

High Country

news

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The Paper for People who Care about the West

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The EPA's Superfund whistleblower

How Hugh Kaufman moves the ball

by Ed Marston

Back in 1981, the Reagan Administration assigned investigators to shadow Hugh Kaufman, an engineer in the Hazardous Waste section of the EPA. In the course of that surveillance, the investigators snapped a picture of Kaufman slipping into a motel room with a woman. The woman was Kaufman's wife.

That investigation brought the Environmental Protection Agency and its engineer national publicity. So now Kaufman, a young 41 who chews tobacco and spikes his talk with football lingo, takes leave twice a year from his federal job to fill college speaking engagements set up by a Cambridge, Massachusetts agent.

At Reed College, at Oregon State, at Boone College in North Carolina, at Minot State College in North Dakota, and at Mesa College in Grand Junction he tells students that Ronald

Reagan lied about hazardous waste policy in his most recent State of the Union address; he talks about "criminal activity" in the EPA under Anne Gorsuch Burford; he gleefully recounts how his ex-boss, Rita Lavelle, ended up with a jail sentence; and he speculates that the team of EPA assassins (Burford, James Sanderson, James Watt) from Colorado were dispatched by Reagan intimate Joe Coors.

Kaufman is interesting because he really is a career bureaucrat. "I'm not that different from the older bureaucrats. We believe that government carries a responsibility to use the public's money to solve the public's problems."

But he is different in one way. Despite his engineering background, his four years in the Air Force, and his college football career, he is a child of the sixties. Unlike his older colleagues, he sees nothing wrong with

telling the public a great deal about what he knows of how the system operates, and with displaying pride in his accomplishments.

"They could put me in a box with a telephone and zero responsibility, and I would still move the ball. They can't stop me because I have too much access to the media and too good a track record for telling the truth."

Kaufman tells one horror story after another about both the Carter and Reagan administrations. But he says he is neither discouraged nor cynical. "I'm an engineer, a problem solver. And I've done more in my life than I ever thought I could." He's done it by "hitting the pressure points, by getting word out on toxic wastes. Anything else I do is gravy."

"Remember: you never solve these problems. It's like Ohio State University -- three yards and a cloud of dust. But the nation is making yardage."

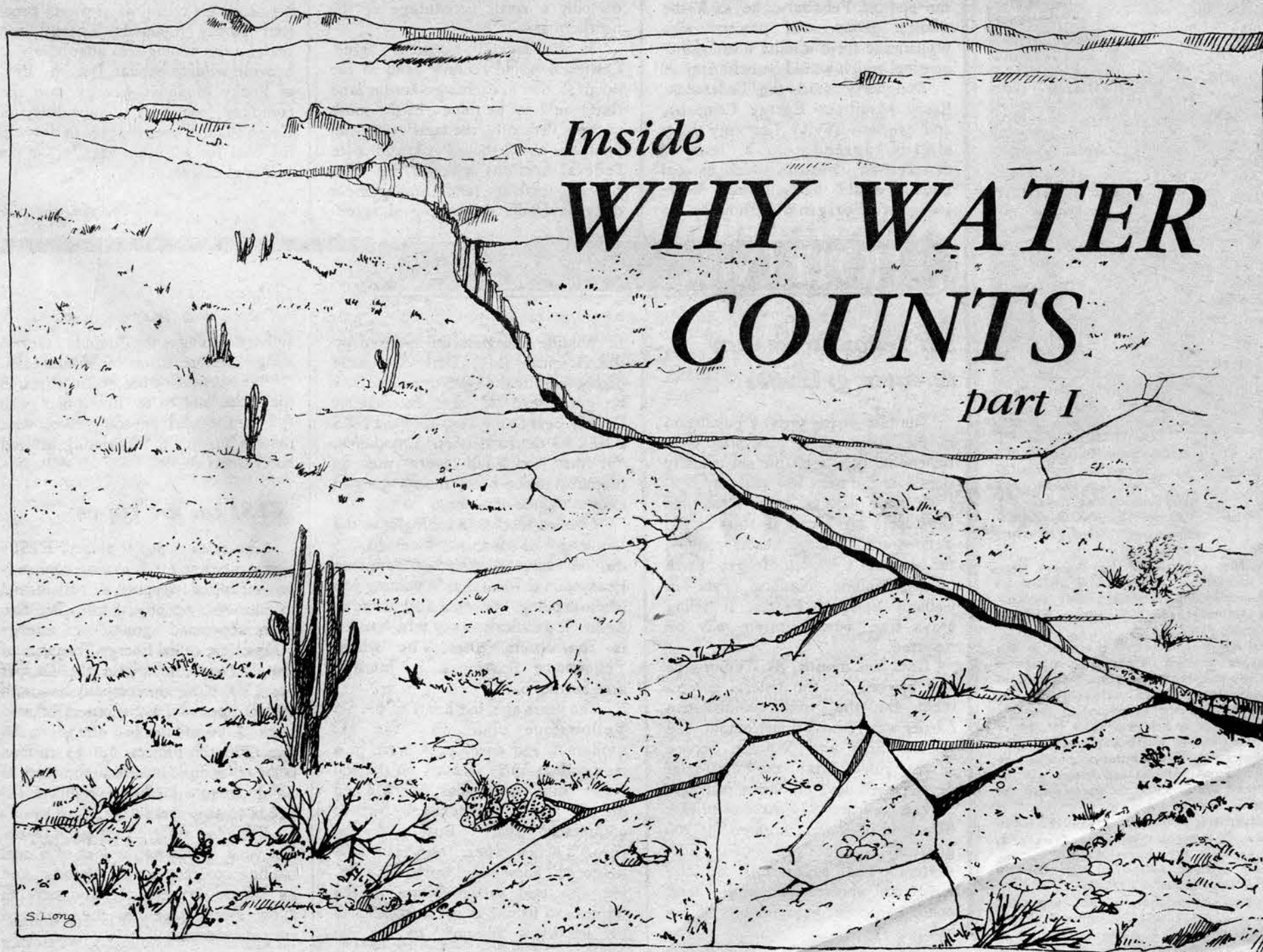
How much yardage? "We may be on our own twenty. But twelve years ago, we weren't even in the stadium. We weren't even suited up."

Kaufman was among the first to suit up, joining the new EPA in 1971 after the Air Force. He enjoyed the Nixon years, when the EPA was headed for the first time by William Ruckelshaus.

"Nixon, far and away, was the best environmental leader. He gave us the EPA, he set in motion its policies, and it was Nixon's people under Ford who carried them out. Jimmy Carter was supposed to be a great environmentalist, but his record in public health matters was abysmal... He was incompetent and a hypocrite."

Those are harsh words, especially since it was Carter who gave Kaufman his chance to carry the ball. "I first became publicly known in 1978, when

[Continued on page 13]



Dear Friends,



High Country News

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In the West, it is said, water is like oxygen -- at the very center of life, so important that it must be discussed in reverent tones, and without regard to such everyday measures as costs and benefits, environmental impacts, and the like.

As a result of its holiness, discussions of water are rarely grounded. If you ask someone why water is important, they will tell you about their granddaddy digging a ditch by hand, or braining a neighbor who had moved his irrigating rock.

Such stories are great fun, but they're of little use these days, when ditches are dug with big Cats and lined with concrete, or when the feuding neighbors are Arizona and California, braining each other with attorneys and Congressmen.

So the next two issues of High Country News are attempts to examine the specialness of water; to help see the ocean for the droplets. The approach is to mix stories that give an overview of water issues with examinations of their on-the-ground effects. The hope is to create a foundation on which we can build future stories on the three river basins HCN covers.

The issue opens with a piece by

Sandy Tolan on the Central Arizona Project -- a multi-billion dollar network of dams, canals, and pumping stations intended to give Arizona "its" share of the Colorado River. The CAP is the last big diversion out of the Colorado; its effects will reverberate from Wyoming to California.

Tolan has also written a short piece describing how one developer plans to build a new city of 110,000 near Tucson. All he needs is a lease from several hundred Papagos Indians for their land and water.

The water theme is continued in a review of a water study by Western Network, a non-profit group based in Santa Fe, and in two stories on the heavy early snow that hit the Rockies in December. The first discusses what may happen on the Colorado River this spring. The second speculates on how the water will affect the coal and utility industries in the Rocky Mountains and Great Plains.

We wish we could report penetration to the heart of the matter. Unfortunately, we couldn't find anyone who knows, or who would tell us, what the additional hydropower will do. The story is printed more to raise questions than provide answers. Perhaps a reader has the answers.

This week's water issue is more overview than grassroots. The next will be more grassroots than overview.

Already in type is a wonderful story by Russell Martin on how the Dolores Project (McPhee Dam) in south-western Colorado will affect him and his neighbors in Montezuma Valley. Martin, the author of *Cowboy: The Enduring Myth of the Wild West*, has written a personal account of land he lives on and people he lives among.

Sandy Tolan also has a piece in the next issue on a New Mexican water fight that recalls John Nichols' *The Milagro Beanfield War*. But Tolan's Aamodt case is guaranteed to have an unhappy ending, pitting as it does the Pueblo Indians against their Chicano neighbors.

There are stories in this week's issue which have nothing to do with water. The lead story, in fact, is an interview with an extraordinary bureaucrat named Hugh Kaufman -- an EPA employee who hit the national news last year for slipping into a motel room with his wife. That historic moment was recorded on film by federal operatives hoping to blackmail the whistleblower. Instead, he got a job for life. Those who admired Richard Nixon and Jerry Ford will enjoy the article. Those who think highly of Jimmy Carter and Ronald Reagan may want to skip Kaufman and go on to the Bulletin Board which, as always, is informative.

-- the staff

WESTERN ROUNDUP

Wyoming's Red Rim dispute continues

Tom Dougherty of the Wyoming Wildlife Federation believes there is a 50-50 chance that parties will reach a compromise on the Red Rim antelope controversy before a Federation deadline. If there is no compromise by the end of February, he said, the wildlife group will proceed with preparation for a mining unsuitability hearing, which would be held April 9.

Dougherty said the Federation, Rocky Mountain Energy Company, and rancher Taylor Lawrence have already agreed on a line of demarcation, south of which no coal mining would be allowed. While Dougherty originally thought no

mining could be allowed in the entire area without harming the antelope's critical winter range, he said he now believes mining could be allowed in the north section with certain restrictions. Mining would take place on only a small percentage of the northern area.

If the federal agencies agree, Lawrence would receive land in the north section in exchange for his land that would not be mined in the south section. Presently, the land ownership is in a checkerboard pattern with federal sections alternating with private, making land management difficult. Under the proposed agree-

ment, the federal land ownership would be consolidated in the southern portion. Lawrence's private holdings would be in the north.

Reclamation is still an unsettled question in the negotiations. Dougherty said his organization wants proof that Rocky Mountain Energy can reclaim the mining area adequately to provide wildlife habitat. Dorothy Reid of Rocky Mountain Energy said the company, which is a subsidiary of Union Pacific, does not plan to develop the coal for 3-5 years because of the soft coal market.

--Marjane Ambler

HOTLINE

Ski Yellowstone may threaten grizzlies

The fate of the grizzly population in the Yellowstone ecosystem may depend on how well the ski industry does over the next few seasons.

