptive use. Water appropriated for instream flows or non-consumptive uses, such as hydropower dams and irrigation, are not subject to its provisions.

Both bills arose in the wake of last year's sale by the state of South Dakota of 50,000 annual acre-feet of water to Energy Transportation Systems Inc., a coal slurry company based in Wyoming, and in response to federal court decisions weakening the constitutionality of state bans on water export (*HCN*, 3/18/83). Montana law bans both the out-of-state sale of water and the use of water in coal slurry lines.

It took two lengthy debates on the House floor to finally kill the administration's bill. After a 50 to 46 defeat on Saturday, HB 893 was resurrected by its sponsor, Rep. Ted Neuman (D-Vaughn), who moved for reconsideration. Heavy weekend lobbying by the governor's office and DNRC assured reconsideration on Monday. Opponents of the bill believed they were facing defeat.

But an effective telephone lobbying effort by conservationists and railroad workers partially offset the governor's support. Then House Speaker Dan Kemmis (D-Missoula) turned the tide with what legislative observers are calling an astonishing oratorical performance on the House floor. Waiting until the end of the debate, Kemmis shamed some of his colleagues for their "greed" in following the example of South Dakota, and urged the House to slow down and study the measure for two more years before removing the ban.

"We were clearly expecting to lose," said Tom Daubert, lobbyist for the Montana Environmental Information Center, which opposed lifting the ban. "Kemmis's oratory was the best I've ever heard. He turned around a good 10 votes that Schwinden's people thought they had sewed up."

HB 908, which passed the House on an 80 to 10 vote, is expected to be amended in the Senate, but observers do not predict a resurrection of the governor's bill in the form of amendments.

Said one source, "The Senate is apparently lukewarm on the whole issue of water marketing and the Republicans (who control the senior body) aren't interested in supporting Schwinden's water platform for re-election." Senate hearings on HB 908 are expected to occur within a week.

— *Don Snow*

★★★★★ Idaho keeps wolf on protected list ★★★★★

By a tie vote in the Idaho Senate, the wolf will remain in the company of the grizzly bear, bald eagle, caribou, peregrine falcon and whooping crane, and will not be relegated to the lowly company of skunks, weasels and jackrabbits.

The Senate voted 16-16, killing a livestock industry-supported measure to add the wolf to the state's predator list. The wolf would have remained on the federal endangered species list, but the listing would have removed the state from cooperative efforts with the federal Fish and Wildlife Service to manage the animal.

The bill, which had earlier passed the House, was promoted by its backers as a way to prevent the state Department of Fish and Game from spending money on wolf recovery efforts, while simultaneously sending a message to Washington. During debate on the floor, Sen. Dave Little (R-Emmett), said the bill should be supported by "those of us who are interested in our game herds," since the wolf "eats about everything that walks."

But Sen. John Peavey (D-Carey), countered that the control of wolves is better handled with the Department of Fish and Game involved. Wes Trounson (R-Wendell) said the bill would "give a bunch of trigger-happy hunters the idea to go out and kill...I consider this a very vicious bill."

Jay Gore, endangered species biologist with the U.S. Fish and Wildlife Service in Boise, said he was "happy to see reason prevail" but said "I thought it would be defeated by a vote better than 16 to 16."

The Senate gave final legislative approval to a bill that prevents the state from halting the burning of grass fields without legislative review. The bill addresses a regional battle between northern Idaho Kentucky bluegrass growers and the northern Idaho tourist industry. The growers every fall burn off their fields to destroy pests and diseases to which the grass is prone. But the smoke fills the pristine valleys that the tourist industry relies on.

Attempts to work out an agreement outside the legislative process failed, and the bill resurfaced in the Senate after already passing the House. Although the Idaho Conservation League is urging its members to press Gov. John Evans (D) to veto the bill, the issue has been a tough one for the conservation group. Coeur D'Alene ICL member Dave Williams said, "Environmentally, we'd rather see the grass burning than all the pesticides they'd have to use up here." Williams noted that while the burning may be particularly critical for bluegrass, "everybody burns their fields no matter what they're growing."

A bill to legislatively enforce the Public Utility Commission's policy of directing utilities to pay the "avoided cost" for cogenerated power died in a House committee. The bill — cautiously supported by the ICL — said Idaho Power Company would have to pay small independent power producers an amount based on the cost of creating an equivalent amount of electricity through a new coal-fired plant or dam.

The House Revenue and Taxation Committee voted to hold the bill indefinitely after testimony from an Idaho Power lobbyist. Greg Panter told the committee that recent drops in electricity demand make it infeasible for the utility to lock itself into long-term contracts at a fixed rate.

— *Glenn Oakley*

Mr. Clean goes back to Washington

by Dan Whipple

William Ruckelshaus' return to head the Environmental Protection Agency is taxing the hyperbole of the nation's press. He's been called a "lightning rod" (*Land Use Planning Report*), "a returning hero" (*The Wall Street Journal*) and "Superman" (the *Denver Post*). Ruckelshaus is being touted by everyone as the man who is going to clean up the EPA, an agency that , conversely, is doing a fine job and doesn't need any cleaning up, according to President Ronald Reagan.

As nearly everyone knows by now, Ruckelshaus, who was EPA's first head in 1970, has been persuaded to take over the agency, replacing Anne Gorsuch Burford, who resigned under fire on March 7. Burford resigned primarily because of criticism of her handling of the Superfund toxic waste clean-up program. But environmental groups have been critical of a host of EPA matters since the Reagan administration took office, including budget reductions, clean air and water policies, pesticides handling and other issues.

The response of the environmental community to the appointment has been a thundering "wait and see." Dick Ayres, senior staff attorney with the Natural Resources Defense Council, said, "It's a great step forward to have someone of the acknowledged integrity of Ruckelshaus at the head of EPA, but there have been some pretty terrible policies carried out over the past two years that will have to be corrected."

Whenever Ruckelshaus' name is mentioned, his integrity and competence as an administrator are the next items of conversation. Ruckelshaus proved his integrity during one of the watershed events of the Watergate scandal in the early 1970s. As deputy attorney general, he refused to fire Watergate special prosecutor Archibald Cox when ordered to do so by President Richard Nixon. He was then fired himself in what became known as the "Saturday Night Massacre."

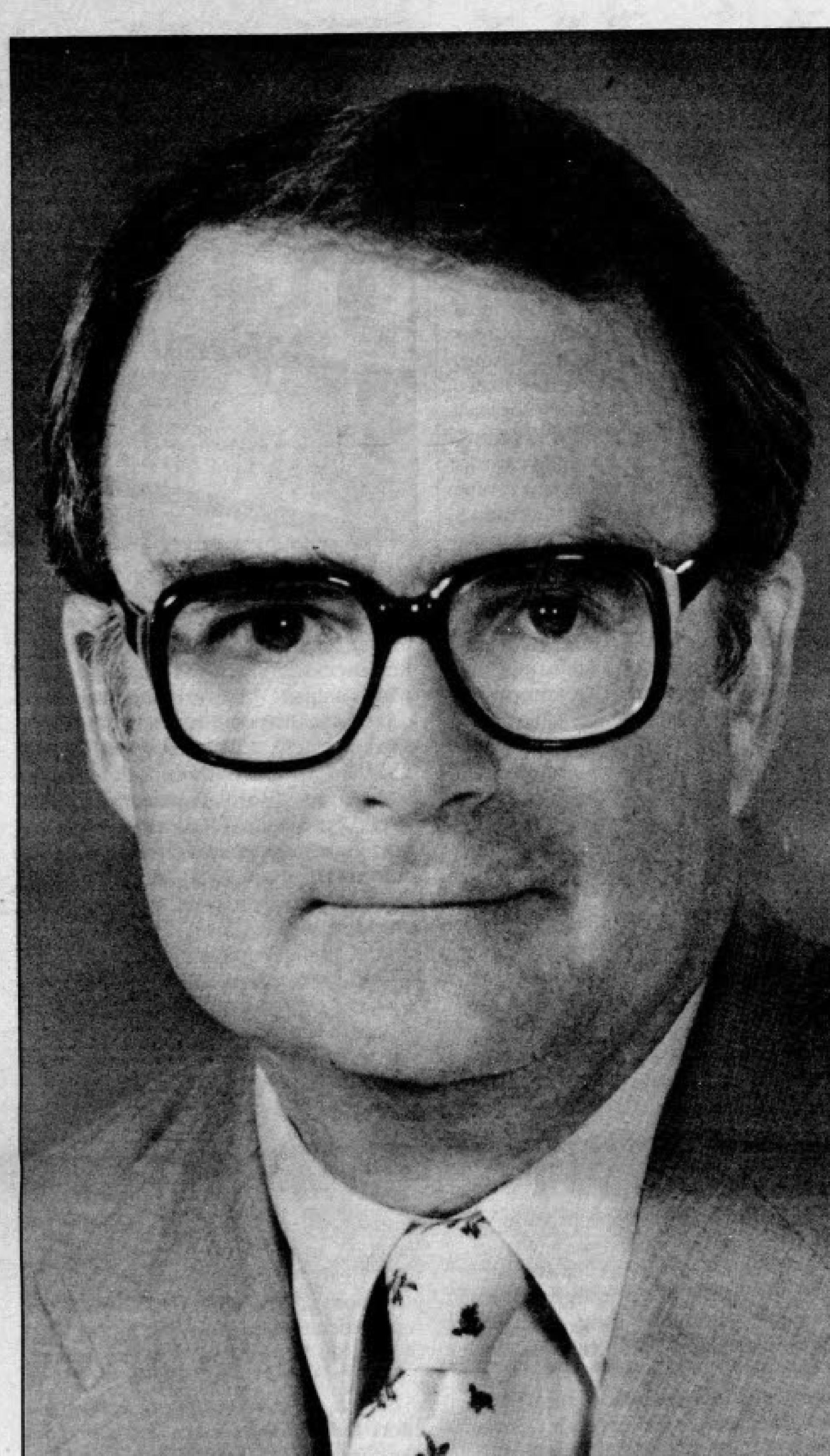
About Ruckelshaus' tenure as the first EPA administrator, Ayres said, "There were certain things that were undeniably positive about his administration. He is clearly a good manager and has a respect for the scientific and regulatory process. He won't try to control what scientists study and what they say about their findings, like we've seen happen over the past two years.

"However, he was exceedingly cautious in pursuing the environmental policies of the agency and many of his decisions were overturned by the courts."

In the early 1970s, EPA was responsible for administering only two major laws, the Clean Air Act and the Clean Water Act. Ruckelshaus encouraged an agency decision that allowed electric utilities and smelters to use "tall stacks" to disperse pollutants rather than install pollution control equipment. As a result, 180 stacks taller than 600 feet have been constructed over the past 10 years. Tall stacks are widely believed to have contributed to the spread of acid rain, both because they deposit pollutants high into the atmosphere, allowing for long distance transmission, and because more pollutants are deposited since there are no controls. The tall stacks approach was later unanimously overturned by three federal courts in a case brought by NRDC.

In another decision, the EPA under Ruckelshaus did not require states to protect high quality air that already existed within their borders — even in national parks — in order to have their state implementation programs approved. This decision was also overturned in court cases brought by the Sierra Club.

The Ruckelshaus EPA also used a regulatory approval system that is alarmingly similar to the one used under Burford. The Nixon administration installed what was called a "Quality of Life Review" for all proposed EPA rules. This was little more than a cost-benefit analysis conducted by the Office of Management and Budget, with input from some Commerce Department advisory councils that included about 70 of the nation's biggest polluters. Ruckelshaus didn't create this process, but he did submit to it. NRDC documented the OMB interference in congressional hearings in 1972, though Ruckelshaus denied it. The practice was not discontinued until Jimmy Carter took office in 1977. Since 1981, under Reagan, the Burford EPA has submitted all proposed rules to OMB for review.



Weyerhaeuser

W.D. Ruckelshaus

"It's a great step forward to have someone of the acknowledged integrity of Ruckelshaus at the head of EPA, but there have been some pretty terrible policies carried out over the past two years."

Dick Ayres, Natural Resources Defense Council

For the past six years, Ruckelshaus has been a vice president for law and corporate affairs for Weyerhaeuser Corporation, a Washington state-based timber company and on of Environmental Action's "Filthy Five," along with other major corporate polluters: Occidental Petroleum, Republic Steel, Dow Chemical and Standard Oil of Indiana. In his job at Weyerhaeuser, Ruckelshaus headed the Weyerhaeuser Foundation and was in charge of corporate legal affairs and regulatory affairs.

Despite the ignominy of being called one of the Filthy Five, Weyerhaeuser is not generally regarded as even the worst of the large timber companies. It made the list largely because of its size and high profile among its brethren. The company is the largest private landowner in the state of Washington and exerts a corresponding amount of influence in the state.

However, between 1977 and 1982, Weyerhaeuser was cited by EPA for 277 different air and water violations and fined a total of over $855,000. It was cited for an additional 1,304 violations for which no fine was imposed.

In addition, the company has been involved in a number of controversies in Washington state. It is attempting to build a large timber export facility on Nisqually Reach, where the Nisqually River flows into Puget Sound. The Seattle Audubon Society has been fighting the facility because it would be located near the Nisqually National Wildlife Refuge, one of the largest pristine estuaries in the United States. Weyerhaeuser has nearly all the permits it needs for construction.

The company is also involved in a continuing lawsuit with the town of Greenwater, Washington. Greenwater alleges that Weyerhaeuser timber practices along the Greenwater River caused severe flooding in the town in 1977. Weyerhaeuser has also been involved in controversies with environmental groups over uses of pesticides on its lands.

In all of this, Ruckelshaus himself has been very adept at staying out of the limelight. Lorna Campion, a board member of the Seattle Audubon Society, said his name has never come up in the Nisqually controversy, though he certainly must have known about it.

Tom Ambrose, director of external communications for Weyerhaeuser, said that Ruckelshaus was largely responsible for policy setting and coordination at the company. The Nisqually, Greenwater and other controversies were delegated to people "two or three echelons below him."