If skiing picks up in the West, then developers are likely to start on Ski Yellowstone, a large resort planned for Montana's Mount Hebgen, north of Yellowstone National Park in Gallatin National Forest. If skiing stays flat, construction may be deferred.

Until last month, Ski Yellowstone was blocked by the federal government. But the final administrative barrier was removed last month. The Federal Fish and Wildlife Service (FWS) ruled that the 6500-skier development on 1,880 acres of Forest Service land and 870 acres of private base land does not threaten the 200 grizzlies in the Yellowstone Ecosystem. The grizzly is on the threatened species list, and federal policy requires preservation of its habitat.

Wildlife biologists interviewed by the Bozeman (MT) Daily Chronicle disagreed with the FWS decision. Dick Knight, head of the Interagency Grizzly Bear Study Team, said the FWS based its conclusions on his studies. "If they concluded there was no jeopardy to the bear, then I guess I couldn't agree with them."

Charles Jonckel, a biologist at the University of Montana, said the 5.6 million acre Greater Yellowstone Ecosystem in Montana, Wyoming and Idaho is being "nickel and dimed to death. It's difficult to say which nickel is the crucial one. The whole Yellowstone Ecosystem is hurting, and hurting bad."

Ten years ago, the heart of the Ski Yellowstone plan was the ski mountain, and developers were in a tremendous hurry to start on the 600 hotel rooms, 493 condos, the 256-bed hostel, and 85,000 square feet of commercial space. But now the resort's major owner, John Hall, says he doesn't know when work will start. He also said snowmobiling in the winter and fishing in the summer will be important adjuncts to the ski

activity. Skiing is the "double layer of icing." Before, it was the entire cake.

Western skiing boomed all through the 1960s and 1970s. But it has gone flat in the past several years, with resorts hustling to fill existing lift and hotel capacity.

ETSI on the ropes

Like nuclear power plants, ETSI's slurry pipeline for Wyoming coal may be scrapped despite a substantial investment. An official from the San Francisco-based group of energy companies, called Energy Transportation Systems, Inc., told the Casper Star Feb. 9 that the company has until midsummer to find customers or stop work. \$100 million has already been spent on the project, but \$3 million comes due in six months to the state of South Dakota for water rights ETSI needs to ship coal.

ETSI has suffered setbacks in the last year, including the loss of a coal hauling contract to two railroads, and its failure to persuade Congress to allow slurry pipelines the right of eminent domain.

Will Idaho's Kelly Creek yield fish or logs?

The lines were drawn early in Idaho's wilderness fight over the fate of one of the state's largest pristine drainages, called Kelly Creek.

On one side is the timber industry and the U.S. Forest Service which wants Kelly Creek released from wilderness consideration and logged. On the other side is the Idaho Department of Fish and Game, Gov. John Evans, and a coalition of conservation groups. They want to see the fishery and wildlife values of Kelly Creek protected through wilderness designation.

Last year Idaho's senior senator, James McClure, said he would draft a Wilderness Bill to settle once and for all the question of how to manage Idaho's remaining eight million acres of roadless lands. As wilderness proposals were released from various interests in the state, it became clear that one of the most disputed areas would be the Clearwater National Forest in northern Idaho. The Clearwater has about 950,000 acres that are still roadless, including most of the Kelly Creek drainage.

Kelly Creek, with its main tributaries, Cayuse and Toboggan Creeks, drains into the North Fork of the Clearwater River. Kelly Creek is included in what is termed the Great Burn, or Hoodoo area in the wilderness proposals submitted to McClure. The name comes from forest fires which swept through canyons during the early part of the century. As a result, much of the country is covered with lodgepole pine. The soil has a high ash content, and that kind of soil in steep canyons is known to be highly erosive, making reforestation difficult.

The Forest Service has long wanted to cut the low-value lodgepole stands and re-plant a more valuable tree species, despite concerns of conservationists and state officials. They point to the steep topography and erosive soils as major problems for the creek's trout, since logging adds sediments to the water.



A maze of roads in the lower, timbered area of the Kelly Creek drainage.

Kelly Creek has a national reputation as a blue-ribbon trout stream. Since a catch-and-release program for cutthroat trout was initiated in the early 1970s, trout measuring up to 20 inches in length are caught. But state biologists say cutthroat trout are very sensitive to habitat degradation. Other concerns are increased fishing pressure. Game and Fish data clearly show that in the lower, roaded section of Kelly Creek there are fewer cutthroat trout.

The drainage also provides essential habitat for elk, and Fish and Game estimates \$1.9 million is generated toward the state's economy by more than 32,000 hunter days.

The Kelly Creek drainage is also the only place in Idaho where the gray wolf, an endangered species, has been sighted, and the drainage also contains the most sightings of grizzly bear on the Clearwater Forest. Last summer the Fish and Game department recommended Kelly Creek's roadless areas as wilderness, calling it one of the state's fish and

wildlife areas most critically needing protection.

The Forest Service did not agree. RARE II wilderness recommendations proposed only the upper stretch of Kelly Creek for wilderness, and recommended that the Cayuse and Toboggan tributaries be released for development. The timber industry in Idaho called for a Great Burn wilderness of about 21,000 acres.

On the other side with the Fish and Game department are Idaho Governor John Evans and the Idaho Wildlands Defense Coalition. Evans and conservationists recommended a Great Burn Wilderness of 204,000 acres.

In explaining the Forest Service's stand, John Underwood, planning officer for the Clearwater Forest, said there was "no question" that the Forest Service would have to log the Clearwater's roadless lands, including Kelly Creek, to maintain that forest's historic timber harvest level of 160 million board feet a year. In preparing its management plan, the Clearwater Forest's preferred alternative called for roughly a 20 percent increase each decade in harvesting timber. That increase leveled out after the fifth decade at about 300 million board feet of timber harvested each year.

One of Kelly Creek's tributaries, Toboggan Creek, is a high-priority area for logging among the roadless lands on the Clearwater. Although there has been no Environmental Assessment approved for the planned timber harvest, the Forest Service has already spent \$300,000 on engineering and flagging a road system.

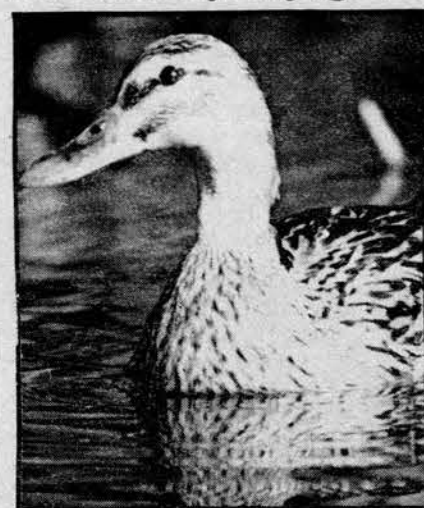
Sen. McClure, who is chairman of the Senate Energy and Natural Resources Committee which recommends state wilderness bills to Congress, has said that he is having a hard time with the difficult choices in Idaho's wilderness bill.

The Kelly Creek drainage is one of those difficult choices.

--Craig Gehrke

HOTLINE

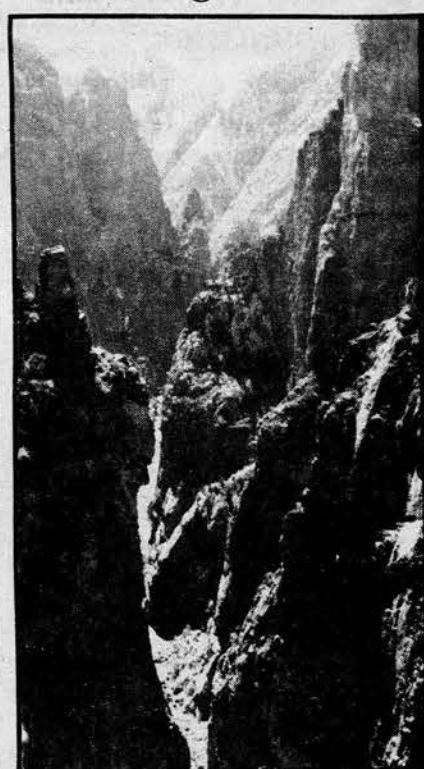
Interior won't lease wildlife refuges



Interior Department Secretary William Clark told Congress recently that Interior has no plans for oil and gas activity within the National Wildlife Refuge System, and that funds allocated for environmental analysis should be used elsewhere.

In the spring of 1981, Interior's Board of Land Appeals declared that some one million acres within the Wildlife Refuge System were open to exploration and development of natural gas and oil. For 1984, Congress had budgeted \$500,000 for environmental analysis of these 'acquired lands' from private sources to prepare for possible minerals leasing. Interior's recent turnaround was announced in the form of a letter from Clark to the chairmen of the Senate and House Interior Appropriations Subcommittees.

Subdividing a monument



Bureau of Reclamation

A rancher who owns 6200 acres along the north rim of Colorado's Black Canyon of the Gunnison National Monument has filed a plat for up to 132 home sites on that land. The rancher, Richard Mott of Crawford, had hoped that a bill introduced by retiring Representative Ray Kogovsek (D-CO) would bail him out financially while preserving an unspoiled view of the canyon. The bill would allow the National Park Service to buy scenic easements or the land from Mott and three other ranchers, all of whom would still be allowed grazing rights. The bill ran into difficulty when Colorado's Republican Senator William Armstrong said recently that he favored a bill changing the Black Canyon from a monument to a national park. The National Park Service supports Kogovsek's bill, not Armstrong's. The mixed messages led to Mott's filing a subdivision application in Montrose County.

The WPPSS bond default was inevitable

A non-profit think tank says the multi-billion-dollar WPPSS bond default was no fluke. Instead, the massive waste and resulting bankruptcy was the logical result of action taken across the nation to avoid public oversight of government spending. The fiasco was bound to occur, researchers James T. Bennett and Thomas J. DiLorenzo indicate. It happened to occur in Washington state.

According to a paper written by the two, state and local governments have created special agencies like WPPSS to avoid taxpayer scrutiny while building college dormitories, housing, city halls, county courthouses, and -- of course -- the Washington nuclear power plants. Officially known as the Washington Public Power Supply System, WPPSS was created by the Washington State Legislature to build power plants without having to ask the voters for permission to issue bonds.

The authors say that paved the way for enormous cost overruns. Voter-approved bond issues are protected by hundreds of regulations. But projects financed by off-budget bond issues are unconstrained by civil service regula-

tions, competitive bidding, and open-meeting laws. As a result, off-budget projects make decisions based on maximizing political support and campaign contributions.

WPPSS, the authors say, "spread its work around by using several dozen general contractors and as many as fifty cranes for each job site, practices which led to a carnival-like atmosphere at the job sites, hopeless confusion, delays and escalated costs. By comparison, Commonwealth Edison, a low-cost private producer of nuclear power plants, generally uses about three general contractors and nine to ten cranes per job site."

If additional defaults occur, chances are they will likely be in the West, according to Bennett and DiLorenzo's data in the paper titled "The Nation's Largest Municipal Bankruptcy: The Tip of the Off-Budget Iceberg."

Nationally, off-budget debt averages \$854 per person, but it is much higher in the Rockies. Alaska leads the nation, but Wyoming is second with \$2,441 per person; New Mexico sixth with off-budget debts of \$1,760 per person; Montana 11th with \$1,269 per

person; Arizona 12th with \$1,225 per person, Utah 16th with \$1,002; only Idaho is below the national average, with \$529 per person in off-budget debt.