Ruth Weiner, dean of the College of Environmental Studies of Western Washington State University in Bellingham, was appointed by Ruckelshaus to the National Air Pollution Control Technology Advisory Committee in 1972. She said, "He was a good administrator at EPA. He took the mission of the agency seriously, although he was not aggressive." Ruckelshaus recently criticized the toughness of the existing Clean Air Act, however, and Weiner said, "If his recent statements indicate his current attitude, he's changed for the worse."

Jonathan Lash at NRDC said that, while Weyerhaeuser's environmental record since Ruckelshaus' employment should be examined carefully by the committee at his confirmation hearings, it should not be the controlling factor. "Just being employed by a company with a less-than-perfect environmental record shouldn't disqualify him. He should simply make the commitment that there is a difference between being vice president of a company and the administrator of the nation's environmental laws. He's certainly shown the integrity to stick to that distinction."

The major issue behind the Ruckelshaus appointment, of course, is whether it really signals a change in the Reagan administration's environmental policies. Of that, only time will tell, but environmentalists in Washington point to several bellwether issues that will indicate such a shift. NRDC's Dick Ayres said, "First, he'll have to get the budget back up to at least 1980 levels and rebuild the EPA staff with good people." The Reagan administration has cut EPA staff by about 40

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Forest land sale program

A PAIN IN THE ASSETS

by Carol Jones

One year ago, during his fiscal '83 budget message, President Ronald Reagan announced it was possible to raise $4 billion in annual revenues by 1984 from the sale of public lands. To accomplish such a goal, Reagan ordered the Property Review Board and heads of the U.S. Forest Service and Bureau of Land Management to report the agency's "real property holdings which are not utilized, are underutilized or are not being put to optimum use."

On March 15, 1983, the Forest Service released its report (*HCN*, 3/18/83). Under the so-called "Asset Management program," the Forest Service listed six million acres nationwide as property that could be studied for possible sale if given a congressional okay. Almost a third of those acres are within Colorado, Montana, Wyoming, Idaho and Utah.

If Congress grants the Forest Service the authority to further study those lands, the study will be conducted according to the guidelines of the National Environmental Policy Act, which requires public input. A final list would be compiled — one the Forest Service says is sure to include less than the six million acres now listed — and a process for conducting the sale would be approved. Although the disposition of revenues has not been definitely determined, they would probably go toward reducing the federal deficit.

It would seem a simple operation to release the number and location of the acres included in the asset program. But, perhaps due to the immediate outcry from environmentalists when Reagan annouced the program last year, the Forest Service chose not to release the acreage figures from the logical place, its Washington, D.C. office. Instead the information was released through each individual forest supervisor's office. Thirty-nine forest supervisors are involved in this region alone.

In addition, in order to see exactly where the acres are located, a person must go to each supervisor's office and view the one map available at each office. No maps are being mailed out, no comprehensive map is available. Tom Robinson, northwest regional representative of The Wilderness Society, voiced the opinion of most conservationists when he said these procedures were a move by the agency to decentralize the whole process and make it difficult to obtain information.

As the Forest Service began work on the asset management program, it placed all 191 million acres under its management into three categories. The first category listed all lands to be retained in the system. Included in that 51 million acres were all designated wilderness areas, wild and scenic river areas, national recreation areas and national monuments.

About 60,000 acres were listed in the second category — lands which had already been determined to be excess and for which the Forest Service had already been granted authority to sell. Included were acres adjacent to communities in 11 western states which can be sold for expansion under the National Forest Townsite Act. Unused administrative sites, located outside forest boundaries — such as in the middle of a town — also could be sold. And more recently, with the passage of the Small Tracts Act earlier this year, the Forest Service was granted authority to sell up to 40-acre plots that are isolated or significantly surrounded by private land. That act was passed to give the agency more flexibility in managing its lands.

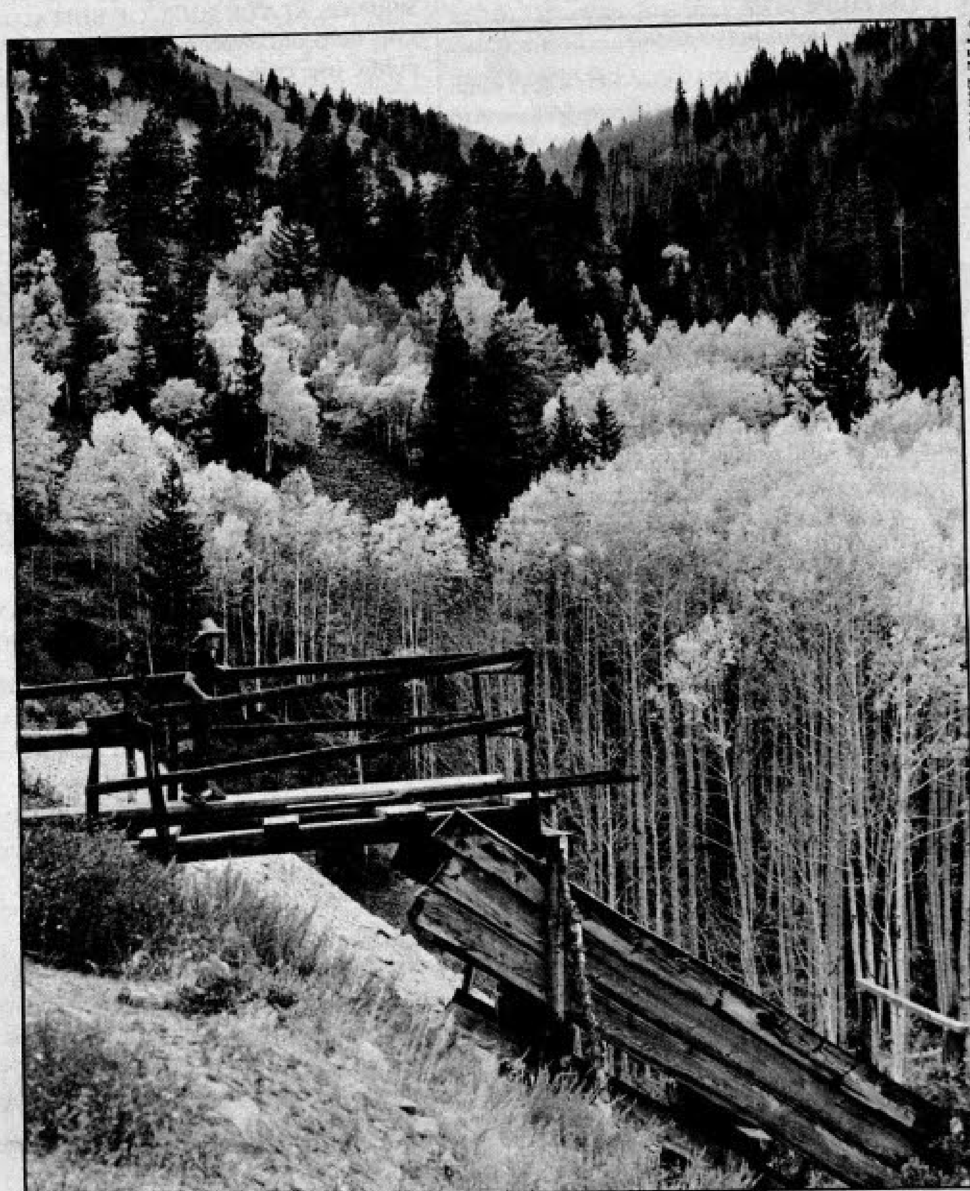
The remaining 140 million acres were placed in the review category. The Forest Service was instructed to "quickly inventory" these acres and determine which should be retained and which should be studied further for possible sale.

The "quick inventory" came under fire from both conservationists and members of Congress. Frustrated by imprecise maps and lack of access to them, critics charged that the inventory was shabby and misleading. However, the Forest Service was following its orders in compiling a quick inventory. "We mechanically put down areas that were isolated," said Bob Lawton, lands forester with the White River National Forest in Colorado. "We didn't make any decisions, we just did it fast."

Rep. Tim Wirth (D-Colo.), whose district stands to lose a substantial number of acres behind Boulder in the Roosevelt National Forest, said, "This entire proposal reminds me of two historical events: Napoleon's sale of Louisiana and the czar's sale of Alaska — both to raise money for their armies. This administration is pursuing the same short-sighted policy to pay for its massive military build-up."

Even Sen. James McClure (R-Idaho), who is usually supportive of the Reagan administration's every wish, said he is not in favor of selling off public lands to help pay off the national debt (*HCN*, 3/18/83). He did, however, moderate that statement, saying he supports the concept of selling lands that cannot be managed efficiently by the agencies involved.

In order for the lands to be slated for the further study category, they had to fall into one of three categories.



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"This entire proposal reminds me of two historical events: Napoleon's sale of Louisiana and the czar's sale of Alaska — both to raise money for their armies."

— Rep. Tim Wirth (D-Colo.)

First were lands the Forest Service already had authority to sell.

Second were special use permit lands where no other public use was foreseen, where there would be no consequences to nearby retained lands and where there was only one permit holder, or where the permit holder had made permanent improvements on the land. This category included many tracts with grazing permits, mining claims, summer homes, resort and recreation permits.

The third category, which accounted for the majority of the acres on the asset list, was "scattered tracts." These lands are those the Forest Service believes need further study to determine if they contribute to management objectives, and/or whether a change in ownership would make an important contribution to federal or non-federal purposes.

Using those criteria, the Forest Service reduced to six million the number of acres for review and put the other 134 million back into the retention category.

It is the vast number of acres in the scattered tracts category that has environmentalists and congressional members shaking their heads in disbelief at the proposal. "They (the Department of Agriculture, of which the Forest Service is a part) have bitten off a wad they will never chew, " Sen. John Melcher (D-Mont.) told the *Great Falls Tribune*.

Melcher and his constituents have reason to take a closer look. The 872,053 acres listed in Montana give it the largest acreage for any one state and represent five percent of total forest land in the state. Included in that is the entire 130,640-acre Crazy Mountain range northeast of Livingston — a beautiful island range, largely roadless and popular for recreation. Another entire island range listed is the 13,486-acre Little Snowy range south of Lewiston. It, too, is popular for recreation use.

Melcher has assured Montanans that he will do all in his power to let them fire their shots before such legislation ever has a chance to pass. Bill Cunningham, conservation director of the Montana Wilderness Association, is also concerned, but said he doubts if such a massive "sell-off" of public land would ever be approved in Congress. "We can't ignore the possibility that privatization (the sale of public lands) is a smokescreen to divert us from key issues, such as forest planning, accelerated road building and the needed resolution of RARE II (Roadless Area Review and Evaluation)," he said.

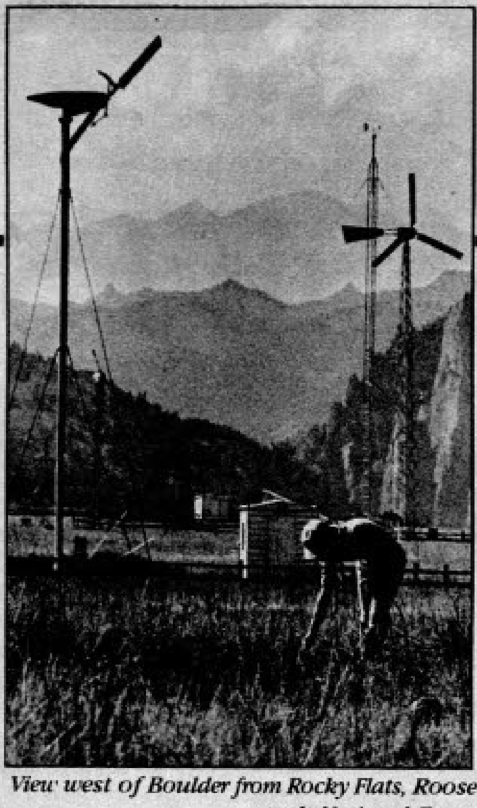
Although Montana holds the highest number of acres on the hit list, other states are not without their controversial areas. In Colorado, nearly 50,000 acres of the Roosevelt National Forest west of the city of Boulder to the boundary of the Indian Peaks Wilderness Area are listed. Less than 48 hours after the release of the list, Boulder County Commissioners called a special public hearing to urge county residents, environmentalists and anyone else to unite to oppose the possible sale.

Mike Scott with the Denver office of The Wilderness Society, explained that the city and county of Boulder have been trying to manage growth in the area for the last 15 years. In an effort to keep development limited, millions of dollars in bonds have been raised to purchase land for open space around the county. The listing of such a massive

(continued on page 10)

Rocky Mountain R

See your local for



Kent and Donna Dannen

View west of Boulder from Rocky Flats, Roosevelt National Forest

COLORADO

442,323 acres identified

ARAPAHO
47,202 total acres listed

• 16,800 acres in 10 tracts located around IDAHO SPRINGS. Many patented and unpatented mining claims; difficult to distinguish between forest and private land.

• 4,000 acres in two tracts AROUND AND NORTH OF WINTER PARK. Scattered isolated parcels; one tract for community expansion of Winter Park.

• 7,000 acres east of the CLIMAX/AMAX MINING AREA along the Continental Divide. Patented and unpatented mining claims.

• 750 acres BETWEEN COPPER MOUNTAIN SKI AREA AND FRISCO along Ten Mile Range. Patented and unpatented mining claims.

• 6,130 acres SURROUNDING BRECKENRIDGE. Patented and unpatented mining claims.

• 7,700 acres NEAR MONTEZUMA, EAST OF KEYSTONE Ski Area, along the Continental Divide. Patented and unpatented mining claims.

• 640 acres north of GREEN MOUNTAIN RESERVOIR, about 40 miles north of Dillon. Isolated parcels.

• Remaining acreage scattered throughout forest in small parcels.

ROOSEVELT
107,026 total acres listed

• 37,000 acres BETWEEN THE WYOMING BORDER AND RED FEATHERS LAKES area. Checkerboard ownership with limited public access and private homes.

• 1,250 acres in two tracts WITHIN TWO MILES OF ESTES PARK. Isolated tracts with lots of development and limited access; some acres located between Estes Park and Rocky Mountain National Park.

• 50,000 acres starting from just ABOVE BOULDER TO INDIAN PEAKS WILDERNESS Area. Scattered parcels with private homes and communities; includes one-third of the forest land in Boulder County.

• Remaining acreage scattered throughout forest in small isolated parcels.

PAWNEE NATIONAL GRASSLANDS
94,209 total acres listed

• 94,209 acres comprising the ENTIRE EASTERN HALF OF THE GRASSLANDS. Many 40 to 160 acre scattered parcels; grazing interests; acreage includes nearly half of the 193,060 total acres of the grassland.

GRAND MESA
7,745 total acres listed

• 7,400 acres in the PINYON MESA - FRUITA DIVISION, 30 miles southwest of Grand Junction and seven miles south of Colorado National Monument.— Division surrounded by private land.

• 245 acres on COON CREEK, SOUTH OF MESA. Summer home groups.

• 100 acres NEAR MESA AND ALEXANDER LAKES NEAR CEDAREDGE.— Lodges and resorts.

• Remaining acreage scattered throughout forest in small isolated parcels.

UNCOMPAHGRE
20,730 total acres listed

• 8,629 acres IN AND AROUND OURAY south to Red Mountain Pass on Highway 550, north to foot of Mount Sneffels and east to Engineer Mountain. Area heavy in patented and unpatented mining claims; isolated and interspersed tracts; includes some of the Uncompahgre Primitive Area.

• 12,022 acres from NORWOOD SOUTH TO OPHIR, including areas around Telluride.— Area heavy in patented and unpatented mining claims.

• Remaining acreage scattered throughout forest in small isolated parcels.

GUNNISON
6,480 total acres listed

• 4,175 acres scattered NORTHEAST OF GUNNISON, including areas around Ohio, Pitkin, Tincup and Taylor Park Reservoir. Includes patented and unpatented mining claims, summer home groups; some of the acres located three miles north of West Elk Wilderness and three miles west of the Collegiate Peaks area which include several 14,000-foot-plus mountains.

• 150 acres NEAR THE CRESTED BUTTE AREA. Summer home groups, some acreage located within three miles north of West Elk Wilderness.

• 1,655 acres located NEAR SARGENTS, about 32 miles east of Gunnison. —Patented and unpatented mining claims, pasture use.

• Remaining acreage scattered throughout forest in small isolated parcels.

PIKE
21,809 total acres listed

• 2,500 acres AROUND WOODLAND PARK, about 30 miles west of Colorado Springs. Isolated ownership around urban development.

• 2,000 acres west of Colorado Springs along the eastern FRINGE OF THE FRONT RANGE. Urban expansion.

• 15,924 acres located NORTHWEST OF FAIRPLAY. Checkerboard ownership, many patented and unpatented mining claims; four 14,000-foot-plus peaks located near the acreage.

• Remaining acreage scattered throughout forest in small isolated parcels.

SAN ISABEL
7,789 total acres listed

• 1,520 acres located AROUND LEADVILLE. Many patented and unpatented mining claims.

• 3,500 acres located NEAR SALIDA. Patented and unpatented mining claims; some homesteading.

• 2,200 acres NEAR MONARCH PASS. Patented and unpatented mining claims.

• Remaining acreage scattered throughout forest in small isolated parcels.

COMMANCHE NATIONAL GRASSLANDS
74,487 total acres listed

• 74,487 acres in southern Carrizo unit NEAR SPRINGFIELD. Consists of 17.8 percent of the total 418,887 acres of the grassland.

RIO GRANDE
7,836 total acres listed

• 4,250 acres NORTHWEST OF CREEDE. Scattered patented and unpatented mining claims.

• 2,561 acres located NORTHEAST OF BONANZA, about 45 miles southwest of Salida. Patented and unpatented mining claims.

• 285 acres SOUTHWEST OF CREEDE ON HIGHWAY 149. Summer home groups.

• Remaining acreage scattered throughout forest in small isolated parcels.

ROUTT
7,536 total acres listed

• 6,400 acres SOUTHWEST OF AND BETWEEN OAK CREEK AND YAMPA. Scattered summer home groups.

• 1,120 acres NORTH OF STEAMBOAT SPRINGS AT THE FOOT OF BUFFALO PASS. Checkerboard ownership, little opportunity for public use; critical winter habitat for elk.

• Remaining acreage scattered throughout forest in small isolated parcels.

SAN JUAN
23,674 total acres listed

• 10,000 acres in scattered tracts AROUND THE PAGOSA SPRINGS AREA. Many isolated tracts; some acres within three miles of the Weminuche Wilderness; some acres back up to the Southern Ute Indian Reservation.

• 4,480 acres in ANIMAS CANYON AREA north from Durango to Purgatory Ski Area. Small isolated blocks.

• 4,480 acres NEAR RICO, 50 miles north of Cortez. Patented and unpatented mining claims.

• 1,280 acres NORTHWEST OF DURANGO near old ghost town of Mayday. Isolated tracts.

• Remaining acreage scattered throughout forest in small isolated parcels.

WHITE RIVER
14,003 total acres listed

• 6,700 acres BETWEEN MARBLE AND SCHOFIELD PASS, south of Carbondale. Scattered mining claims; isolated parcels; within two miles of Maroon Bells-Snowmass Wilderness.

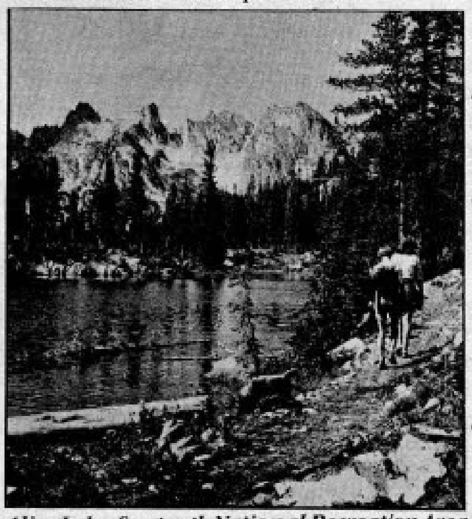
• 2,000 acres BETWEEN ASPEN AND ASHCROFT. Special use permit for cross-country ski area; isolated parcels; checkerboard ownership; within two miles of Maroon Bells-Snowmass Wilderness.

• 600 acres SOUTH OF EAGLE. Isolated tracts.

• 800 acres IN THE MEEKER AREA. Isolated tracts.

• 630 acres IN VAIL/AVON AREA. Development; isolated tracts.

• Remaining acreage scattered throughout forest in small isolated parcels.



Idaho Department of Commerce and Development

Alice Lake, Sawtooth National Recreation Area, Challis National Forest

IDAHO

186,712 acres identified

CLEARWATER
27,517 total acres listed

• 16,000 acres in LATAH COUNTY, NORTH AND EAST OF MOSCOW. Scattered, isolated parcels.

• 8,000 acres in CLEARWATER COUNTY, EAST OF OROFINO. Scattered, isolated parcels.

• 2,000 acres in BENEWAH COUNTY, SOUTH OF SPOKANE. Scattered, isolated parcels; close to Coeur D'Alene Indian Reservation.

• Remaining acreage scattered throughout forest in small isolated parcels.

BOISE
25,497 total acres listed

• 16,166 acres NORTH OF MOUNTAIN HOME and south of Anderson Ranch Reservoir. Scattered, isolated parcels.

• 3,179 acres EAST OF BOISE, SURROUNDING LUCKY PEAK RESERVOIR. Scattered, isolated tracts.

• Remaining acreage scattered throughout forest in small isolated parcels, with summer home sites, resort and recreation interests.

CARIBOU
16,571 total acres listed

• 12,000 acres of the CURLEW NATIONAL GRASSLANDS, about 40 miles southwest of Pocatello. Heavy grazing interests; consists of 25 percent of the total 47,000 acres of the grasslands.

• Remaining acreage scattered throughout forest in small isolated parcels with recreational and resort interests.

PAYETTE
3,638 total acres listed

• 274 acres NORTH AND WEST OF NEW MEADOWS. Scattered tracts.

• 1,320 acres in four parcels near the MIDDLE FORK OF THE WEISER RIVER south of Council. Interspersed ownership with Boise-Cascade.

• 765 acres connecting forest land WEST OF CAMBRIDGE AND EAST OF HELLS CANYON WILDERNESS AREA. Scattered tracts.

• 1,080 acres EAST OF DONNELLY. Scattered tracts.

• Remaining acreage scattered throughout forest in small isolated parcels with recreational and resort interests.

TARGHEE
1,573 total acres listed

• 1,573 acres scattered mostly in the ISLAND PARK AREA, about 100 miles north of Idaho Falls and just west of Yellowstone National Park; and in the PALISADES AREA, about 80 miles southeast of Idaho Falls. Summer homes and resort interests.

SALMON
799 total acres listed

• 35 acres NEAR GIBBONSVILLE, about 30 miles north of Salmon. Scattered homesites.

• Remaining acreage in scattered 40 to 200 acre parcels WEST OF LEADORE, about 46 miles south of Salmon.

CHALLIS
66 total acres listed

• 46 acres NORTH OF CHALLIS. Grazing interests.

• 16.5 acres NORTH OF SAWTOOTH NATIONAL RECREATION AREA. Heavy recreation interests.

• Remaining acreage scattered throughout forest in small isolated parcels.

SAWTOOTH
73 total acres listed

• 73 acres SOUTH OF TWIN FALLS. Summer home sites and recreation interests.

NEZ PERCE
8 total acres listed

• Summer home groups NEAR communities of RED RIVER and DIXIE; both north of the River of No Return Wilderness.

PANHANDLE
110,966 total acres listed

• 36,776 acres NORTH OF BONNERS FERRY in extreme northeast Idaho and in the rest of Boundary County. Checkerboard ownership, timber interests.

• 34,328 acres NEAR SANDPOINT in Bonner County. Scattered parcels, summer home groups, timber interests.

• 8,406 acres near Coeur D'Alene in the HOO DOO VALLEY in Kootenai County. Checkerboard ownership, timber interests.

• 34,325 acres in the WALLACE KELLOGG AREA in Shoshone County. Scattered tracts, mining claims, timber interests.

• 9,811 acres in the ST. MARIES REGION in Benewah County. Scattered tracts, summer home groups, timber interests; 500 to 700 acres

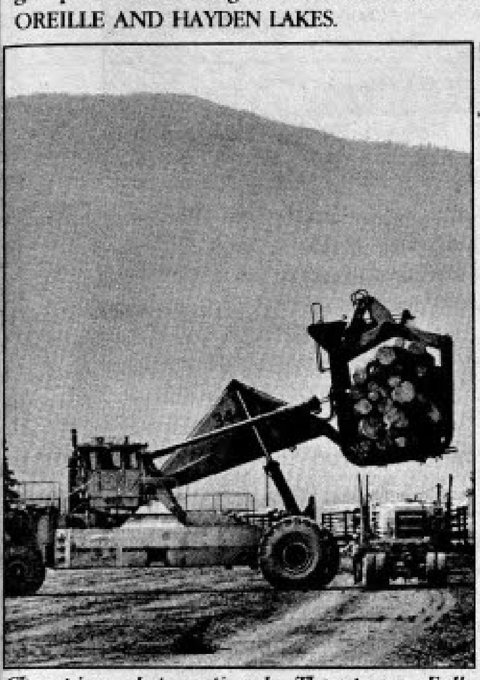
eal Estate Listings

est supervisor today!

For more precise locations of acreage, consult each forest headquarters.

extend into the Coeur D'Alene Indian Reservation.

• Remaining acreage scattered throughout the forest in small parcels with summer home groups concentrating around PRIEST, PEND OREILLE AND HAYDEN LAKES.



David Spear

Champion International, Thompson Falls, Lolo National Forest

MONTANA

872,053 acres identified

HELENA
45,398 total acres listed

• 6,183 acres at southern tip of the BIG BELT MOUNTAINS east of Townsend. Isolated parcels.

• 11,000 acres in DRY RANGE FOOTHILLS AREA northwest of White Sulphur Springs. Checkerboard ownership, grazing interests.

• 3,700 acres in Big Belt Mountains east of Gates Mountain Wilderness, known as JIM BALL BASIN. Heavily checkerboarded with private land owned by Sieben Livestock Company.

• 4,400 acres in the MIKE HORSE MINING AREA OF THE BLACKFOOT RIVER BASIN, northwest of Lincoln. Intermingled parcels with patented mining claims; heavily roaded.

• Remaining acreage scattered throughout forest in small parcels with some concentration a few miles south of Helena. Heavy recreation use.

KOOTENAI
156,919 total acres listed

• 1,410 acres centered AROUND TROY in far northwestern Montana. Broken ownership, timbering interests.

• 7,200 acres AROUND LIBBY and east toward Kalispell for 15 miles. Broken ownership, timbering.

• 44,320 acres centered AROUND EUREKA in far northwestern Montana. Broken ownership.

• 24,640 acres up WOLF CREEK, 20 to 50 miles east and south of Libby. Scattered parcels in broken ownership pattern.

• 79,020 acres between Libby and Kalispell in the SILVER BUTTE AREA AND MCGREGOR LAKE AREA. Checkerboard ownership.

• Remaining acreage scattered throughout the forest in small parcels, including administrative sites around Libby, Eureka and Troy.

GALLATIN
182,028 total acres listed

• 93,263 acres in the CRAZY MOUNTAIN RANGE about 15 miles north of Livingston and Big Timber. Checkerboard ownership, highly scenic and heavy recreation use, timbering.