The state of Washington is fourth in the nation, with \$2,332 per person. And in the case of Washington, the wages of sin may be a drop in its indebtedness. The courts have ruled thus far that the WPPSS consortium of utilities are not responsible for the \$2.25 billion in defaulted bonds. That would wipe out 25 percent of the state's off-budget debt.

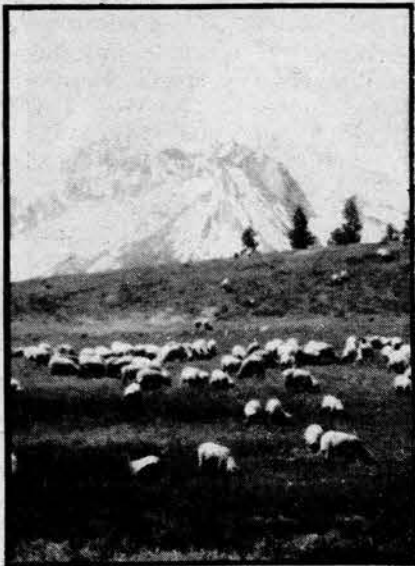
In general, the nation's local governments have rushed to take advantage of off-budget financing. In 1970, voter-approved debt was \$12 billion a year and off-budget debt \$6 billion. In 1981, voter approved debt was still close to \$12 billion. But off-budget debt had risen to \$36 billion.

A copy of the 18-page paper by Bennett and DiLorenzo is available for \$5 from: National Center for Policy Analysis, 413 Carillon Plaza, 13601 Preston Road, Dallas, Texas 75240.

--Ed Marston

HOTLINE

Grazing fees drop



Idaho Dept. Commerce and Development

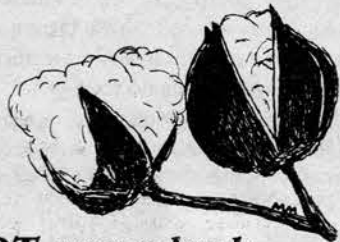
People who believe that grazing fees on National Forest lands are already too low will have a small, additional reason to be angry. R. Max Peterson, head of the U.S. Forest Service, announced recently that the 1984 fees on most National Forest lands will drop to \$1.37 per animal unit month, which is three cents below the 1983 figure. An animal unit month is one cow, horse, mule or burro or five sheep eating federal grass for a month.

Grazing fees are based on a formula which includes the price ranchers are getting for their beef. That price has dropped, bringing fees down with it. The current formula expires next year, and Peterson said alternative approaches are being worked on.

Coal commission concludes

The commission on coal leasing appointed by former Interior Secretary James Watt has concluded that the program was badly mismanaged, that the government did not receive fair value for coal it sold, and that there were significant impacts on the environment "without adequate documentation." The report concludes that the leasing program under Watt was "deficient in all of its functions."

The commission, which was mandated by Congress and headed by David Linowes, called for further investigation by Interior and "perhaps" by the Justice Department of the nation's largest coal sale in the Powder River Basin of Wyoming, Montana, and North Dakota. The report is to be sent to Congress later this month; a moratorium on further federal coal lease sales was imposed by Congress until 90 days after the commission completed its report.



DDT comes back

Twelve years after it was banned, DDT is making a comeback in the West. Its concentration is rising in wildlife in parts of Texas, California, New Mexico and Arizona. Speculation on its source centers on U.S. cotton farmers possibly bringing DDT in from Mexico, where it is legal, to use illegally on their crops, or by the fact that DDT makes up 7 percent of an approved U.S. pesticide called dicofol, or Kelthane. Another possibility is that migratory birds are picking up the DDT in Mexico.

Utility issues entangle a legislature

According to the state's two major papers, the utilities in Colorado have been flexing their muscles in unseemly ways. The *Denver Post* printed an editorial about giant Public Service Company in which "sleazy" was one of the nicer things it had to say.

About the same time, the *Rocky Mountain News* ran a front page color photograph of state senator Al Meiklejohn of Aurora. Politicians usually love that kind of publicity. But in this case, the point of the story was \$93,000 Meiklejohn's law firm collected from Colorado-Ute REA in 1981 and 1982, coupled with the fact that he is sponsoring a bill that would deregulate the utility.

Meiklejohn, who had not disclosed the situation, told the *News*: "It's not a conflict of interest. I have no economic interest in that company, other than as a person working for them." The flap is likely to help the deregulation bill. One Senator who had been against the bill said she would now vote for it, to rebuke those who had embarrassed Meiklejohn.

The Public Service Company issue is the appointment of a third commissioner to the Colorado PUC, the body which regulates utilities. Public Service, which has a large pending rate increase, objected to Governor Richard Lamm's (D) first appointee -- a wealthy individual named Steven Pomerance who has

studied utility regulation. Several legislators said they opposed Pomerance because he didn't have a work record.

Lamm's next consumer-oriented nominee did have a work record. But Public Service didn't like his record as a utility analyst. The *Post* editorial writer was angered because the company's lobbyists anonymously circulated a picture of Ronald J. Binz, in a ponytail, allegedly agitating against high rates.

In addition to leafletting, Public Service's lobbyists enlisted the unions in the fight against Binz. The unions swayed Steamboat Springs Democrat Dick Soash, whose vote beat Binz. He responded to their pleas to make sure the company has enough cash to pay them a decent wage. Later Soash changed his statement, saying he opposed Binz because Binz couldn't make independent decisions.

Governor Lamm has been beaten twice but says he is going to keep fighting. Public Service "cannot expect to dictate to me who's going to sit on the Public Utilities Commission."

The Meiklejohn and Public Service incidents are fairly straightforward. More interesting is the situation of Senator Tom Glass, a liberal Democrat from the ski town of Frisco. Last year, Glass was very effective in the REA deregulation battle. He helped guide the legislature toward deregulating

Colorado's retail REAs (the small outfits that distribute the electricity). And he helped convince the legislature that Colorado-Ute, which supplies the small guys with electricity, should stay regulated.

But Glass recently signed a contract with Colorado-Ute. A firm he owns one third of, called Western Land Exchange, is investigating possible land exchanges for the utility.

Disclosure is not an issue. Unlike Meiklejohn, Glass early on informed the Attorney General and Colorado-Ute's consumer opponents of the contract. And Glass remains opposed to deregulating Colorado-Ute in the area of building power plants -- an area which eventually determines rates. But Glass is not a leader in this year's legislative fight.

He says that is because the issue is much simpler this year than last. As a minority Democrat, he says, there is little room to maneuver toward a compromise. But he is clearly disturbed by the tension between his need to earn a living and his role in the legislature. He says he thought a long time and consulted with many people before accepting the utility's consulting offer this winter.

Glass's situation, more than Meiklejohn's, raises the question of how a low-paid, part-time, staff-less State Legislature can operate in the presence of giants.

--the staff

Idaho grapples with a nuclear sales tax

Hazardous wastes and Snake River water rights continue to dominate the environmental issue agenda at the Idaho Legislature, but other issues are beginning to surface as the session enters its fifth week.

The House Health and Welfare Committee unanimously passed a bill removing the stringency clause from the state's hazardous waste law. The legislature had included the stringency clause -- prohibiting the state Division of Environment from enacting hazardous waste regulations tougher than the federal regulations -- in a bill it passed just last year. But continuing disclosures of illegal and potentially dangerous disposal practices at Idaho's only hazardous waste dump since then has created pressure to strengthen the state's almost non-existent hazardous waste regulations.

Idaho Conservation League Director Pat Ford said he was surprised by the unanimous endorsement of the stringency clause removal. It now goes to the full House.

Other legislation in the wings includes a state tax on hazardous wastes, employee and community right-to-know bills; and bills controlling the transportation of toxic materials.

For the fourth time in as many sessions, the legislature is considering a bill to remove the sales tax exemption enjoyed by the Idaho National Engineering Laboratory (INEL), a federal nuclear facility near Idaho Falls. The exemption, designed to give nuclear industry in Idaho an edge over competition from other states, faces opposition from legislators who say the preferential treatment is costing the state as much as \$7 million in lost taxes annually.

The bill has repeatedly been killed in the Senate by Dane Watkins, who

represents Idaho Falls, INEL's home town. Watkins chairs the Senate Local Government and Taxation Committee and has in the past refused to let such bills out of the committee. The bill, still in the House Revenue and Taxation Committee, appears to have stronger support this year. In an attempt to avert passage of the bill, Watkins has proposed a compromise bill which would remove the tax exemption for all construction at the site except that involving research and development. INEL manager Troy Wade has supported that compromise in the face of such strong support for complete removal of the exemption.

Recent mining accidents which have resulted in the pollution of back-country rivers, including the Middle Fork of the Salmon, have highlighted the inadequacy of the state's mining

inspection team. That team, responsible for inspecting all of the mines in Idaho, is comprised of one man. Gov. Evans has asked for funding for two additional inspectors; the Idaho Conservation League is seeking seven. However, Ford acknowledged funding for two inspectors "would be considered a victory," and one that he does not expect to happen if funding is to come from general revenues. Partly in answer to this, Ford said the Conservation League will present the State Land Board and the legislature's taxation committees with taxation proposals to pay for the additional inspectors. The package would also include an increase in the mine license tax; implementation of inspection fees for surface mines; and an increase in the fees for recording mining claims.

--Glenn Oakley

Wyoming DEQ loses funds

With state mineral extraction revenues falling, the Republican-dominated legislature in Wyoming convened Feb. 14 for its 20-day 'budget' session.

But because a two-thirds vote is required for the introduction of non-budget bills, the fight over state Department of Environmental Quality (DEQ) funding may be the major conservation issue discussed. House minority whip Bill Edwards, a Laramie County Democrat and biology professor at the local community college, said he is concerned about the legislature "hamstringing" DEQ. During budget hearings in January, the Joint Appropriations Committee cut \$163,000 from the department's travel, office supply and communications budget, and eliminated two

positions in the water quality division. During that discussion, one Republican senator argued that because the state's mineral boom is over, DEQ no longer has the workload of problems of past years.

To Edwards, it is the decline of environmental concern on the federal level that has contributed to a similar lack of interest in the statehouse in Cheyenne. "Federal pressure is no longer present," Edwards said.

Edwards said he also doubted that an instream flow protection bill he has pre-filed will win introduction, even though two recent streamflow initiative attempts each gathered more than 20,000 signatures (HCN, 2/6/84).

--Phil White

BULLETIN BOARD

COLORADO'S RESOURCE GOLD MINE

In a report released Feb. 8 in Denver, the 7000-member Colorado Mountain Club documented the importance of the state's \$3 to \$4 billion tourism-outdoor industry. Calling the state's natural resources a "renewable gold mine," the club's conservation director, Anne Vickery, said the state should do a comprehensive economic analysis of the vacation industry and also take steps to protect National Forests from development, among other measures. For a copy of the report, write CMC at 2530 West Alameda, Denver CO 80219.

OIL SHALE EIS

The U.S. Army Corps of Engineers has released a draft EIS on two proposed oil shale projects in northwestern Colorado. The draft EIS identifies impacts and alternatives involved in construction and operation of the two, 100,000 barrel per day projects proposed by Getty Oil Company and Cities Service Company.

To submit comments or obtain copies of the draft EIS write to Tom Coe, U.S. Army Corps of Engineers, Sacramento District, Regulatory Section, 650 Capitol Mall, Sacramento, CA 95814 (916/440-2541). Comments received by March 20 will be included in the final EIS.

MANAGING THE BIGHORN

A twenty-page plan describing the 84-mile-long Bighorn River and ways of managing it has been prepared by the Montana Department of Fish, Wildlife and Parks. The study includes both technical information on fisheries and water quality and tips to those who wish to use the river between Fort Smith and its confluence with the Yellowstone River. Included is information about the stream's fish, access points from public land, fish stocking, and the like. The "Bighorn River Management Plan" is available from the department at 1125 Lake Elmo Dr., Billings, MT 59105.

RAW MINERALS

Gold, silver, aluminum, crushed stone, and phosphate rock production are up, but copper and potash are down, according to the U.S. Bureau of Mines. All together, raw mineral production in the U.S. rose 8 percent in 1983, to \$21.2 billion. Even so, many materials remain depressed. Iron ore production rose 9 percent, but is still far below historic levels. Silver production rose 4 percent to 42 million troy ounces, helped by the minting of two million ounces of Olympic dollar and George Washington half-dollar coins. But silver, at \$8.74 an ounce, is 30% below 1982's prices. Aluminum mills doubled their operating rate to 79 percent, helped by a drop in the cost of power from the Bonneville Power Authority. Non-metal minerals generally did better than metals, helped by increased housing activity. For example, cement was up 20 percent, to 76 million tons and crushed stone and sand and gravel rose about 12 percent. Those interested in details should write: Publications Distribution, Bureau of Mines, 4800 Forbes Ave, Pittsburgh, PA 15213. Ask for: "1983 Raw Nonfuel Mineral Production."



JUST LIKE IN KING ARTHUR'S TIME

Forty percent of the private land in the U.S. is owned by one percent of the landowners. To look at it from the bottomside, three percent of the private land is split among 78 percent of the population. 762 million acres, or 34 percent of all land, is federally owned. State and local government own another 6 percent. Two percent is held in trust for native Americans.

The numbers help explain the struggles over public land. With the majority owning only a house lot, access to and use of public lands become important. The survey by the Homer Hoyt Institute, reported in the *Washington Post*, shows that most land is held for the long term. Seventy-five percent of the private land has been in the same hands at least since 1968. 80 percent of the hands are masculine; 98 percent are white.

COAL BUYERS WANTED -- DESPERATELY

If you're in the market for some high-BTU, low-sulfur coal out of Utah or Colorado, you're in luck. Two years after the coal market crashed, Utah mines still have 1.5 million tons of coal sitting on the ground, with half of the state's 22 mines closed. Production in 1984 won't be much higher than 1983's dismal 11.5 million tons. (It was 17.6 million tons in 1982.) Next door, in Colorado, 1983 production was 16.7 million tons, down substantially from over 20 million tons in 1981. There are two bonuses in Colorado: productivity and safety. Each miner is producing more coal per day, but injuries are down from 265 in 1982 to 127 in 1983. Deaths dropped from 3 to 1. Monthly information on Colorado coal production, on a mine by mine basis, is available from: Division of Mines, 1313 Sherman St., Room 718, Denver, CO 80203.

A NUCLEAR SUMMER

Physicist S. Fred Singer suggests that Carl Sagan's 'nuclear winter' scenario (HCN, 11/28/84) is based more on a desire to scare nations into peace rather than on good science. Singer, a University of Virginia professor writing in the *Wall Street Journal* (2/3/84), says that given the imperfect state of knowledge, one can also argue that nuclear explosions will produce hot summers rather than cold winters. Sagan and his colleagues, whose work was refereed at a week-long scientific meeting before it was released, postulated that dust blown into the stratosphere would shield the earth from sunlight and cause a drastic, long-lasting temperature drop. Singer suggests that the atmosphere would be turbulent due to the nuclear blasts and resulting fires. Therefore, soot and dust blown into the atmosphere wouldn't stay up high, reflecting sunlight. He suggests that the sunlight-trapping soot and the fires on the earth would team up to produce high temperatures. But the heart of his argument is political: "Does prediction of a global holocaust really make war less likely? And second, should scientists therefore ignore scenarios that produce less severe global outcomes?"



KEEPING IN TOUCH

High Country News invites readers to send us Bulletin Board items about special events or publications that need regional exposure.

But be aware of our biweekly publishing schedule and please give us plenty of notice.

FINALLY -- AN INTELLIGIBLE EL NINO ARTICLE

As daily newspaper readers know, every recent ill to strike the world has been attributed to El Nino -- a Pacific Ocean phenomenon which has replaced atomic bomb testing as the cause of freakish weather. All that has been lacking for the last 18 months is an understandable explanation of what El Nino is and how it produces drought in Australia and 20 foot drifts in the Rockies.

Now Michael H. Glantz of the National Center for Atmospheric Research has written an article with a clear physical description of El Nino. He writes that in normal years, cold water wells up from the depths off the coast of Peru carrying nutrients which nourish the anchoveta fish. The cold water wells up because off-shore trade winds blow the overlying warm water out to sea.

When those trade winds fail, the warm coastal water stays put and so there is no cold water upwelling. That is the El Nino phenomenon. Without the cold water upwelling, there is no nourishing food from the depths for the anchoveta. Glantz discusses how the decline in anchoveta numbers reverberates through the economy, raising the price of fish meal substitutes such as soybeans, and cutting down on the guano fertilizer produced by fish that normally feed off the anchoveta. Although Glantz, who is a social rather than physical scientist, doesn't say so, his article hints that El Nino may be an indicator rather than a cause of weather.

His article is in the January/February 1984 issue of *Mixingira*. Or write to Glantz at NCAR, Box 3000, Boulder, CO 80307 and ask for reprint number NCAR 3141-83/25.



CONSERVATION DIRECTORY

Conservation Directory 1984 seems to have it all in a 300-page listing of organizations, agencies, commissions, offices, departments, citizen's groups and officials concerned with natural resource use and management on international, national and state levels. The directory also lists national parks, forests, seashores, and wildlife refuges, as well as natural resource periodicals, directories, and college and university programs. This year's edition of the conservation directory is the 29th published by the National Wildlife Federation.

To get your copy, send \$10.55 to National Wildlife Federation, 1412 Sixteenth Street N.W., Washington, D.C. 20036. Ask for item number 79543.

GREEN RIVER CORRIDOR PLAN

The Forest Service and Bureau of Land Management are planning a joint revision of the Green River Corridor Management Plan. The Green River Corridor is the corner of Utah south of Wyoming, west of Colorado, and north and east of the Green River and Flaming Gorge Reservoir. The consolidated plan is intended to provide coordinated management of the area and will replace separate 1976 and 1979 National Forest and BLM plans. The new plan will consider the extension and/or addition of trails along the river; the possible need for restricting numbers of river floaters; possible additional camping, campfire and ORV restrictions; the identification and preservation of additional historical and cultural features; need for additional facilities; and possible conflicts to result from the planned enlargement of Little Hole Campground.

Comments received before March 1 will be considered in developing the plan. Send comments to: U.S. Forest Service, Flaming Gorge Reservoir Ranger District, P.O. Box 157, Dutch John, UT 84023 (801/885-3315).

MORE POWDER RIVER BASIN COAL

The legislated moratorium on federal coal leasing is still in effect, but the Powder River Basin EIS process rolls on. The BLM recently released a draft EIS for a proposed second round of leasing of up to 22 federal coal tracts in Campbell County, Wyoming and Rosebud and Big Horn Counties, Montana. Six alternatives discussed in the draft EIS include several combinations of new production tracts and maintenance tracts.

Public hearings are scheduled for March 5 in Hardin, MT; March 6 in Ashland, MT; March 7 in Sheridan, WY; and March 8 in Gillette, WY. To testify at a hearing or to submit comments on the draft EIS, contact the EIS team leader, BLM Casper District, 951 Rancho Road, Casper, WY 82601. Statements of intent to testify must be in by March 2; comment deadline is March 27 (erroneously printed as April 30 in the draft EIS). Copies of the draft EIS are available from BLM offices in Casper, WY, Cheyenne, WY, Billings, MT, and Washington, D.C.

MARCH 8 FOR RILEY RIDGE

The question of how much control Wyoming has over proposed gas well development on Riley Ridge (HCN, 2/6/84) won't be addressed until a March 8 permit application hearing. The Wyoming Industrial Siting Council ruled recently that a 'scoping' hearing was no longer necessary because negotiations are taking place among Exxon, conservationists and communities in two counties. Exxon, which plans a gas wellfield and a sweetening plant, has said that major parts of its project, including a railroad and construction camp, are outside the state's jurisdiction.

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COLORADO WORLD WILDERNESS CONGRESS

Colorado is being considered as the site for the 4th World Wilderness Congress to be held in 1986. The upcoming 5-day symposium will consider subjects ranging from wilderness research and management to preservation and protection of wilderness worldwide. Participants from environmental, governmental, industrial and academic sectors are being invited from around the world.

Ian Player, chief executive of the World Wilderness Congress and director of the International Wilderness Leadership Foundation, will be in Denver February 27 to discuss the conference and Colorado's merits as the host location. An open potluck supper at 6:30 p.m. will be followed by a showing of Player's film about a Zuzaland Wilderness, at the Colorado Mountain Club, 2530 West Alameda in Denver. For more info, contact Stephen McCormick at 303/837-0880.

GRAND CANYON RIVER TRIP BENEFIT

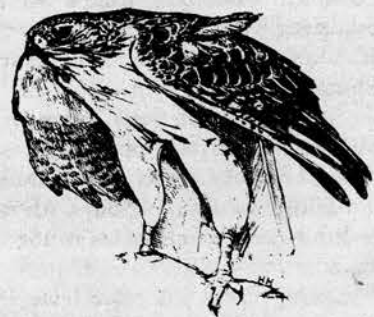
Friends of the River (FOR) has organized two special Grand Canyon expeditions, via oar-powered raft, paddleboat, and kayak, to be run in September and October (with Arizona Raft Adventures, licensed concessioner. Non-charter dates are also available. FOR tells us all proceeds from these low-priced, environmentally-oriented trips will benefit efforts to protect the Colorado River and Grand Canyon from the impacts of intensified energy and water development. Other Colorado Plateau river and pack expeditions, including row-your-own sportyak trips on the Green and San Juan, are also available. Write: FOR, Box 338, Moab, UT 84532. 801/259-7008.

COLORADO'S HAZARDOUS WASTES

Authority for managing Colorado's hazardous waste program may soon be transferred from the U.S. Environmental Protection Agency to the Colorado Department of Health. A Health Department application to the EPA outlines the state program that would monitor hazardous waste transporters and generators and provide procedures for permitting waste treatment, storage, and disposal facilities.

A public hearing on the application is scheduled for Monday, March 5 at 9 a.m. in Room 412 of the Colorado Department of Health in Denver. Send written comments before March 5 to Joan Sowinski, Waste Management Division, Colorado Department of Health, 4210 E. 11th Ave., Denver, CO 80220 (303/320-8333, ext. 4364).

The application may be purchased for \$35 or reviewed in Denver at the Health Department's Waste Management Division, 1101 Bellaire St., Room 301.