• 35,000 acres 10 miles north of Bozeman in the BRIDGER AND BANGTAIL MOUNTAIN RANGES. Checkerboard parcels, timber and grazing interests, dispersed recreation interests.

• 6,000 acres 12 miles SOUTH OF LIVINGSTON, backing up to the Beartooth Wilderness Area. Checkerboard ownership, timber and grazing interests.

• 7,755 acres ADJACENT TO AND SOUTH OF HEBGEN LAKE, about 10 miles north of West Yellowstone. Scattered parcels, power plant project interests.

• 5,273 acres in the WINEGLASS MOUNTAINS, three miles southwest of Livingston. Checkerboard ownership with private individuals or Burlington Northern.

• 14,176 acres in GALLATIN CANYON, eight miles south of Livingston. Checkerboard ownership.

• Remaining acreage scattered throughout the forest in small parcels.

FLATHEAD
104,187 total acres listed

• 24,300 acres 12 miles SOUTH AND WEST OF KALISPELL. Checkerboard ownership with BN, isolated tracts, timber interests.

• 57,850 acres in SWAN VALLEY between the communities of Swan Lake and Seeley Lake. Checkerboard ownership with BN; acres back up to Mission Mountain Wilderness Area and are less than two miles from Bob Marshall Wilderness at some points.

• 4,130 acres six miles north of Whitefish AROUND THE BIG MOUNTAIN SKI AREA. Expansion.

• Remaining acreage scattered through the forest in small parcels.

BEAVERHEAD
1,434 total acres listed

• 868 acres NEAR ELKHORN HOT SPRINGS RESORT, northwest of Dillon. Isolated parcels and summer home groups.

• 160 acres in LA MARGE CREEK, near the community of Wise River. Isolated tracts.

• 520 acres five miles SOUTH OF JACKSON. Isolated tracts.

• Remaining acreage scattered throughout the forest in small parcels.

DEERLODGE
52,257 total acres listed

• 19,530 acres in the BULL MOUNTAINS northeast of Whitehall. Checkerboard ownership.

• 5,321 acres WITHIN FIVE MILES OF BUTTE. Scattered parcels, patented mining claims.

• 9,691 acres in the GEORGETOWN LAKE AREA, west of ANACONDA. Checkerboard ownership, patented mining claims, recreation interests.

• 2,167 acres in the north half of the TOBACCO ROOT MOUNTAINS, near the community of Pony. Interspersed mining claims.

• Remaining acreage scattered through the forest in small parcels.

BITTERROOT
9,883 total acres listed

• 7,821 acres scattered from northeast of DARBY to as far as 25 miles southwest of Darby, including the FRENCH BASIN AND PAINTED ROCKS DAM AREA. Checkerboard ownership with private interests and BN, timber and grazing interests.

• 1,202 acres located in the FLORENCE/STEVENSVILLE AREA. Isolated parcels, grazing interests, timber interests.

• 955 acres SOUTHEAST OF HAMILTON. Isolated parcels.

• Remaining acreage scattered throughout the forest in small isolated parcels.

LEWIS AND CLARK
79,067 total acres listed

• 21,200 acres in the BLACK TAIL HILLS, 10 miles north of Stanford. Isolated unit from remainder of forest, grazing interests, some wildlife winter range.

• 24,808 acres in the LITTLE BELT MOUNTAINS southeast of Great Falls. Checkerboard ownership,isolated parcels.

• 13,486 acres, the ENTIRE LITTLE SNOWIES MOUNTAINS about 30 miles south of Lewiston. Isolated unit from the remainder of forest, wildlife, timber and grazing interests.

• 38,473 acres, the ENTIRE CRAZIES MOUNTAINS, 25 miles southwest of Harlowton. Checkerboard ownership, timber, grazing and wildlife interests.

• Remaining acreage scattered throughout the forest in small parcels with some patented mining claims and rights-of-way access.

LOLO
225,956 total acres listed

• 66,715 acres SOUTHEAST OF MISSOULA in both Missoula and Granite Counties. Checkerboard ownership with private interests and BN, timber interests, isolated tracts.

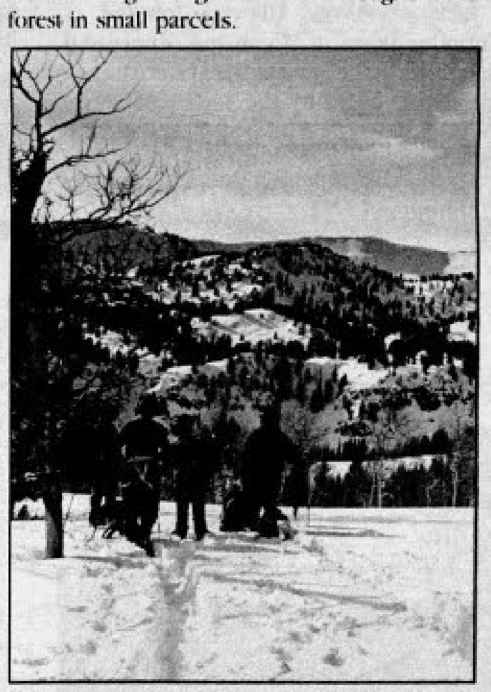
• 5,210 acres about 10 miles southwest of Missoula in LOLO CREEK AREA. Checkerboard ownership, timber interests, Lewis and Clark Trail crosses the area.

• 59,854 acres beginning NORTHWEST OF MISSOULA TO SUPERIOR. Checkerboard ownership, timber interests, crosses several drainages.

• 30,150 acres 12 miles NORTHEAST OF MISSOULA and running east of Seeley Lake in Powell County. Checkerboard ownership, isolated parcels, timber interests, some of the acres are near Rattlesnake National Recreation Area and Wilderness.

• 63,902 acres about 35 miles north of Plains in the THOMPSON RIVER DRAINAGE. Checkerboard ownership, isolated parcels, timber interests.

• Remaining acreage scattered throughout the forest in small parcels.



Skiers up Logan Canyon, Wasatch National Forest

UTAH

141,675 acres identified

ASHLEY
8,989 total acres listed

• 7,000 acres NORTH OF THE DIAMOND MOUNTAIN REGION, northwest of Vernal. Grazing interests.

• 2,000 acres NORTHWEST OF MOUNTAIN HOMES, dipping into the Uintah and Ouray Indian Reservation. Grazing interests.

• Remaining acreage scattered throughout forest in small isolated parcels.

DIXIE
14,779 total acres listed

• 11,000 acre block on the EAST SIDE OF BRYCE CANYON NATIONAL PARK in south central Utah. Block is isolated from rest of the forest by the park.

• Remaining acreage scattered throughout forest in small isolated parcels.

FISHLAKE
9,315 total acres listed

• 1,200 acres in the Gooseberry drainage about 10 MILES EAST OF SALINA (Junction of I-70 and Highway 15). Irregular land patterns; grazing interests.

• 2,000 acres EIGHT MILES WEST OF JOSEPH, near the Marysvale area. Irregular land patterns; grazing interests.

• 2,300 acres in the TIMBERLY MINING AREA, nine miles west of Marysvale. Irregular land patterns with patented mining claims.

• 2,900 acres in the BULLION-COTTONWOOD MINING AREA, eight miles southwest of Marysvale. Irregular land patterns with patented mining claims.

• Remaining acreage scattered throughout forest in small isolated parcels.

SAWTOOTH
10,684 total acres listed

• 10,684 acres in the eastern one-third of the RAFT RIVER MOUNTAINS division, located in far northwestern Utah. Grazing, some timbering, scattered parcels.

UINTA
5,182 total acres listed

• 200 acres at SUNDANCE SKI AREA, about 25 miles north of Provo. Resort interests.

• Remaining acreage scattered throughout the PROVO AND ALPINE JUNCTION AREAS in no significant block sizes. Heavy downhill skiing interests and other resort interests.

MANTI/LASAL
43,662 acres listed

Manti

• 3,400 acres 20 miles WEST OF PRICE AND 10 MILES EAST OF FAIRVIEW. Heavy reservoir recreation use; grazing.

• 4,000 acres farther west than above cited 3,400 acre plot. Grazing interests.

• 18,000 acres six to EIGHT MILES WEST OF HUNTINGTON in the East Mountain area. Coal mining interest; grazing.

• Remaining acreage scattered throughout forest in small isolated parcels.

LaSal

• 9,000 acres near LaSal, about 90 miles EAST OF MOAB. Grazing interests.

• 1,800 acres in THE LITTLE FOREST AREA 26 miles east of Moab, 12 miles west of Gateway, Colorado. Tract isolated from rest of the forest.

• Remaining acreage scattered throughout forest in small isolated parcels.

WASATCH
49,061 total acres listed

• 16,500 acres WEST AND SOUTH OF EVANSTON, WYOMING. Checkerboard ownership between forest and Union Pacific.

• 24,000 acres SOUTHEAST OF LOGAN. Isolated parcels; grazing; large elk population.

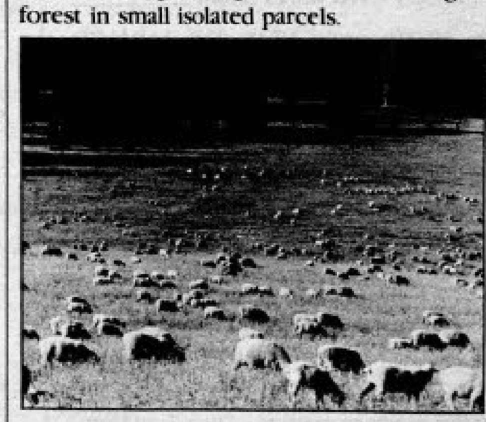
• 2,500 acres 10 miles SOUTHWEST OF BEAR LAKE on the Utah/Idaho boundary, about 40 miles NORTH OF LOGAN. Recreation and resort interests.

• 7,500 acres, east of Ogden, around Pineview Reservoir. Resort interests.

• 7,000 acres up EAST CANYON, east of Salt Lake City. Resort interests.

• 4,000 acres up LOGAN CANYON, east of Brigham City. Resort interests.

• Remaining acreage scattered throughout forest in small isolated parcels.



John George

(continued on next page)

The Bridger – Teton National Forest office in Wyoming has already received over 50 phone calls from people inquiring about the sale. They want an acre anywhere they can get it at whatever price.

Robert Hilgenfeld

Hoback Canyon, Bridger-Teton National Forest

Asset sales...

(continued from page 7)

amount is "a slap at the Boulder County Commission office," Scott said.

Boulder County Commissioner Jack Murphy said the sale of those acres in the mountainous area behind the city of Boulder could be disastrous because development would be rampant. "We only have so many canyons in the area. It will only hold so many people," Murphy said. "We have 7,000 building lots for sale (in the area listed). We won't approve any more for sale because we can't provide them with schools, water, sanitation, etc. We can't take care of those mountain communities."

Murphy expressed concern that no information about the appraisals of the land or the mechanics of the sale has been released. "It (the asset program) is ridiculous," he said. "Someone must have awakened in the night and thought this up. It doesn't have a snowball's chance in hell of passing."

Another area of concern to Mike Scott is about 2,000 acres in the White River National Forest behind Aspen along the road to the community of Ashcroft. The road is one of the access routes into the Maroon Bells-Snowmass Wilderness Areas. Scott said that the area provides access to a "world famous place" and that the Forest Service must save the integrity of the forest by keeping those acres off the "for sale" list. "It would go condos if sold," he said.

He also said the agency had been trying to buy the community of Ashcroft to better block up the lands for management. "It wouldn't make any planning or aesthetic sense to sell it," he said.

Also of concern in Colorado, as well as in Wyoming and Idaho, is the listing of huge tracts in the National Grasslands system. In Colorado, 17 percent of the Commanche National Grasslands and 48 percent of the Pawnee National Grasslands are on the list. In Wyoming, 46 percent of the Thunder Basin National Grasslands is listed; in Idaho, 25 percent of the Curlew National Grasslands is listed. Nearly 30 percent of all grasslands in the country are on the list.

Jack Cameron, district ranger of Thunder Basin in Wyoming, explained that units in the grasslands system began to be purchased by the federal government during the dustbowl days of the '30s when poor farming practices destroyed the prairies. The acres purchased were first managed by the Soil Conservation Service and eventually by the Forest Service. Cameron said because of the random nature of purchasing in the '30s, a scattered system developed. That type of a system makes the acres vulnerable to the asset program.

Cameron said the primary criteria for retaining acres in the grasslands was strong mineral potential. He said many ranchers in the area have already expressed their opposition to the grasslands sales. Most could not afford to buy the parcels they now pay grazing permit fees to use. And many are concerned that outside interests will buy and plow the parcels, recreating the dustbowl days they have worked many years to reverse.

Conservationists point to the grasslands' added contribution to the public lands system. Grasslands provide not only grazing, but critical wildlife habitat, watershed protection, hunting, birding and other recreational opportunities. Carolyn Johnson of the Natural Resources Defense Council accused the Forest Service of trying to dump the grasslands because the agency doesn't want to manage them. Grasslands are separated from other forest lands and they don't produce trees, the primary business of the Forest Service.

In Utah, Rob Smith with the Sierra Club and The Wilderness Society, said many roadless areas are included on the asset list, including an entire roadless area in the Sawtooth National Forest that had been recommended for wilderness designation by the Sierra Club after RARE II.

Another area of conern in Utah is an 11,433 acre tract in the Dixie National Forest that separates Bryce Canyon National Park from the Alton coal field. It it were sold and developed, the visual impact on Bryce would be horrible, Smith said.

Smith is also concerned about the small parcels listed in the Wasatch National Forest. Those listings include acreage under permit to hiking groups, summer camps and non-profit organizations. He said many of the groups probably would not be able to purchase the property and would lose their current facilities.

Smith and other conservationists express concern over the direction and handling of the asset program. Smith said he has information that some of the acreage sent up by the districts was changed in the Washington offce, and that the criteria for listing were not followed consistently. "Some checkerboard ownership areas on some forests are not on the list and some summer home sites are not on the list," he said. "The word came down from Washington to get a list of about 50 percent of the summer home sites. In many instances, the sale of summer home sites would create inholdings. That is the opposite of what they want."