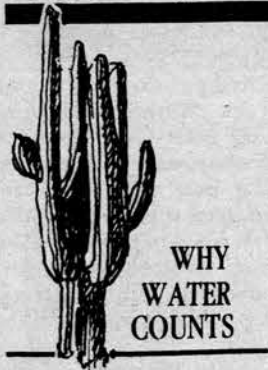
FALCONS FOR SALE?

The Wyoming Game and Fish Department may overrule a new federal regulation that would allow the sale of captive-reared birds of prey for the first time. Because distinguishing captive-reared birds from wild birds is difficult, the department is concerned that the new federal regulation would increase risks to wild populations.

The interest which surfaced at a recent Wyoming Game and Fish Commission meeting resulted in postponed action and a public comment period on a proposed state falconry regulation that would continue the prohibition on selling birds. The Wyoming Falconers and the National Falcon Breeders Association favored bird sales, while local and national chapters of the Audubon Society and the Wildlife Federation were opposed.

Send comments to the Wyoming Game and Fish Department, Cheyenne, Wyoming, 82002 before March 14.

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The Central Arizona Project is designed to water homes

by Sandy Tolan

For twelve minutes every hour in the idyllic subdivision of Fountain Hills northeast of Phoenix, a 450-foot-high geyser of water shoots up from the middle of an artificial lake. This symbol of yet another Arizona dream community suggests that Arizona, the desert state where temperatures exceed 120 degrees in the summertime, has water aplenty.

Below Fountain Hills, in the valley anchored by Phoenix, residents use as much as 350 gallons of water per day. Nearly half is used to flood lush, green lawns, fill swimming pools, hose down family cars, and otherwise douse the palm-lined, low-density communities that stretch like ink blobs into the desert around fast-growing Phoenix.

The fact that people in Phoenix need more water than people in cooler towns, should not be surprising. But, 110 miles away in Tucson, where it is only a shade cooler, water consumption is just over half that of Phoenix. And at the edge of the desert, in Los Angeles, the average is only 110 gallons per day -- roughly a third of the Phoenix consumption.

But despite the statistics, Arizona officials say there is not enough water to provide for the continuing Sunbelt boom. The state is projected to double in size in the next 16 years, going from the 29th largest to the 14th largest by the year 2000.

The key to that doubling is the Central Arizona Project, which has long been a dream for generations of Arizona politicians. Late next year, the \$3.5 billion project is to bring billions of gallons of Colorado River water from Lake Havasu in Western Arizona, up 800 feet and through a seven-mile-long tunnel carved into Buckskin Mountain, past a series of pumping plants, and along 190 miles of concrete canals, across the desert to Phoenix.

What Phoenix doesn't use will be pumped 1,200 feet up toward small central Arizona towns, Indian reservations, and finally, Tucson. CAP water is due to arrive in Phoenix in 1985 and Tucson in 1991. Power for the pumping plants will come from Page, Arizona, where the Bureau of Reclamation owns one-fourth of the coal-fired Navajo Generating Station.

Initially, this million or so acre-feet per year will grow cotton, wheat and alfalfa in central Arizona. But ultimately state water officials say Arizona agriculture will wither, as water is transferred from cotton farms and pecan groves to tract homes and shopping centers.

To Arizonans, the work the federal government has done to bring the Colorado through the desert is far from finished. Over the next five years, U.S. taxpayers will be asked to spend another \$2 billion to finish the project.

More than 100 miles of concrete canals, designed to send water from Phoenix to Tucson and elsewhere in central Arizona, still must be built.

The \$300 million pivot point for the CAP, New Waddell Dam, must be laid into the Agua Fria River to store the water. Three other dams upstream of Phoenix, to provide flood control to a city that has defied the law of averages by having three 50-year floods in the last six years, must be constructed or rebuilt along the Salt and Verde Rivers.

"You have to address water," says Bill Thompson, an engineer in the Bureau's CAP field office near Parker, Arizona. "If you want to change your lifestyle, and conform to what's available, that's fine. But if you don't, you... provide people with something they think that they need. I would say that just from the growth of the population, heck, they need the water and where are they going to get it?"

But the state's current supply, admits Arizona Department of Water Resources director Wes Steiner, could support "about ten million" people if agriculture in the state were phased out entirely, or "five to six million with some agriculture." Steiner, one of the most influential people in the seven Colorado Basin states, insists the CAP will bring sensible growth that can allow for some agriculture to continue.

Farmers in Arizona were not always seen as expendable. "The project was an agricultural project," said Clifford Pugh, a retired Bureau official who pushed for the CAP during the 1950s and 1960s. "They turned it into a municipal and Indian project, with the farmers holding the bag for what's left." The state's farmers will have what Pugh calls "all non-firm water" -- meaning that in short years, the cities and Indian tribes come first. This provision, made to encourage urban growth, suggests agriculture's death in Arizona.

But some argue agriculture could flourish alongside the cities. Laser leveling of land and drip irrigation could save up to 50 percent of a farmer's water supply; and reuses of municipal waste water for irrigation could reverse the projected agricultural decline.

"We can save agriculture," says former Interior Secretary Stewart Udall, now a Phoenix attorney. "It burns me every time I hear Wes Steiner and these other people say, 'Well, all the water is going to be used for urban use. Agriculture will die in Arizona.' That needn't happen."

Saving agriculture may be technically possible, but there seems to be little enthusiasm within the cities to keep it around. For example, a group of cotton and grain farmers in the Avra Valley near Tucson recently proposed to build a delivery system and pay the city up to a million dollars a year to use its municipal effluent. The city declined, partly because it can make more money selling the effluent to water golf courses.

Ralph Wong, a second-generation Chinese farmer who has 3,200 acres of cotton in the Avra Valley, says he believed the plan was rejected because "their attitude is, 'if we help the farmers out and keep them afloat now, it will be harder to eliminate

them later.' They believe the city of Tucson should control all the water."

"The city of Tucson has a lot of hostility toward agriculture," says Michael McNulty, Tucson director of the state Department of Water Resources. "They see farmers using effluent as a way of justifying agriculture, and they don't want to see agriculture remaining in the area after the turn of the century."

So it appears that CAP water, once thought of as a way to create a San Joaquin Valley of Arizona, will build subdivisions. The cities of Phoenix and Tucson, now separated by a desert dotted with small towns, may become a continuous megalopolis.

With the CAP, the development could proceed rapidly. It will combine with other water supplies in the state to provide for 20 million people, or ten million people and nearly a million acres of irrigated crops. (One million acre-feet can irrigate about 330,000 acres of crops or provide municipal and industrial water for four to five million people.)

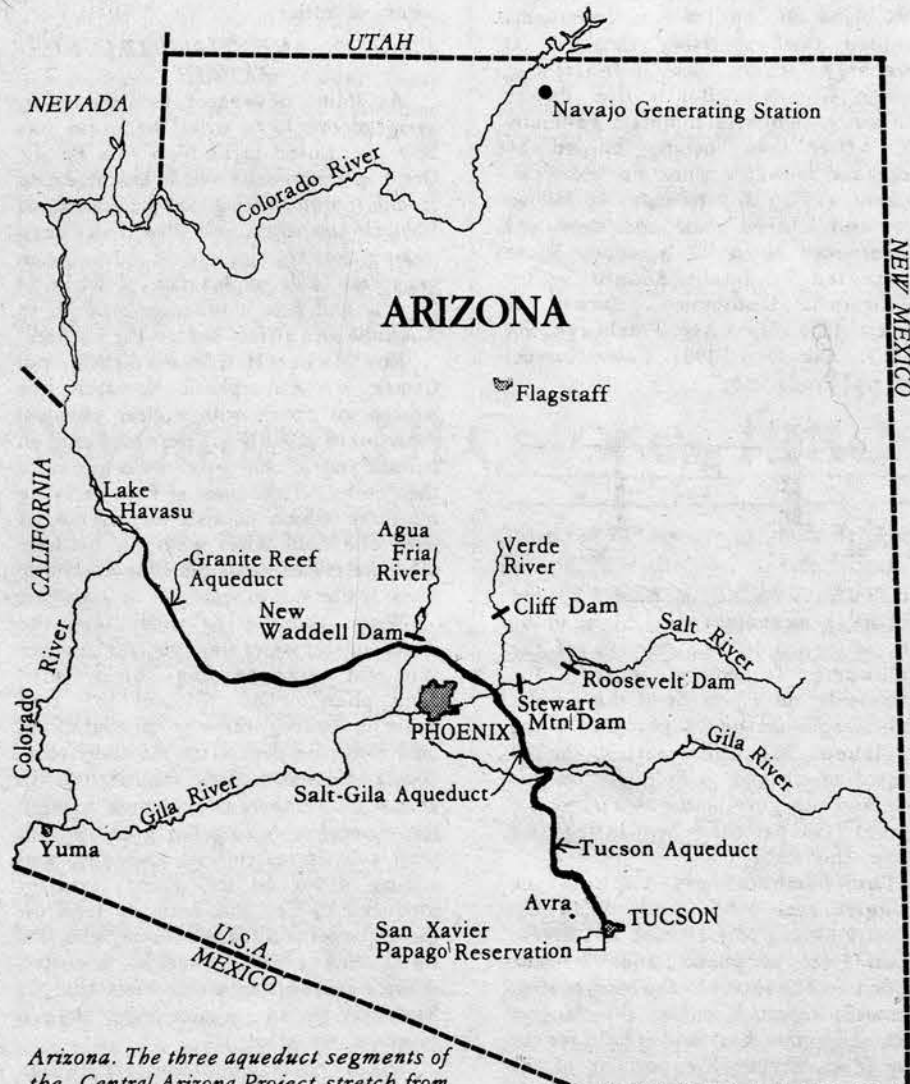
Under either scenario, the state would become one of the country's largest, and most politically powerful. More water will bring more people, which will create more political power to bring still more water -- all thanks to the federal money that built the concrete canals through the desert, and to the scores of Arizona politicians who fought for the idea through the past decades.

The dream of diverting the Colorado to make Arizona prosper is as old as Arizona. But it is the late Senator Carl Hayden to whom backers

of the CAP owe the most gratitude. Hayden, as a representative and then as chairman of the Senate Appropriations Committee, fought for the project in both Houses of Congress for 57 years. And it was Hayden, still a Senator at age 90, who stood by in 1968 as President Johnson signed the Colorado River Basin Project Act, the huge western water bill that included authorization for the CAP. (This was the same bill that House Interior Committee chairman Wayne Aspinall hammered through the House, after attaching five projects, including the Dolores and the Animas-La Plata, for his home state of Colorado.)

But Arizona's dream is beginning to turn nightmarish. The 1968 law mandates a far weaker plan than its earliest backers had envisioned. First, the state lost its battle to have dams built at both ends of the Grand Canyon. This plan was defeated by environmentalists in the early 1960s. In return, they conceded the construction of power plants at Page and Bullhead City, Ariz., fired by coal from the Navajo Reservation. The dams would have provided hydro-power revenues to help pay for the project.

More important, Arizona gave up much of what it had won four years earlier in the landmark 1964 Arizona v. California Supreme Court decree in order to get the federal dollars for the CAP. To receive the blessing of the huge California congressional delegation, Arizona gave away what it had won on paper -- a firm annual supply of 2.8 million acre-feet. Instead, they agreed that in dry years on the river,



Arizona. The three aqueduct segments of the Central Arizona Project stretch from Lake Havasu to Tucson. The Navajo Generating Station would power the project's pumping plants. CAP would include construction of the new Waddell and Cliff Dams and some reconstruction of the Stewart Mountain and Roosevelt Dams.