Although there are many questions left to answer, the Forest vice points out that it has done all that has been required of it up to this time. The agency continues to stress that legislation must be passed before detailed study of the areas is conducted and before the final number of acres for sale can be identified. It contends that it cannot decide what kind of sale process would be conducted, nor have there been any appraisals to determine just how much money could be made from the sales.

Despite the strong opposition to the asset program, it is certain that the administration will find someone in Congress within the next few months to introduce legislation to give the Forest Service authority to proceed. And, if the sales plan goes through, there will be interested parties with enough capital to start buying those tracts in our national forests.

In fact, said Fred Kingwill, public information officer with the Bridger-Teton National Forest in Wyoming, his office has already received over 50 phone calls, mostly from people in the eastern United States, inquiring about the sale. "They say they want an acre anywhere they can get it at whatever price," he said. "They say they just want a piece of the Bridger-Teton forest."

‡‡‡

Ellen Ditzler, Glenn Oakley and Brec Cooke assisted in the preparation of this article. It was paid for by the HCN Research Fund.

Mike McClure

WYOMING

334,295 acres identified

MEDICINE BOW
39,583 total acres listed

• 39,000 acres NEAR THE LARAMIE PEAK AREA, northwest of Wheatland. Scattered, isolated tracts; grazing interests; Laramie Peak recommended for wilderness in 1982 Wyoming wilderness bill.

• Remaining acreage scattered throughout forest in small isolated parcels.

THUNDER BASIN NATIONAL GRASSLAND
267,060 total acres listed

• 267,060 acres includes almost the entire western portion of grassland from UPTON TO NIOBRARA COUNTY LINE. Also includes much of eastern portion and area around Dull Center. Scattered isolated parcels, heavy grazing interest; acreage listed is 46.7 percent of the total 500,000 acres.

BIG HORN
266 total acres listed

• 266 acres located almost entirely ALONG HIGHWAYS 14 AND 16. Scattered parcels of summer home groups; resorts; state fish hatchery.

SHOSHONE
2,700 total acres listed

• 1,256 acres SOUTHWEST OF LANDER. Scattered parcels of irrigation permits; resorts.

• 459 acres BETWEEN DUBOIS AND TOGWOTEE PASS. Scattered, isolated parcels, some acres within a few miles of Teton and Washakie Wilderness Areas.

• 298 acres SOUTHWEST OF MEETEETSE. Scattered tracts, some acres within a few miles of Washakie Wilderness.

• 225 acres scattered ALONG THE ROAD FROM THE EAST ENTRANCE OF YELLOWSTONE NATIONAL PARK for about 25 miles east. Resort and summer home groups.

• Remaining acreage scattered throughout forest in small isolated parcels.

BLACK HILLS
21,295 total acres listed

• 5,000 acres in four tracts WITHIN 20 MILES OF SUNDANCE. Isolated parcels of 40 to 80 acres; grazing and timbering.

• Remaining acreage scattered along the WESTERN EDGE OF THE BEARLODGE MOUNTAINS some 20 to 30 miles north of Sundance. Range isolated from rest of Black Hills Forest.

BRIDGER-TETON
2,879 total acres listed

• 1,041 acres ALONG PORCUPINE-HORSE CREEK about eight miles south of Jackson. Checkerboard ownership.

• 1,239 acres in DRY ISLAND AREA about three miles from Bondurant, or 30 miles south of Jackson. Isolated tracts.

• Remaining acreage scattered throughout forest mostly for community expansions and resorts.

TARGHEE
190 total acres listed

• 80 acres at BASE OF TARGHEE SKI AREA. Expansion.

• Remaining acreage scattered throughout forest in small isolated parcels.

BOOKS

Muir rescued

Stickeen

John Muir. Berkeley, California: Heyday Books, 1981. $3.95, paper. 87 pages.

Review by Peter Wild

John Muir's climbing friend described the conservationist footloose in his mountains as "leaping fissures, sliding flat around a dangerous rockbreast...always going up, up, no hesitation." The companion knew what he was talking about. Once, in Alaska, "John o'the Mountains" rescued him after a fall by scrambling up a cliff with the man clenched by the collar in Muir's teeth like a "panther with her cub."

Muir's legendary vitality on the rocks, however, didn't carry over into his literary life. When it came to writing about his adventures in the wilds, the activist in so many other things was a veritable procrastinator. Despite the urgings of wife, friends and editors, he dawdled along. It wasn't until he was 56 that he published his first major book.

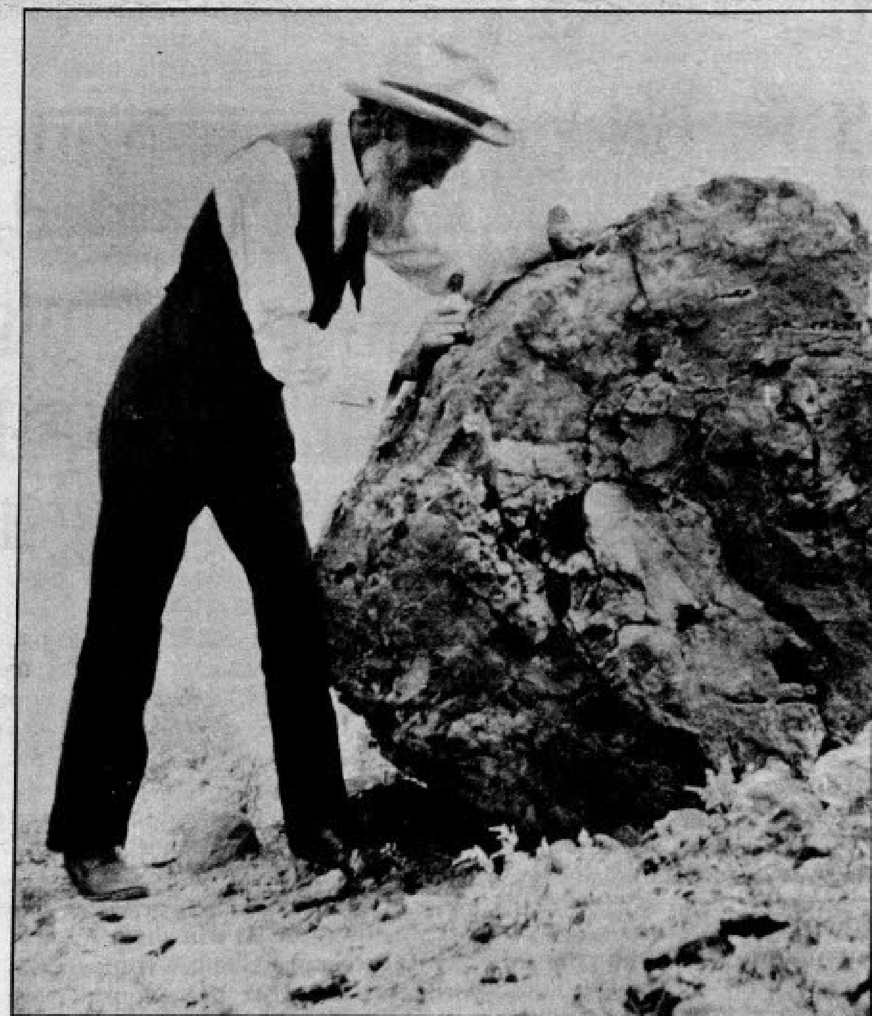
Days and nights in the Sierra were too exciting to be sacrificed for the drudgery of toying with pen and paper. As he apologized, "Ink cannot tell the glow that lights me at this moment in turning to the mountains."

I think that there might have been a deeper reason. Loner John Muir experienced the wilderness profoundly. The memories he carried away with him retained the luminosity of religious experiences. It took him years to digest them, to settle down and write them out.

Such certainly was the case with *Stickeen*, the story of a "short-legged and bunchy-bodied" little black mongrel. Both man and dog nearly met an early end while exploring a glacier in Alaska. The hairsbreadth and heartrending escape was "the most memorable of all my wild days," the tough Scotsman testifies without embarrassment. Over the years, Muir's readers have seconded his judgement, sending the book through dozens of printings. In any case, the adventure occurred in 1880 and finally made its way through Muir's psyche and into print no less than 17 years later.

No, this time it's not Muir who has a fall and the feisty little critter drags the future president of the Sierra Club to safety. That would be maudlin. And those who know Muir's writing know that, despite his exhilaration for God's trees and God's mountains, Muir doesn't often get misty-eyed about animals, especially domestic animals, those fallen angels sullied by long association with civilized man.

But, in truth, the plot is almost that simple. It's the writing that makes the story, that makes it fly beyond the bathos of most animal stories. Good grief! Muir even gets away with having the dog talk after the crisis. Man and dog dance with joy! Okay, so puppies disgust you. You have a heart of adamantine. Even so, *Stickeen* is worth reading for the technical skill which Muir brings to the literary booby trap of the situation.

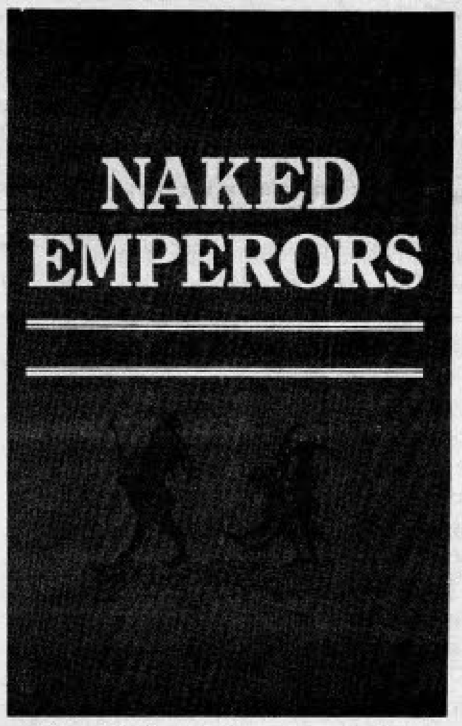


John Muir, 1910

But I have a better idea. It's a short book. Stoke up the fire, gather the family around, pour your favorite beverage, then read *Stickeen* aloud — with, of course, the family dog by your side. There won't be a dry eye in the house.

Stickeen may be ordered directly from the publisher: Heyday Books, P.O. Box 9145, Berkeley, California 94709.

Kill the messenger?



Naked Emperors

Garrett Hardin. Los Altos, California: William Kaufmann, 1982. $8.95, paper; $15.00, cloth. 281 pages.

Review by Peter Wild

It's not easy for people to change their minds. They cling to their values and react to whatever challenges them with the tenacity of drowning men clutching their life preservers. Aesop found this out the hard way. When it finally dawned on the citizens of Delphi that his animal stories poked fun at their foibles, they pitched him off the top of Mount Parnassus. So much for the gentle satirist. And we can guess what really happened to the clear-sighted boy in the Hans Christian Anderson's tale who called out, "Hey, the Emperor is naked as a jaybird!" He got his mouth washed out with soap.

Such is the lot of the reformer. For years, Garrett Hardin has been figuratively pitched off cliffs, but he comes bouncing back full of cheer and mother wit to hold up the mirror to our self-delusions. Why? "As for culture," he empathizes, "I wish to express a sympathy with those who draw back from a rational, ecological analysis of life." But that rational analysis is a psychic bullet we'll have to bite if we are to avoid the fate of the dinosaur.

It's not going to be easy. Some of our choices will go counter to cherished assumptions. Take immigration. Right now, some 800 million malnourished people hold out empty food bowls on our planet. Many, perhaps most, of them would readily exchange their poverty for life in the United States. How many should we let in — one, 10, 100 million a year? As it stands, the U.S. has just about reached zero population growth — except for an annual increase of two million legal and illegal immigrants.

No other nation in the world is that foolish. In Hardin's view, we are doing ourselves in: on a finite planet "shortages cannot be solved by sharing." Blinded to the future, we are importing poverty, tipping the balance of the ecological scales toward the standard of living in Calcutta. "Nature," Hardin reminds us, "never forgives a good deed."

The essays collected into this volume on human ecology, evolution and trickiness of language needle the balloons of age-old prejudices. Here's a sampling:

> ...evolutionists look with horror at pictures of 10-year-old children equipped with pacemakers or artificial kidneys.
>
> To encourage the retention of multiple languages, as "bilingual" education does, is to encourage the growth of tribalism in a nation.
>
> Computer simulation competes with Freudian denial.
>
> Legislators who forbid compassionate killing force people to invest in failure...

Want to know whether Adam and Eve had navels? What did Saint Augustine have to say about astrology? Is there a scientific basis for racial prejudice? Why do writers tend to be political liberals? It's all here in *Naked Emperors*, woven into the context of the attitudes that endanger the future of the world.

You'll see why computer programmers, the March of Dimes, Roman Catholics, sociologists, Communists, Capitalists, animal lovers, Unitarians and, yes, even some conservationists itch to drag this former professor of human ecology up the nearest mountain.

But that's not the point. Garrett Hardin is not the smart-aleck high-school kid who grew up with a penchant for tweaking the noses of authority. Neither is he a cruel wise-acre. Rather, in his enlightened but humble way he asks us to consider the consequences of our deeds, lest we dig ourselves into ecological graves with the shovels of our self-delusions.

Ruckelshaus...

(continued from page 6)

percent and the budget by about 45 percent in inflation-adjusted dollars. The budget issue is the first one that the new administrator will likely have to deal with.

Then, said Ayres, "We'll see if he can change the administration's policies on acid rain. He'll have to pursue a vigorous policy on Superfund, accelerating the preparation of plans and the cleanup. He should return to the cancer policy of the previous administrations." Before Reagan, evidence of cancer in laboratory animals was considered sufficient evidence of hazards to human health. Under Burford, EPA insisted on evidence of cancer in humans.