J. Madrigal, Jr., Bureau of Reclamation

Aerial view of CAP's concrete ditch crossing Shea Boulevard northeast of Phoenix.

California would receive its full allocation of 4.4 million acre-feet before the CAP got a drop from the Colorado.

"They've ruined it. It's wrecked," says Clifford Pugh. "The environmentalists ruined the financial feasibility, and the deal with California, frankly, eliminated the firmness of the water supply."

There is usually enough water in the Colorado to satisfy the CAP's annual depletion of 1.2 million acre-feet. But since the project is legally "the last straw on the river," a prolonged drought would hit Arizona hardest and fastest.

"There is no question that the California guarantee will have an impact on the CAP," says Tom Burbey, an engineer in the Bureau's CAP office in Phoenix. "The CAP is a sacrificial lamb during a drought."

Criticism of the CAP is still nearly inaudible within Arizona. "There hasn't been a single [Arizona] governor, a single representative in Congress, or a single senator in the Congress that has not actively supported the project a hundred percent and actively worked on it," says Steiner. "Not a single one."

But strong criticism of the CAP does exist. In a 1978 analysis of the CAP, University of Montana economics professor Thomas Power charged that cost overruns will send the ultimate price of the project above \$5.4 billion -- of which, he claimed, nearly \$2 billion will never be paid back. "The Bureau of Reclamation," Power wrote, "has grossly overstated the benefits of the project. CAP will, in fact, return only pennies in benefits for each dollar invested."

Power and other critics argue there is ample water to provide a more economic alternative to the CAP. Despite a state law to curtail Arizona's groundwater "overdraft" of two million acre-feet per year, Power notes "there are approximately 600 million

acre-feet of groundwater storage in Central Arizona" within a thousand feet of the surface. "Mining groundwater could continue at the present rate for several centuries."

In Phoenix, even if there were no wells used to pump groundwater, there would still be enough water impounded by the Salt River Project to provide for more than three million people (nearly three times the current population). The problem is that the SRP board of directors, made up largely of farmers, does not want to extend the SRP boundaries to include all of Phoenix and its immediate neighbors. Consequently, many people in north Phoenix, Fountain Hills, Scottsdale, Chandler and other communities are totally dependent on groundwater.

Another strong opponent of the Central Arizona Project is former U.S. representative Sam Steiger, who staunchly supported the project while in the House. The CAP, says Steiger, "proves that all government efforts are subject to total failure."

Steiger, a conservative and a political maverick while in the Congress, moved back to his ranch near Prescott, Ariz., after losing his bid for the Senate to Dennis DeConcini in 1976. He believes the CAP was "a good horse to ride" for generations of Arizona politicians. "The project was conceived in good faith," he says. But cost overruns, the guarantee with California, the possible threat to the CAP's supply from Upper Colorado Basin development, and the possibilities of severe shortages during a drought have changed Steiger's mind about the CAP. Given the California guarantee, says Steiger, "and given the average flow and the overbooking of the river, we'll always be on the short end of the stick."

"This is the Holy Grail," he says. "If they're involved with it, it's pretty

tough to ask them to badmouth the thing that justifies their existence. It would be like the Pope badmouthing the Virgin Mary. They all still think it's going to be OK. The bottom line is, 'It'll work out. Don't worry, somehow it'll work out.'"

But now there are signs of disharmony from the inside. Sources close to the CAP in Phoenix and Washington say Arizona's unified delegation has begun to fracture, at least slightly, over the issue of the Tucson aqueduct. The sources say now that Phoenix is guaranteed its water, Tucson -- smaller, politically weaker, but more in need of CAP water -- will see support for the Tucson aqueduct erode.

"The united front that Arizona has traditionally presented to the outside world -- underneath it's beginning to show some signs of cracking," says John D. Leshy, an Arizona State University professor and former Interior Department solicitor. Members of Arizona's congressional delegation and state water officials flatly deny a disruption in the united move toward completion of the CAP.

Still, officials in Arizona acknowledge the nearly \$2 billion still needed to finish the project may be hard to get from an increasingly stubborn Congress. This puts the Tucson aqueduct, the Indian water supplies earmarked in the project, and the series of dams near Phoenix into question. In other words, two-thirds of the Central Arizona Project may be on shaky ground.

"I don't personally have any doubts that the government is going to complete the [Tucson] aqueduct," says Steiner. "Where our problems come in, is that that's not the total project. We're concerned that we really won't be able to get full federal financing of the three dams... We may very well get stuck with 35 percent."

Here is where the diminishing

returns on Arizona's long-held dream become apparent. For even if the Tucson aqueduct is built entirely with federal money, someone in Arizona is going to have to pay at least \$350 million to help build the dams to complete the CAP -- if they ever get built. If the state's taxpayers don't agree to share those costs, the master plan for the CAP may begin to unravel. Without a dam to store the CAP water, the annual supply will decline by ten percent while the cost of the water, which will have to be pumped when electricity is more expensive, will rise. "You'd end up with less water, and you'd end up with more expensive water," says Steiner.

If Arizonans do agree to help finance the last phases of the CAP, the ultimate cost to the state and its people will be higher water bills -- higher bills that will not support the verdant fields of a major agricultural center, but rather will ensure that the fields will one day be shopping malls.

To many in Arizona the CAP is an insurance policy that will bring the state its rightful share of the well-litigated, well-harnessed Colorado. Otherwise, most of the water will go down the river to California. And to many here, the millions of tons of concrete that were laid into the desert represent life in the Southwest as it should be.

"This whole society is based on bringing resources to where they're needed," says Michael McNulty of the state's water resources department. "Should you prevent people in Wisconsin from having tomatoes in the wintertime? I used to question the project because I thought we should live within our means."

"But no one in this society lives within their means. The limits of our means are defined by the legal and technological limitations to get water from the Colorado River."

SEE RELATED STORY ON PAGE 10



Mouse tracks in a meadow along East DuNoir Creek.



Evening light strikes the butte above Shoshone Pass.

DuNoir No M

The DuNoir area in northeast Wyoming is one small part of the Wyoming Wilderness bill which is now being hammered out in Congress. But the arguments about its fate are familiar: whether to develop or preserve it as it is.

Ever since the first French explorers crossed the Absarokas into the head of the twin DuNoir drainages and named them in honor of their black timber, the lumbering potential of the area has been obvious. Just as obvious is its wilderness potential, for the DuNoir was first considered in the early '60s for inclusion in what is now the Washakie Wilderness.

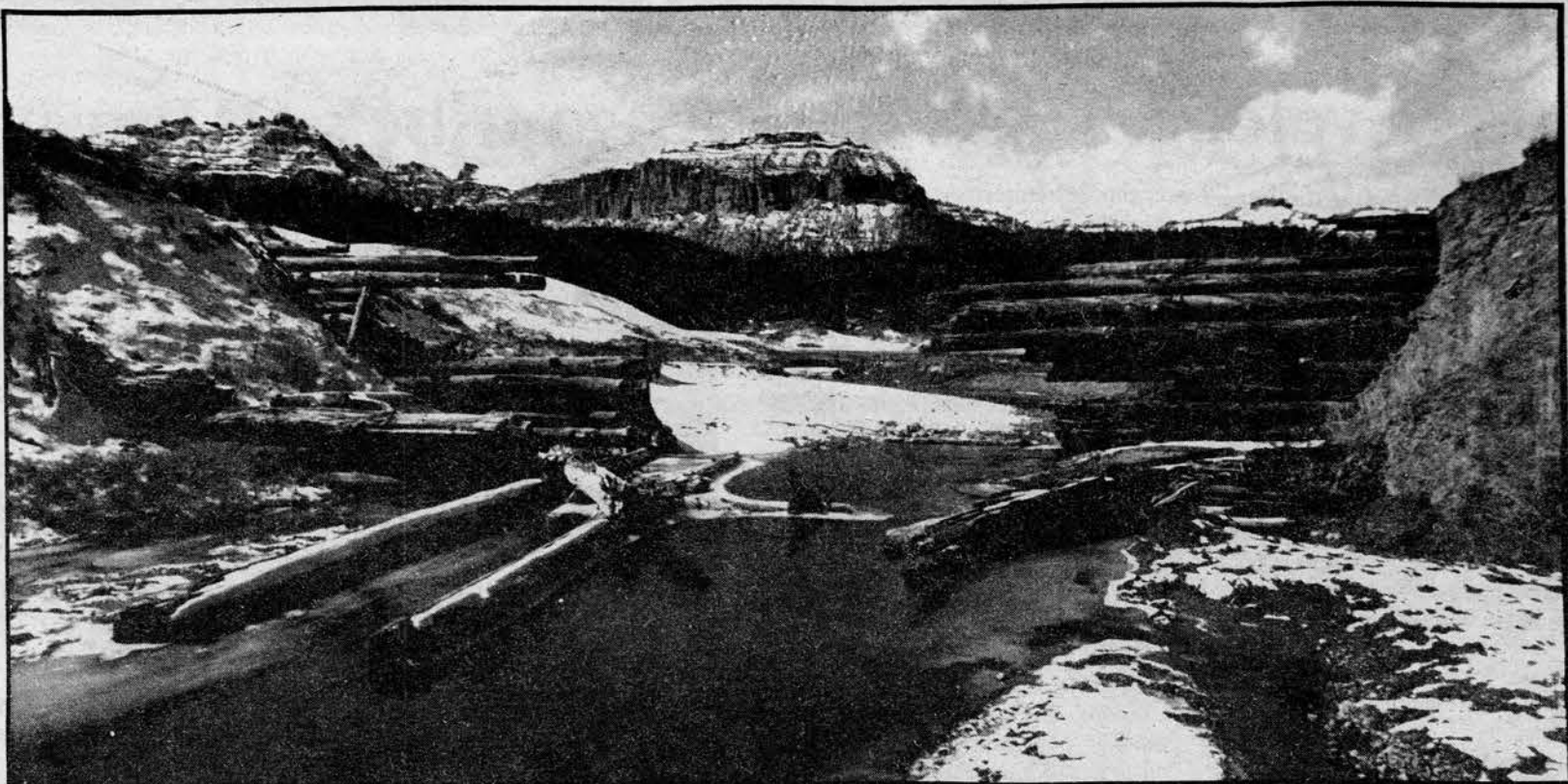
Shoshone National Forest officials have never had much use for the DuNoir as wilderness, although the area is bounded by both the Washakie and Teton Wilderness Areas, and is a contiguous corner of the Yellowstone ecosystem. The Forest Service opposed the inclusion of the area into the Washakie Wilderness, and it was over Forest Service objections that Congress decreed 28,000 acres of the DuNoir as a Special Management Area. At the time of that decision, Congressman Teno Roncalio said of his trip to the area, "It was readily apparent to me that the entire DuNoir basin was not only eligible for inclusion as wilderness, but was, in fact, probably the most desirable area in all of Wyoming to be wilderness."

But Roncalio is no longer Wyoming's member in the House of Representatives, and the state's current trio in Washington favors a bill, already passed in the Senate, that would protect 11,000 acres of the

DuNoir Special Management Area as Wilderness but release the remaining 17,000 acres. Rep. John Seiberling (D-Ohio), chairman of the House Interior Subcommittee on Public Lands, is fighting the proposed bill. He favors Wilderness status for the entire 28,000 acre Special Management Area as well as an additional 6000 acres of the DuNoir.

The Wyoming delegation's proposed Wilderness bill has been called a classic rock and ice proposal. It protects high rocky pinnacles and glaciers but opens up rich meadow and forest land for commercial development. The Louisiana-Pacific mill in nearby Dubois has expressed strong interest in logging the DuNoir for more than 20 years -- as long as many other residents of Dubois have been trying to save it.

Actually, the DuNoir has already been logged. In the early part of this century, Scandinavian 'tie hacks' selectively cut by hand half a million railroad ties from the Engelmann spruce, subalpine and Douglas fir, and whitebark and lodgepole pine. The ties were cut to exact size on site and stored behind small log retention dams. When the spring floods came, the dams were dynamited and the ties were floated down to the Wind River and then to the railroad in Riverton. A few rotting cabins and blown log-dams remain from that historically rich era. The forest itself shows little sign of the tie hack days other than decaying stumps surrounded by full-grown trees -- a marked difference from the anticipated aftermath of clearcutting now planned for the DuNoir.



Remains of a tie back splash dam on West DuNoir Creek.

story and photos by
Richard J. Murphy

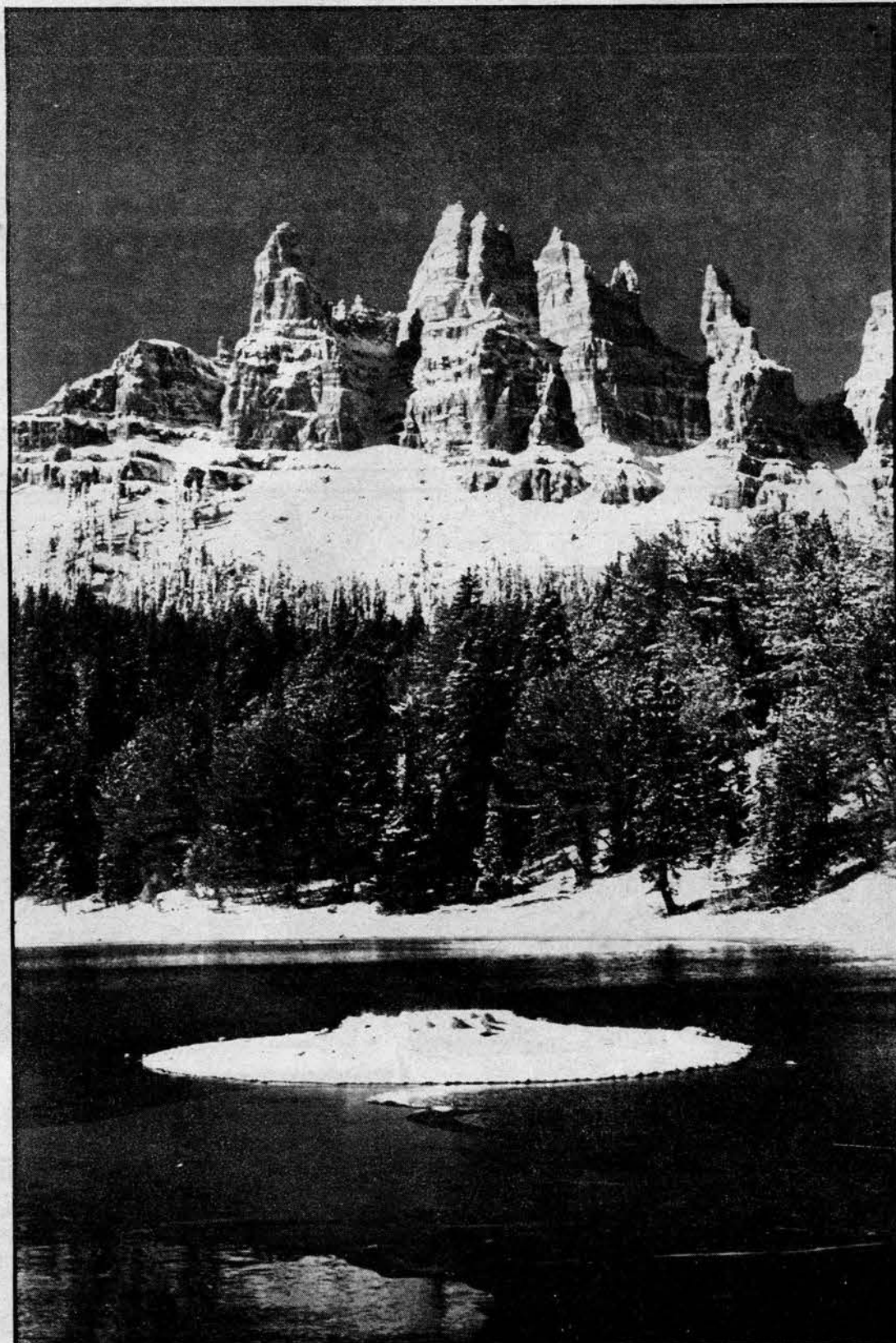
More?

As one of the last protected drainages of the upper Wind River, the DuNoir serves as an important summer range and migration corridor for a wide variety of wildlife. The DuNoir supports a resident herd of 350 elk, but more importantly it serves as a migration route and calving ground for more than 1,000 elk on the east side of the Continental Divide. Wyoming Game and Fish officials worry that if the DuNoir is clearcut the elk which now winter east of the divide will be steered into the already full wintering areas west of the divide. The DuNoir supports a variety of other wildlife including big horn sheep, moose, mule deer, black bear, grizzly bear, and trumpeter swans.

The future of the DuNoir and the rest of Wyoming's wilderness is being decided right now in Congressional committee. Wyoming Rep. Dick Cheney is fighting for retention of what conservationists charge is a grossly inadequate wilderness bill which Wyoming Senators Malcolm Wallop and Alan Simpson ushered through the Senate. Rep. Seiberling has proved to be a friend to Wyoming wilderness, but he is battling the momentum of a united Wyoming delegation. The decisions Seiberling and Cheney reach will determine the future of the DuNoir for now, and perhaps forever. The current wording of the bill bars further consideration of wilderness in this century.

□

Richard Murphy is a reporter-photographer for the *Jackson Hole News*.



Kisinger Lakes and the Pinnacle Buttes.

10-High Country News-Feb. 20, 1984

A developer seeks the Papago tribe's CAP water

It is difficult to visualize the impact of the multi-billion dollar Central Arizona Project, with its network of dams and canals, and its 2.8 million acre-feet of water flowing through the desert.

But a struggle now taking place on the San Xavier Papago Reservation south of Tucson, Arizona, helps focus the issue. There, a Palm Springs developer named James Rothschild is trying to get approval for a city of 110,000 non-Indians on 18,000 acres of the 70,000-acre reservation. Rothschild's Santa Cruz Properties wants to build homes, pools, golf courses, hotels, and a research park.

The idea is made possible by CAP water and the Southern Arizona Water additional water to the Tucson area in the early 1990s, and the Settlement

Rights Settlement Act. CAP will bring Act allocates some of that water to the Papagos. Rothschild wants to lease 15,000 acre-feet of the water, as well as the land.

But there are obstacles. The developer must get approval from at least half of the 700 Papago allottees who own shares in the 18,000 acres. He has been paying Papago agents \$25 for each signature they obtain. But he still needs 150 more signatures on the 53-page leases he asks the allottees to sign.

The lease has already been approved 10-1 by the Papago District Council. But Papago critic Michael Rios charges: "There was collusion between the developer, the tribal attorney, the District and the Bureau (of Indian Affairs) to approve this."

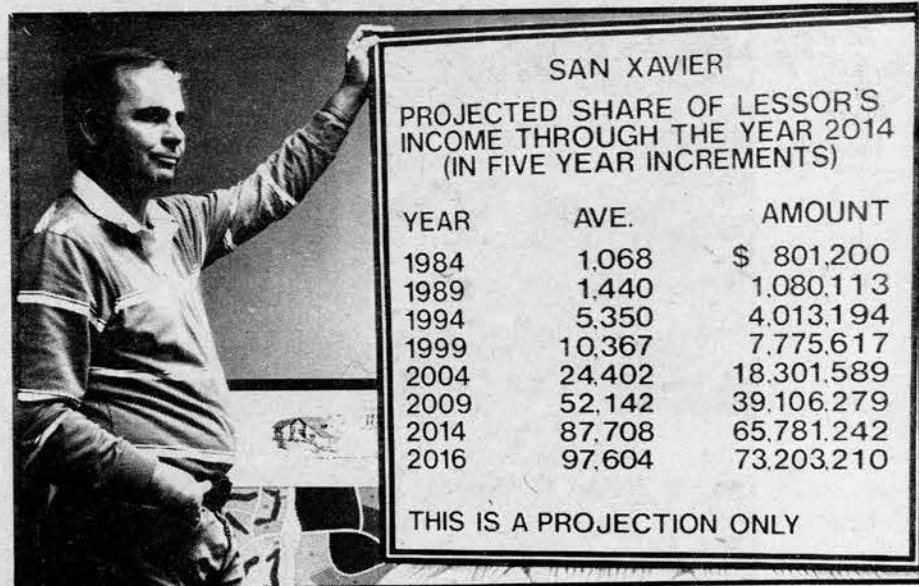
There are other charges. Impressive-looking charts shown at public meetings estimate the average allottee will be paid \$97,000 per year by the year 2016. But the lease only guarantees a tiny fraction of that. The unguaranteed part is to come from the Papagos' share in the profits of the development, after deductions for a police force, fire fighters, a janitorial staff, and so on.

By comparison, local real estate developers estimate that 18,000 acres of land with water near Tucson would cost Rothschild over \$100 million, were he to buy it from private land owners.

The lease does promise that the land will revert back to the Indians after 90 years. Critic Rios says: "I don't think that Anglos living out here will be just thrilled to move out after they have invested thousands of dollars in a house."

He predicts, "Political power will come in... You're going to have a movement to wipe out the reservation. A hundred and ten thousand Anglos compared to 1300 of us. How much political power do you think we have? Not too much."

John Narcho, who is chairman of San Xavier district tribal council,



Carl Winters, a consulting engineer and spokesman for Palm Springs developer James Rothschild, shows chart of payments individual Papagos could

receive if they lease their land for 90 years. The bottom figure is more than 25 times what the developer has agreed to pay in the lease contract.

disagrees. "A lot of people are raising all kinds of questions. They're good questions. But I don't think that they're really that big unless you make them that big."

"What did President Roosevelt say -- 'the only thing you have to fear is fear itself.' So if you're afraid of getting into it, then you're going to have problems. But if you're not, then I think you'll be all right."

Other Papagos say that because Narcho doesn't speak Papago, and spent most of his life off the reservation, he doesn't understand what's at stake.

"You would lose your land forever," says Juliann Ramon-Pier-son. "We as Papagos tend to value that land. Maybe it's only desert to some people..."

But Narcho argues that federal budget cuts in Indian aid and lack of an economic base require the project. Otherwise, "What do we look at to generate revenues for the tribe?"