Ayres said that a re-examination of the administration's policies on pesticides, the Clean Air Act and The Clean Water Act would also indicate a change of the administration's heart.

Still, while environmentalists are taking a wait-and-see attitude, there is reason for hope. Ruckelshaus has reportedly gotten promises of some autonomy for the agency and direct access to Reagan on environmental matters, a privilege previously enjoyed only by Interior Secretary James Watt. In fact, Ruckelshaus' appointment may indicate a waning of Watt's influence, since Burford was originally appointed with his recommendation.

David Dominick, now a Denver lawyer, worked for Ruckelshaus at EPA between 1970 and 1974. He was one of five assistant administrators of the agency. He said, "To may way of thinking, Ruckelshaus was the most stunning public figure I met in Washington during my time there. He is a person of extraordinary intelligence with the ability to focus on issues and inspire and lead people."

"He protected his people in the agency and the processes from what could have been very serious abuses by the Nixon White House." He should have ample opportunity to protect the agency once again.

‡‡‡

John Soisson assisted in the preparation of this article. It was paid for the HCN Research Fund.

Intermountain Power Agency

If IPP failed, or was too big to pay for itself, it might leave the customers of UP&L burdened with a WPPSS-like white elephant.

IPP...

(continued from page 1)

to regulate IPA and require the agency to obtain a certificate of convenience and necessity for IPP. All public utilities regulated by the state must be certified before they can finance, construct and operate an electrical facility. IPA, believing it was exempt under the 1977 act, never requested such a certificate from the commission.

The legal arguments outlined in the Barker memorandum said IPA was an electrical corporation and a public utility and as such its special "quasi-municipal" status under the 1977 Interlocal Cooperation Act did not exempt it from regulation. Further, the Barker memo argued that the 1977 law was unclear and, in part, unconstitutional in this regard.

Finally, the memo said the commission should review the contracts and agreements IPA was entering into for the multi-billion dollar IPP. In its conclusion, the lengthy memorandum said, "The test ordinarily used to determine what is a public utility in the state of Utah fit the Intermountain Power Agency 'like a glove'." Under that interpretation, IPA would have been subject to state regulation and all it required.

Barker said he was asked to prepare the draft petition at the request of Utah Gov. Scott Matheson (D). After the draft was written the governor reportedly had a meeting with IPA to discuss the regulatory issue. At that time, IPA was considering purchasing Wyoming coal, which would have been considerably cheaper than Utah coal. The governor called IPA officials into a meeting and told them he was reviewing the regulatory question. IPA then agreed to buy Utah coal instead of Wyoming coal. Having served its apparent purpose, the Barker memo was shelved.

In July, 1980, the Utah Public Service Commission, concerned about the contract arrangements involving Utah Power & Light and the members of IPA, wrote separate letters to UP&L and IPA. The commission said it would require a certificate of convenience and necessity for IPP from IPA. In both letters, the identical statement appeared: "An application for a certificate of convenience and necessity for the Intermountain Power Project generating units will be required prior to their implementation." IPA moved quickly to dissuade the commission from requiring certification. In August, 1980, IPA attorney George Fadel wrote a legal memorandum to the commission which repeated the position that IPA was a political subdivision under the Interlocal Cooperation Act of 1977 and did not require a certificate of convenience and necessity. Fadel said IPA was not an electrical corporation nor a public utility, but rather a public agency and a public subdivision. Fadel argued that IPA, as a municipality, was specifically exempted from regulation under the 1977 act.

By this time IPA had already sold two bond issues totalling $600 million and was preparing for another. According to members of the Public Service Commission, the bond counsel for the New York financial underwriters of IPP was aware that the commission was raising questions. The bond counsel was concerned about the regulatory issue and wanted some clarification before approving another multi-million dollar issue.

At the urging of IPA, the commission met with former state senator (and now State Tax Commissioner) Robert Bowen. Bowen affirmed the intent of the legislature to have IPA outside of state jurisdiction.

After receiving Fadel's legal memo and meeting with Bowen, the commission wrote to Fadel and said it "was convinced the intent of the legislature (was) ... that the IPP project not be subject to" state regulation.

"We took the easy way out and hung on legislative intent," said Milly O. Bernard, chairman of the PSC at the time. A former legislator and speaker of the state House of Representatives, Bernard said, "Strictly speaking we (the PSC) are an arm of the state legislature and should follow what they said."

She said in 1977 the legislature wanted IPP so badly it passed the 1977 law not knowing "all of the answers to what it was doing. The question has so many ramifications, so much that is unclear. Legislators don't like to think and often don't know what to think. The issue has so many shadings it could come down either way."

Bernard said she looked at IPP with "mixed emotions." The environmental issues had already been addressed, and the fact that California was getting most of the IPP power, while Utah experienced the major impacts, did not worry her. She said, "Utah needed those jobs."

The letter to Fadel was also signed by Commissioner Brent Cameron, who became PSC chairman after Bernard retired last year. Chairman Cameron said, "Frankly I thought bond counsel wouldn't accept the letter. I thought they (IPA) should probably have come in for a certificate just in case. But they didn't."

One utility attorney familiar with the letter said he was surprised it was accepted by the bond counsel. He said he thought Cameron may have had a hand in making the letter purposefully vague so IPA might be forced to clarify the regulatory question.

Another attorney close to the situation said the IPA and PSC handling of the question was tantamount to sloppy legal

IPP: a short history

Intermountain Power Agency

When the Intermountain Consumer Power Association, a consortium of Utah and Nevada municipal and rural electric companies, learned in 1970 that additional supplies of federal Colorado River hydropower would not be available to meet future demand, it began looking for new sources. After several years of investigation, ICPA joined with a group of California municipalities and began exploring the possibility of developing a large coal-fired power plant. As a result, the Intermountain Power Project was formed as a nonprofit corporation in early 1974.

California participants included Los Angeles, Anaheim, Burbank, Glendale, Pasadena and Riverside, all municipalities interested in meeting new power demands and replacing their aging and expensive oil-burning power generators.

As originally proposed, IPP looked like the twin brother of the ill-fated Kaiparowits power project. It was to be a 3,000-megawatt complex featuring four coal-fired 750 Mw steam electric generators. The monster would require huge amounts of water and coal and an army of people to build it.

Initially, a site in southern Utah near Capitol Reef National Park was selected for study. Like Kaiparowits, that site stirred strong opposition primarily because of its air quality impacts. Interior Secretary Cecil Andrus said he would not approve it.

A Utah task force appointed by the governor then arrived at a compromise site at Lynndyl, 10 miles north of Delta in central Utah. Andrus approved the site in 1979.

In 1977, the Utah state legislature had passed the Interlocal Cooperation Act allowing for the creation of the Intermountain Power Agency, a consortium of the Utah and California municipalities, rural Utah co-ops and Utah Power and Light. Under the law, IPA was able to function as if it were a municipality and began issuing municipal revenue bonds in 1981. Construction started that same year, and at its peak will employ 2,500-2,700 workers and create 500 permanent jobs.

Declining power demands and increasing construction costs led to an agreement by IPA members to cut IPP in half. At 1,500 Mw, the plant will still require two million tons of coal a year. At current costs this figures to at least $60 million a year for the 35-year life span of the project. The first unit is expected to be in operation by mid-July, 1986.

—JF

"We took the easy way out and hung on legislative intent."

— Millie O. Bernard
former Utah PSC chairman

Intermountain Power Project

housekeeping. He said the whole IPA arrangement should have been subjected to judicial review before the agency started selling bonds. "It would have been a simple matter to get a declaratory judgment confirming or denying IPA's legal status," he said.

As PSC chairman, Cameron is on record supporting a stronger state role in regulating IPP and other municipally backed power projects in the state.

In May, 1982, Cameron, speaking to a Utah Bar Association conference on the socio-economic impacts of development, addressed the problem of power plant siting and the role of the Public Service Commission. In his speech he raised the regulatory question directly: "Why should IPP escape state regulation? Perhaps you do not know that the commission does not regulate IPP and did not grant it a certificate of public convenience and necessity."

Cameron explained that the PSC had deferred to the prevailing interpretation of the legislature's intent that the "original IPP would not be subject to commission jurisdiction."

"But why," he asked, "should this be so? As proposed, IPP will be one of the world's largest coal-fired generating facilities. Its development to date has caused enormous problems in planning to ensure economic, political and environmental acceptability."

He said the legal issues and other matters surrounding the project "all cry out for a forum in which to be aired. Commission jurisdiction would allow Utah public involvement in a formal hearing during which the impact on our state of this enormous and expensive project could be extensively analyzed."

For Cameron, the "paramount issue is the protection of the public by assuring that adequate service will be available without unnecessary duplication."

In a recent interview, Cameron said that at the time of his speech he was concerned about the size of IPP. He knew the decline in electric power demand combined with the high cost of IPP-generated power might well leave IPP with excess capacity and no way to pay for it.

This was even more important in the face of UP&L's 25 percent share in IPP. If the project failed, or was too big to pay for itself, it might leave the customers of UP&L burdened with a WPPSS-like elephant.

Cameron said he looked to the state legislature for more guidance on the state regulatory role for IPP and similar projects but none was given in the session which adjourned in March.

WPPSS had Attorney General Wilkinson worried as well. As matters worsened in the Northwest, the similarities between the IPP and WPPSS financial arrangements became more apparent to him. About the time of Cameron's speech he directed his staff to complete its research into the jurisdictional question.

IPA, aware that the attorney general was looking into the question, continued to delay its next multi-million dollar bond issue.

Deputy Attorney General Craig Rich, who researched and wrote the major part of the attorney general's findings, said, "Obviously we had to be concerned about the dire consequences on both sides."

On one hand, IPA was concerned about the impact of regulation on bonding, but Rich said, "We didn't know if that was really true." On the other had, if IPP became another WPPSS, "You can make some bad conclusions. It would have been a real problem for us," he said.

Rich researched the issue last summer. During that time a parade of IPP supporters were trying to see the attorney general to voice their concerns about regulation.

Rich said, "The IPP supporters were in here wringing their hands about the dire consequences (of IPA regulation). IPA was very interested in doing everything they could to influence the attorney general. There were a series of people who wanted to meet with him about what could happen."

Finally, in August, the attorney general held a meeting attended by "bankers, bonds people, IPA staff and directors and mayors from the cities and towns," Rich said. "They were there to express their feelings about the problems caused by jurisdiction. The meeting went on for three hours."

Although he admits IPP submitted "one or two" legal briefs about the issue, Rich insisted the attorney general's conclusions were reached independently. As part of his analysis, he studied both the IPP positions and the original memorandum prepared in 1980 by James Barker.

Finally, in a September letter to Gov. Matheson, Wilkinson said he had concluded that the Public Service Commission did not have the authority to regulate IPP. He based his findings largely on his interpretation of the legislative intent in the 1977 law.

IPA attorney George Fadel said he thought the attorney general's conclusions were "largely the same as mine."

But the tangling of legal positions was not over yet. Last October UP&L commissioned still another legal analysis strongly contradicting the attorney general's findings. Prepared by a top flight Salt Lake City law firm, the UP&L memo took the attorney general to task on several primary points.

First, it said findings based on legislative history such as debates and statements made later by legislative sponsors are "generally incompetent" in determining the effect of the law.

A second position in the memo concluded that after analyzing the legal scope of commission jurisdiction, "cooperative associations" such as IPA may be public utilities and therefore subject to regulation.

The memo stated, "In our opinion, the attorney general's opinion is inordinately weak... The opinion's use and misuse of scanty, incomplete and inconclusive legislative debates as the dispositive interpretative tool in the face of plainly worded statutes compel such a conclusion. Indeed, the statements of legislators ... strongly suggest (they) intended to impose meaningful controls over IPA by subjecting it to commission jurisdiction.

"It is our view the conclusions denying (the) commisson's jurisdiction over IPA will not withstand commission or judicial scrutiny."

Although written in October, the UP&L commissioned memo did not surface until late December when it was used as part of a series of articles on IPP in the *Salt Lake Tribune*. When asked, UP&L officials said they don't know how the newspaper got a copy of the "unpublished legal analysis."

One state regulator said he believed UP&L had leaked the story to the press itself to bring more pressure to bear on IPA to reduce the size of IPP and UP&L's participation in it. Earlier in the year the company had tried to sell off its interest in the project and could find no buyers. Its next option was to work for reducing the size of the entire project and the company's share of it.

While the attorney general and UP&L were skirmishing over legal matters, the state consumer advocate committee, the Committee on Consumer Service, finished its exploration of the regulatory question. The committee is a five-member citizens' panel appointed by the governor to represent residential, small business and agricultural consumers in utility proceedings before the Public Service Commission.

The committee's legal counsel, James Barker, who wrote the 1980 memo used as a club to get IPA to buy Utah coal, prepared what he called an "advocate's brief." In the brief Barker concluded, "The public interest requires that some local control be exercised over the Intermountain Power project. This interest is protected by the requirement that a certificate of convenience and necessity be obtained before that entity may legally commence operation."

Barker's position was that while IPP may no longer need a certificate to continue construction, it might still need a certificate to go into generation. On the committee's behalf, he sought that certification and the resulting PSC review. In turn, the contracts between UP&L and IPA would be subject to public scrutiny, and the chance that Utah ratepayers would be burdened by a WPPSS-like failure would be substantially lessened.

UP&L's involvement in IPP was hurting the former's bond rating. Ultimately IPA agreed to cut IPP in half and let UP&L reduce its share from 25 percent to four percent. That arrangement, plus agreement between all parties that the consumer committee was free to challenge the inclusion of IPP costs in UP&L rates gave the committee the ratepayer protection it wanted. With that decided, the last interest actively pursuing the regulatory issue was quieted.

Dr. Joe Ingles, the consumer committee's executive secretary, said, "We thought parts of IPP were probably illegal. But with millions in bonds out we didn't want to rock the boat — jeopardizing the sale of bonds — causing the project to fail or raising the price of future bonds. We didn't feel IPP is in any danger or that it isn' beneficial; the jobs and coal sales are very beneficial to the state."

All appears as well with the IPP as construction booms along on schedule and there are anxious buyers for its bonds. But doubt still remains. The regulatory question is unanswered and, curiously enough, UP&L is trying to buy a $5 million insurance policy to cover its liability in case the project doesn't make it.

The attorney general's position is where the regulatory question stands. Yet his opinion is simply an interpretation — it has no force in law. Craig Rich of the attorney general's office said, "No one is bound by our position. Anyone could take legal action or petition for a hearing on the legality of IPA. Anyone could do that at anytime."

Dr. Ingles said, "The consumer committee wants to make sure the door is open in case we need to litigate if things go sour. What do you do if there is an earthquake in California and the whole damn place falls into the ocean? Who pays then?"

‡‡‡

Jess Funk is the current High Country News intern. This article was paid for by the HCN Research Fund.

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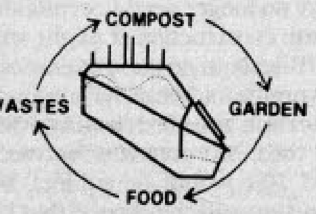

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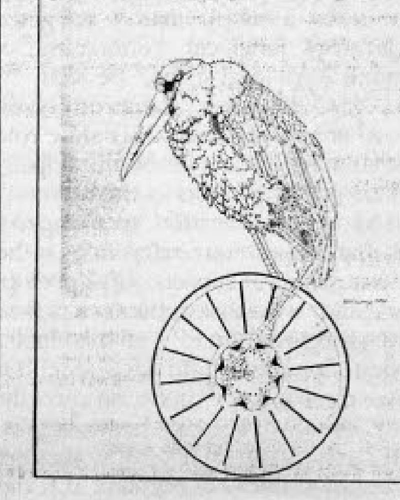

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STATE OF WYOMING PUBLIC NOTICE

PURPOSE OF PUBLIC NOTICE

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

IT IS THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS TO AND (4) OIL TREATER FACILITIES, TO MODIFY (1) INDUSTRIAL PERMIT, AND (1) MUNICIPAL PERMIT, AND TO RENEW (5) INDUSTRIAL PERMITS, (2) COMMERCIAL PERMITS, (1) OIL TREATER PERMIT, AND (3) MUNICIPAL PERMITS.

APPLICANT INFORMATION

(1) APPLICANT NAME: Amoco Production Company
MAILING ADDRESS: P.O. Box 569, Powell, WY 82435
FACILITY LOCATION: Little Buffalo Basin, Embar Battery #3, SW¼, Section 1, T47N, R100W, Park County
PERMIT NUMBER: Wy-0031909

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

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

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

(2) APPLICANT NAME: Florida Exploration Company
MAILING ADDRESS: P.O. Box 5025, Denver, CO 80217
FACILITY LOCATION: Horse Ranch Federal 4-2 Lease W-51232, SE¼, NW¼, Section 4, T36N, R81W, Natrona County
PERMIT NUMBER: Wy-0031925

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 North Fork of Casper Creek (Class III) 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, 1987.

(3) APPLICANT NAME: Lawrence - Allison & Associates West
MAILING ADDRESS: P.O. Box 90159, Casper, WY 82609-1159
FACILITY LOCATION: North Waterflood Plant, SW¼, Section 21, T39N, R78N, Natrona County
PERMIT NUMBER: Wy-0031895

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 Little Teapot Creek (Class IV) via an unnamed drainage.

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

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

(4) APPLICANT NAME: Tenneco Oil Company
MAILING ADDRESS: P.O. Box 3119, Englewood, CO 80155
FACILITY LOCATION: Mohawk Federal B#3, NE¼, NW¼, Section 26, T48N, R68W, Weston County
PERMIT NUMBER: Wy-0031917

Facility is a typical oil treater located in Weston County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Raven 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, 1984

(5) APPLICANT NAME: Bridger Coal Company
MAILING ADDRESS: c/o Nevco, Western Mining Division, P.O. Box 4000, Sheridan, WY 82801
FACILITY LOCATION: Sweetwater County
PERMIT NUMBER: Wy-0030350

The Bridger Coal Company operates a large open pit coal mine east of Rock Springs, Wyoming which provides fuel to the Jim Bridger Power Plant. The company is requesting that its existing discharge permit be modified to reflect the addition of a discharge point at runoff control pond JB-27. The additional point is located in the NE¼, SE¼, Section 20, T21N, R100W and discharges to Ninemile Wash (Class IV) via an unnamed draw.

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

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

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire April 30, 1988.

(6) APPLICANT NAME: Town of Glenrock
MAILING ADDRESS: P.O. Box 417, Glenrock, WY 82637
FACILITY LOCATION: Converse County
PERMIT NUMBER: Wy-0020630

The wastewater treatment system serving the Town of Glenrock, Wyoming consists of the following three separate facilities.

1. A three cell lagoon system in which the first two cells are aerated. This system is located on the north side of the North Platte River and is the facility included under the existing permit. Under the proposed permit this outfall to the North Platte River (Class II Water) is designated as discharge point 001.

2. A three cell non-aerated lagoon system serving the Oregon Trails Subdivision Area. This system did not originally have an outfall structure, but severe seepage has occurred and the Town has added a discharge line to the North Platte River. This outfall is designated as discharge point 002 in the

proposed permit.

3. A three cell lagoon system located on the east side of the Town. This system is designated so that the first two cells could be aerated and the final pond is designed for exfiltration. Currently there is no possibility of a surface discharge from this facility.

The permit is being modified to change the self monitoring frequency which was mistakenly set at monthly in the permit modification of June 1, 1981. Proposed self-monitoring and reporting is to be done quarterly. The permit is scheduled to expire April 30, 1988.

(7)	APPLICANT NAME:	Amoco Production Company
	MAILING ADDRESS:	P.O. Box 569 Powell, WY 82435
	FACILITY LOCATION:	Park County
	PERMIT NUMBER:	Wy-0024414

The Amoco Production Company is the operator of the Elk Basin Gas plant which is located in northern Park County, Wyoming. Wastewaters at the plant consist of cooling water and natural gas condensate. The water is treated in oil skimming pits prior to discharge to Hunter Creek (Class IV Water) via an unnamed drainage.

The proposed permit requires immediate compliance with effluent limitations judged by the State of Wyoming to represent "best available treatment technology." Self monitoring of effluent quality and quantity is required on a regular basis with reporting of results quarterly. The permit is scheduled to expire June 30, 1988.

(8)	APPLICANT NAME:	Federal American Partners
	MAILING ADDRESS:	Gas Hills Route Riverton, WY 82501
	FACILITY LOCATION:	Uranium Point Zone Mine, Bass-Cap Mine and Muskrat Mine located in the Gas Hills
	PERMIT NUMBER:	Wy-0025976

The uranium mining operations of Federal American Partners in the Gas Hills of Wyoming, consists of three separate mines. The Uranium Point Zone Mine is an underground mine which is currently in existence and water from this mine constitutes discharge point 001. The Bass-Cap Mine is an open pit mine and discharge water from this mine will constitute discharge point 002. The Muskrat Mine is an underground mine and water from this mine will constitute discharge point 003.

At all locations water from the mines will be routed to a barium chloride feed plant for removal of Radium 226. The water from the barium chloride plants will then be routed to settling ponds prior to discharge to the West Canyon Creek drainage (Class IV Stream).

The proposed permits require compliance with effluent limitations which have been determined by the Environmental Protection Agency to represent "best available treatment." However, the permit also contains a "re-opener clause" which requires the permit to be modified should more stringent limitations be developed at the Federal level.

Runoff from disturbed areas will be controlled by sedimentation control structures which are designed to completely contain the runoff resulting from a ten year - 24 hour precipitation event.

Periodic self-monitoring of the effluent is required with reporting of results quarterly. The permit is scheduled to expire April 30, 1988.

(9)	APPLICANT NAME:	Pathfinder Mines Corporation
	MAILING ADDRESS:	Lucky Mc Mine P.O. Box 831 Riverton, WY 82501
	FACILITY LOCATION:	Lucky Mc Mine, Gas Hills, Fremont County, Wyoming
	PERMIT NUMBER:	Wy-003131

The Pathfinder Mines Corporation operates the Lucky Mc Mine, a large open pit uranium mine, located in the Gas Hills of eastern Fremont County, Wyoming. Water encountered in the mine pits is pumped to barium chloride feed plants which in turn discharge to settling ponds. The settling ponds discharge to Fraser Draw or Coyote Creek via an unnamed drainage (Class IV Streams).

There are a total of three discharge points authorized by the permit.

The proposed permit requires compliance with effluent limitations which have been determined by the Environmental Protection Agency to represent "best available treatment."

Runoff from disturbed areas will be controlled by sedimentation control structures which are designed to completely contain the runoff resulting from a ten year - 24 hour precipitation event.

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1988.

(10)	APPLICANT NAME:	Pathfinder Mines Corporation
	MAILING ADDRESS:	Big Eagle Mine P.O. Box 450 Jeffrey City, WY 82310
	FACILITY LOCATION:	Big Eagle Mine, Fremont County
	PERMIT NUMBER:	Wy-000025950

The Pathfinder Mines Corporation is the operator of the Big Eagle open pit uranium mine located approximately fifteen miles south of Jeffrey City, Wyoming. Water encountered in the mine pits is routed through a barium chloride feed system and then to a single cell settling pond. The settling pond discharges to Crooks Creek (Class II Stream) via an unnamed drainage.

The proposed permit requires compliance with effluent limitations which have been determined by the Environmental Protection Agency to represent "best available treatment."

Runoff from disturbed areas will be controlled by sedimentation control structures which are designed to completely contain the runoff resulting from a ten year - 24 hour precipitation event.

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1988.

(11)	APPLICANT NAME:	Western Nuclear, Inc.
	MAILING ADDRESS:	P.O. Box 630 Jeffrey City, WY 82310
	FACILITY LOCATION:	Green Mountain I.X. unit
	PERMIT NUMBER:	Wy-0024490

Western Nuclear, Inc. operates a number of underground uranium mines in the Green Mountain mining area located approximately ten miles south of Jeffrey City, Wyoming. Water pumped out of the mine shafts is routed to a small surge pond, water from that pond is then routed through an ion-exchange unit for removal of uranium, then to a barium chloride feed system for radium precipitation. Finally the water runs through two settling ponds before final discharge to Crooks Creek (Class II Stream) via an unnamed drainage.

The proposed permit requires compliance with effluent limitations which have been determined by the Environmental Protection Agency to represent "best available treatment."

Runoff from disturbed areas will be controlled by sedimentation control structures which are designed to completely contain the runoff resulting from a ten year - 24 hour precipitation event.

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1988.

(12)	APPLICANT NAME:	A and T Trailer Park, Inc.
	MAILING ADDRESS:	P.O. Box 953 Riverton, WY 82501
	FACILITY LOCATION:	Fremont County
	PERMIT NUMBER:	Wy-0027758

The A and T Trailer Park is located northeast of the City of Riverton, Wyoming. Wastewater treatment at the park is provided by a three cell aerated lagoon followed by chlorination facilities. The system discharges to Spencer Draw (Class IV Water). This facility is currently under order from the Department to correct a dike seepage problem which was discovered in late 1982.

The proposed permit requires immediate compliance with effluent limitations based on National Secondary Treatment Standards and Wyoming's In-Stream Water Quality Standards. Self-monitoring of effluent quality and quantity is required on a regular basis with reporting of results quarterly. The permit also contains a provision which requires hook-up of the facility to the City of Riverton's Collection System as soon as such service is made available. The permit will expire April 30, 1988.

(13)	APPLICANT NAME:	Western Nuclear, Inc.
	MAILING ADDRESS:	Jeffrey City, Wyoming 82310
	FACILITY LOCATION:	Jeffrey City Township, Fremont County
	PERMIT NUMBER:	Wy-0021083

Western Nuclear, Inc. is the owner and operator of the Town of Jeffrey City, Wyoming. The wastewater treatment facilities serving the Town consist of a three cell non-aerated lagoon. To date there has been no discharge from this system, however, if a discharge did occur it would enter Emigrant ditch (Class IV Water) via an unnamed drainage.

The proposed permit requires compliance with National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards effective immediately. Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1988.

(14)	APPLICANT NAME:	Husky Oil Company
	MAILING ADDRESS:	P.O. Box 380 Cody, WY 82414
	FACILITY LOCATION:	Husky Klindt 9-7 Tank Battery, SE¼, Section 7, T51N, R100W, Park County
	PERMIT NUMBER:	Wy-0025259

Facility is a typical oil treater located in Park County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Oregon Coulee (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, 1988.

(15)	APPLICANT NAME:	The City of Kemmerer, Wyoming
	MAILING ADDRESS:	P.O. Box 312 Kemmerer, WY 83101
	FACILITY LOCATION:	Lincoln County
	PERMIT NUMBER:	Wy-0020320

The City of Kemmerer recently completed a new oxidation ditch wastewater treatment plant which is followed by disinfection and dechlorination facilities. The plant discharges to the Hams Fork River (Class II Water).

The proposed permit requires immediate compliance with effluent limitations based on National Secondary Treatment Standards and Wyoming's In-Stream Water Quality Standards. Effluent limitations for the parameters fecal coliform bacteria, total residual chlorine, and ammonia are based on the following:

1. Maximum design flow of the plant - 1.45 MGD;
2. Q7-10 of the Hams Fork from May to September - 4.51 MGD;
3. Q7-10 of the Hams Fork from October to April - 5.02 MGD;
4. Average pH of the Hams Fork from May to September - 7.9;
5. Average pH of the Hams Fork from October to April - 7.5;
6. Maximum temperature of the Hams Fork from May to September - 17.0 C;
7. Maximum temperature of the Hams Fork from October to April - 5.7 C;
8. Water quality standard for unionized ammonia - .02 mg/1;
9. Water quality standard for total residual chlorine - .002 mg/1;
10. Water quality standard for fecal coliform bacteria - 1,000/2,000 per 100 mls (in effect only from May 1. through September 30.)

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

The proposed permit requires monitoring of effluent quality and quantity on a regular basis with reporting of results monthly. The permit is scheduled to expire June 30, 1988.

(16)	APPLICANT NAME:	The City of Riverton, Wyoming
	MAILING ADDRESS:	P.O. Box 1700 Riverton, WY 82501
	FACILITY LOCATION:	Fremont County
	PERMIT NUMBER:	Wy-0020672

The wastewater treatment facilities serving the City of Riverton consist of a standard plant including a trickling filter and an anaerobic digester. The plant is severely overloaded and is on the priority list for receipt of federal funds for replacement or upgrading. The plant discharges to the Wind River (Class II Water).

The proposed permit requires that the existing facility be operated at maximum capability and efficiency. Upon completion of a new facility funded with federal construction grant funds the city must meet effluent limitations based on National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards. Limitations on the parameters fecal coliform bacteria and total residual chlorine were based on the following:

1. Design flow of new plant - 4.95 MGD;
2. Q7-10 of the Wind River - 82 MGD;
3. Water Quality Standard in Wind River for fecal coliform - 1,000/100 ml;
4. Water Quality Standard in Wind River for total residual chlorine - .002 mg/1;

In additional an analysis of the need for ammonia removal was done based upon the following additional information:

1. Estimated maximum temperature of Wind River - 22 C;
2. Estimated average pH in Wind River - 7.5;
3. Water quality standard in Wind River for unionized ammonia - .02 mg/1.

Based on the above, it was determined that an effluent with 24.5 mg/l of ammonia would not violate the in-stream unionized ammonia limitation. Because that is approximately the ammonia concentration of raw sewage, no ammonia effluent limitations are included in the permit. However, the permit does require self-monitoring of ammonia and the need for ammonia removal at this location will continue to be evaluated.If it is later determined that ammonia removal is necessary this permit will be modified to include the appropriate limitation.

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

The proposed permit requires self-monitoring of effluent quality and quantity on a regular basis with reporting of results monthly. The permit will expire May 31, 1988.

(17)	APPLICANT NAME:	City of Sheridan
	MAILING ADDRESS:	P.O. Box 848 Sheridan, WY 82801
	FACILITY LOCATION:	Sheridan County
	PERMIT NUMBER:	Wy-0020010

The City of Sheridan is currently constructing a major upgrading of its existing wastewater treatment facility. The upgrading is expected to be completed by the summer of 1983 and consists of a standard trickling filter plant followed by an oxidation ditch and disinfection facilities. The plant discharges to Goose Creek (Class II Water).

The proposed permit requires immediate compliance with effluent limitations based on national Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards. Limitations on fecal coliform bacteria, total residual chlorine, and ammonia were based on the following:

1. *Low flow in Goose Creek above the plant (Q7-10), May-September = 5.3 MGD;
2. * Low flow in Goose Creek above the plant (Q7-10), October-April = 20.6 MGD;
3. Avg. daily flow of the plant = 4.4. MGD;
4. Average pH in Goose Creek, May-September = 8.0;
5. Average pH in Goose Creek, October-April = 8.0;
6. Maximum temperature in Goose Creek, May-September = 25.2°C.
7. Maximum termperature in Goose Creek, October-April = 10.4°C;
8. Water quality standard for unionized ammonia (as N) in Goose Creek = .02 mg/l;
9. Water quality standard for toal residual chlorine in Goose Creek = .002 mg/l;
10. Water quality standard for fecal coliform bacteria in Goose Creek = 200/400 organisms per 100 mls, which is in effect only from May 1. through September 30.

*The Flow monitoring station is located just below the plant, therefore, the true Q7-10 was calculated by subtracting the average flow from the plant during the period of record used.

Modeling of Goose Creek below Sheridan by the Wyoming Water Research Institute indicates that oxygen depletion will not be a problem as long as National Secondary Treatment Standards for BOD5 and total suspended solids are met. However, this question will be re-evaluated (and the permit modified if necessary) as more information becomes available.

Monitoring of effluent quality and quantity is required on a regular basis with reporting of results monthly. The permit is scheduled to expire June 30, 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 FWPCAA will be protected.

PUBLIC COMMENTS

Public comments are invited any time prior to May 3, 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 May 3, 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-83-004

BULLETIN BOARD

ROSEBUD MINE DEIS

The Montana Department of State Lands is seeking public comment on the draft environmental impact statement for Western Energy Company's proposed extension of Area B of the Rosebud Mine in Rosebud County in southeastern Montana. Comments must be received by April 13. For more information, or to send comments, contact Kit Walther, EIS Team Leader, Montana Department of State Lands, Capitol Station, Helena, Mont. 59620; phone (406) 449-2074.

DENVER MAYOR FORUM

Colorado Open Space Council is hosting a forum for the candidates for mayor of Denver to discuss urban environmental issues facing the city and their plans for addressing them. The forum will be held April 4 at 7 p.m. at the Denver Botanical Gardens. For more information contact Norm Mullen, Colorado Open Space Council, (303) 399-9453.

SAN JUAN RESOURCE AREA

How the Bureau of Land Management should administer approximately two million acres of public lands in the San Juan Resource area of Utah will be discussed at public scoping meetings in April. The resource area is preparing a management plan for public lands located in San Juan County in southeastern Utah. The plan will allocate land to various uses under the multiple use concept by identifying goals and steps for resource management for the next 10-20 years. The Monticello meeting is April 5 at the San Juan County Library, and the Blanding meeting is April 6 at the county library in Blanding. Both meetings start at 7:00 p.m. For more information contact the BLM San Juan Resource Area Office, P.O. Box 7, Monticello, Utah 84535; phone (801) 587-2201.

UTAH CAMPGROUND HOSTS

The Utah State Division of Parks and Recreation is recruiting volunteer campground hosts to serve in parks and recreation areas throughout the state. Hosts serve without pay and provide information services and park maintenance in exchange for free camping. Volunteers receive state workman's compensation coverage, or liability insurance and possibly some out-of-pocket expense reimbursement. They work directly for the state park superintendent and perform the same as full-time state employees. Other volunteer positions are also available. For more information contact Gregg Simper, 1636 West North Temple, Salt Lake City, Utah 84116; phone (801) 533-4458.

INDIAN ENERGY INDEPENDENCE

"Energy Independence: A Challenge For Native American Communities" is the theme for the seventh annual Conference on Contemporary American Indian Issues to be held on the University of California at Los Angeles campus April 15-16. For more information call (212) 825-7315.

WYOMING YOUTH CONSERVATION CAMP

The Wyoming Game and Fish Department is taking applications from Wyoming girls age 14-18 and boys 15-18 who are interested in attending the department's annual conservation camp. This year's camp will be held at the Sybille Wildlife Research Unit near Wheatland. Boys camp is June 12-18, and girls camp is June 19-25. Twenty individuals are selected for each camp and the cost is $40 per participant. Deadline for applications is May 1. Contact school principals, guidance counselors, science teachers or Game and Fish in Cheyenne for applications. For more information contact Al Langston, Wyoming Game and Fish Dept.; (307) 777-7736.

OPINION

Pumping for SUMP

Sometimes the fortunes of humanity turn on an idea. Such an idea is often breathtaking in its simplicity, yet sweeping in scope and daring in approach. The thinkers of such ideas are justly immortalized — Ben Franklin, Descartes, Newton, Einstein, Gary Trudeau.

Well, I have had such an idea — simple, daring and sweeping. My idea solves one of the most baffling military strategy problems of our era, while simultaneously providing thousands of jobs, promoting agricultural development, protecting instream flows for fish and wildlife and protecting threatened Western water rights. You've got to admit, anybody with an idea that great belongs up there with the best.

But let me start at the beginning. I was lying down one evening contemplating, as I often do, the important issues of the day, especially the most important one — nuclear weapons. When I was younger, my mother used to tell me I was morbid for worrying about nuclear weapons so much. But nowadays everybody does it. My paranoia has been vindicated by all the great modern theorists.

In any case, my keen, problem-solving mind eventually turned to the biggest military problem facing the nation today — the vulnerability of the land-based leg of the nuclear triad and the basing mode for the controversial MX missile. (Nobody says "MX missile" anymore without adding the modifier "controversial.")

I considered all the basing modes that had been proposed for the controversial MX missile in a calm analytical way, much as I presumed the president's select commission on basing modes was doing. They floated easily through my thoughts — dense pack, submarine basing, outer space platforms, racetrack mode, aircraft basing, what have you. Suddenly, I sat bolt upright in bed, a cold sweat pouring down my face, my knees twitching. I had it!

The military should base the controversial MX missiles on submarines. Then — and this is the brilliant part, in case you don't recognize that right off — the Corps of Engineers, the Bureau of Reclamation and various state water development agencies can commence construction of a series of vast irrigation canals connecting all the major lakes and waterways from the Rockies to the Great Lakes. The missile-carrying submarines could ply the water of these irrigation canals and the attached rivers, constantly moving and avoiding the prying eyes of the Russian military establishment.

A colossal project, you say? True. But any nation that can put a man on the moon ought to be able to put a submarine in Nebraska.

And think of the advantages. We'd have assured protection of the land-based leg of the triad. To paraphrase syndicated columnist George Will, a secure national defense is worth whatever it costs.

Second, the water-parched states of the West could claim all the water within their borders (and then some) in the name of national defense.

Farmers and ranchers would get a new, modern and substantially upgraded irrigation system.

Since the subs would require a certain depth of water in which to operate safely, it would be illegal — again in the name of national defense — to deplete the water supply in the canals and rivers below a certain level. This would assure adequate supplies of water for fish and wildlife.

Since constant releases from storage would be required there would be oodles of water available for hydroelectricity.

To promote recreation and attract tourists, we could allow surfing on the canals when the subs weren't using them.

During this time of recession, the project would provide jobs. It would be the biggest public works project since the Tennessee-Tombigbee Waterway (though probably not as expensive). Not even Republicans can be against jobs for national defense. And, what with the attendant benefits — water, electricity, crop and livestock production and the sale of recreational use permits — the project would pay for itself in no time.

There would be often overlooked health and safety advantages as well. Any policeman will testify that it is much harder for protesters to sit down in front of a moving submarine than a train. And all those people who are walking across the country to protest the weapons race could now swim, improving their overall muscle tone and saving wear and tear on their knees. Much healthier.

I'm calling this the Submarine Upland Missile Plan. Write to your congressmen immediately to urge their support for it. Who knows, maybe they'll put me on a postage stamp.

— *DSW*

LETTERS

FRIENDLY CRITICISM

Dear *HCN*,

Let me make a friendly criticism of your forest planning issue (*HCN*, 3/4/83).

Through our local chapters, the Idaho Conservation League has organized the most thorough and detailed citizens' involvement in forest plans of any western state. We have submitted to each of Idaho's 10 national forests a "conservationists' alternative" — our version of what their plan ought to be. Most of the forests are going to include this CA in their alternative range in the draft plans (if they ever come out).

Some of the CAs are more detailed than others, but I think it's safe to say that in general we have gone far beyond roadless area issues to address and coordinate the entire range of forest uses and interests.

Part of it is our fault for not publicizing this all enough, and certainly part of it has to do with the totally frustrating delays-upon-delays that have characterized forest planning. But this is certainly something even mildly thorough investigation would have turned up.

One of your articles does indeed mention one of our CAs — that for the Panhandle National Forest. I guess Bill London wasn't looking beyond that forest, and apparently no one else did either. A simple call to our office would have opened up the whole thing for you. We have more people in Idaho who know more about forest planning and its frustrations than in any other state, who have dealt intimately and in detail with the various forests, and could have added much to your feature on the subject.

And of course there is now the related issue of Sen. James McClure (R-Idaho) moving ahead to fashion an Idaho wilderness bill, which conservationists (ICL in the lead) are now mounting a major campaign around. Just today we recieved word that all three north Idaho forest plans have been indefinitely delayed, in hopes Congress will prevent RARE III.

I don't mean to sound uncharitable. You have a fine paper. But it does tend to be incomplete on Idaho, and I think contact with us would remedy most of that.

Pat Ford
Idaho Conservation League
Boise, Idaho

INSTITUTE OF THE ROCKIES

Dear *HCN*,

Your recent article on Northern Lights (*HCN*, 1/21/83) prompts us to extend a hearty "welcome aboard" in the field of public policy education and research. We have been working in this vineyard in the northern Rockies since 1974, have over 200 members in Montana and around the United States, plus several concerned folk in Europe, Japan and Canada, and are completing an earth-sheltered conference center here near Missoula. We invite your readers to share this facility any time they want to learn more about annual heat storage methods or any of the other two dozen projects we've sponsored in the past decade.

We also work with the Bitter Root and Headwaters Resource and Development areas which are citizen-based groups involved in more than a thousand projects over the past 15 years. We try to stay in touch with any people seriously concerned with local citizen involvement in public policy.

Our institute has carried out a variety of programs in response to the needs of our members. Perhaps the most notable is the Columbia River Watch which involved people throughout the watershed including British Columbia. Our film, *Columbia: Voices of the River* was produced by KCTS in Seattle and won an Emmy in 1979, then was seen by an estimated 10 million viewers throughout the country over the Public Broadcasting System.

The Institute does not take positions on public issues, for all our members hail from all spectrums of thought. However we are all committed to the democratic process, scientific research, and the value of the humanities in offering fresh perspectives on any policy issue. The National Endowment for the Humanities has supported our efforts in specific projects, and most recently awarded us a challenge grant for our endowment. We invite readers concerned about the future of the Rockies to join us in future endeavors, either through membership or in-kind contributions. Our annual members meeting is July 1, at Earth Center in Missoula.

Tom Felt, Chair
Institute of the Rockies
Missoula, Montana