Opponents are circulating petitions among the allottees, trying to keep

Rothschild from getting his last 150 signatures. If he gets them, the Secretary of Interior -- as trustee for the tribe -- must then approve the lease.

But the question may never reach the Secretary. Attorneys for the opponents have obtained a temporary restraining order, forbidding Rothschild and the council from promoting the project in the tribal newspaper. Next step, says the opposition, is a challenge to the project in federal court.

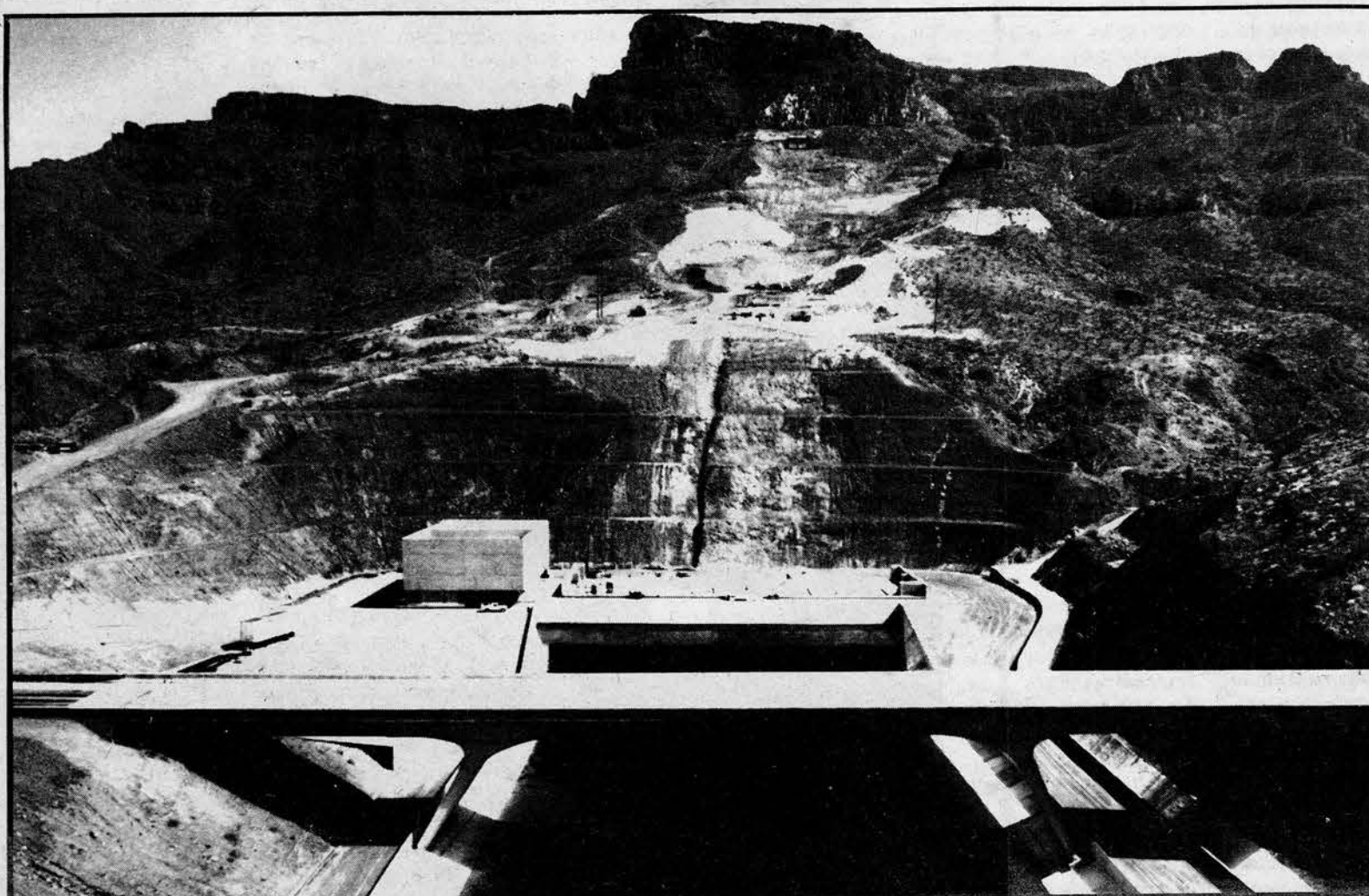
All together, the Papago Reservation stretches over 3 million acres, containing about 17,000 people and divided into eleven districts. The San Xavier Reservation is one of the districts, containing 1300 people on 70,000 acres.

-- Sandy Tolan

Sandy Tolan operates Desert News Service in Flagstaff, Arizona, and writes for several national publications. These articles were made possible by the High Country News Research Fund.



Mike Rios, opponent of a new city of 110,000 on land [and with water rights] leased from Indians on the San Xavier Papago Reservation.



In the foreground is Highway 95 and CAP's Havasu Pumping Plant, which will

lift Colorado River water 824 feet to the inlet of a 6.8 mile tunnel. An 183-mile

aqueduct then carries the water to Phoenix.

J. Madrigal, Jr., Bureau of Reclamation

WHY
WATER
COUNTS

Anything could happen on the Colorado River this spring

by Ed Marston

If all goes well, and snowfall for the rest of the winter is normal, the Colorado River basin may squeeze through the spring and summer without too much flooding.

But if the winter or spring turns wet, the region will be in far worse trouble than last year. It will be worse off because the early winter last year was relatively dry; this year the winter has been extraordinarily wet.

Last year, the U.S. Bureau of Reclamation was mousetrapped by heavy snow and rain in the spring, by inaccurate runoff predictions, and by a no-room-for-error policy which kept the reservoirs as full as possible. As a result, the small amount of flood storage space in the reservoirs was overwhelmed by the gigantic runoff. Spilling water flooded out residents, chewed up waterways and destroyed habitats, and threatened the stability of dams.

This year, nature has put the Bureau and the states on early notice that it will definitely be a heavy water year. If precipitation remains normal, 12.4 million acre-feet of water will run off the Upper Colorado River basin into, and through, Lake Powell from April to July. That's 166 percent of the normal 7.4 million acre-foot runoff. It's an impressive number even when compared to last year's 14.5 million acre-foot runoff.

The Bureau is ready to handle the predicted runoff. It has been operating its powerplants around the clock since May, lowering reservoir levels to make room for the expected inflow.

Lake Powell presently has about 22 million acre-feet of its 25 million acre-foot capacity filled. Lee Morrison, an engineer with the Bureau, says that by April 1, it will have about 20.6 million acre-feet of water in Lake Powell, giving it room for five million acre feet of runoff.

Lake Powell could make space even more quickly if not for the

500,000 acre-feet per month water flowing into it from above -- due to water being released from Blue Mesa reservoir dam on the Gunnison River and from other reservoirs upstream of Lake Powell. And Hoover Dam could make space more quickly if Lake Powell wasn't sending down 1.5 million acre-feet per month.

But all together, the system is making room in the reservoirs, and by the start of runoff time April 1, the Bureau hopes to have enough space to contain the runoff.

Despite the headstart, the Bureau is still on a tightrope. There is far more snowpack in the Upper Colorado River basin this winter than last. Last year at this time, the National Weather Service was predicting a near normal runoff. This year, they are predicting 167 percent of normal.

With an enormous amount of snow already in the hills, a wet spring like 1983 would be a disaster. And an interview with Dr. Robert Clark of the National Weather Service in Washington, D.C. indicates that is possible.

Clark said in January that there is a small probability that this year's runoff could exceed last year's by 2 million acre-feet. "But you would need heavy precipitation in the spring months." The meteorologist said that's unlikely. But he also said: "The trouble is, these unusual events seem to cluster. If you have a rainy day, the odds of a rainy tomorrow are high."

Last spring was unique not just in its late precipitation. Usually, Clark says, the snowmelt occurs over 6 to 8 weeks. But in 1983, cool weather held back the runoff. Then it grew unseasonably hot and the snow came off in three weeks. Even worse, the quick runoff was aggravated by a heavy rainfall on June 15 -- a rainfall which added 1 to 2 million acre-feet to the runoff.

All together, Clark said, his agency underestimated the total runoff by 6 million acre feet out of the 25 million acre feet that flowed into the Grand



Canyon in 1983. (Normal runoff is about 14 million acre-feet.)

If a 6 million acre-foot error seems like a lot, consider this: Clark says that an additional inch of runoff from the 110,000 square miles that drains into Lake Powell adds up to 5 million acre-feet. "So just being an inch off in total runoff is a 5 million acre-foot error."

There are other factors besides a short spring and a mismeasurement of the snowpack that can cause problems. When the soil is dry, it acts as a blotter, sopping up the runoff and keeping it from flowing immediately into streams and rivers. Clark says, "Last year, conditions were wet in the fall. That saturated the ground. So when June came, almost all the water ran off instead of soaking into the ground." The 1983 forecasts hadn't taken the unusually wet soil into account.

In the wake of last year's miscalculations -- "Very frankly, it was our fault in that the forecast was wrong" -- the forecasting model has been revamped. This year, the fact

that the soil is already saturated has been taken into account.

But Clark says that there are things that can't be changed by writing a new computer program. They include fairly slow data collection from around the basin and a very small number of people to keep track of events.

But the big unknown is what the spring will bring. For the moment, nature is moderate. The very wet December was followed by a dry January. But early indications are that February is receiving a normal amount of precipitation.

If the spring turns wet, the weak point will again be Glen Canyon Dam. Work on the damaged spillways is proceeding on schedule, according to Glen Canyon Dam manager Tom Gamble. But only one will be back in action in time for the runoff season. Gamble says the left spillway will be repaired by June 1, with the right coming on line in mid-July. Gamble says he doesn't expect to need either one this spring. But the Bureau didn't plan on spilling water last year either.

BOOKS

The mixing of coal and water

Water for the Energy Market

John A. Folk-Williams and James S. Cannon, with research assistance from Marjane Ambler and Lucy Hilgendorf. Volume Two of the Water in the West series: Western Network, 214 Mackenzie St., Santa Fe, NM, 87501, 1983, 162 pages, \$20 to individuals, non-profits and government; \$35 to for-profits, paper.

by Ed Marston

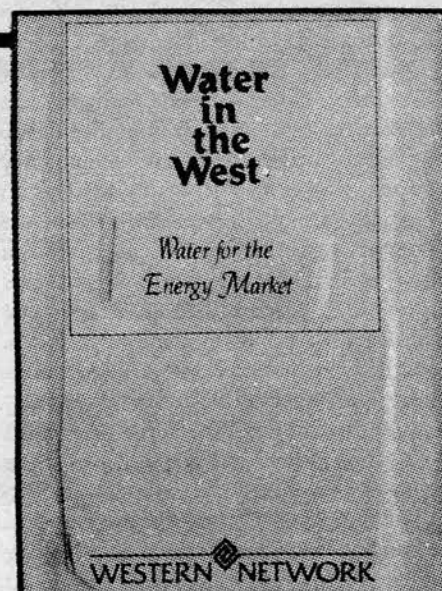
If you are interested in western coal-mining, power plants or water issues, this 162-page carefully-researched, concisely-written book is for you. It is divided into two equally valuable parts: an excellent overview of coal reserves and development in six western states, followed by an

analysis of 55 coal-water disputes in the six states.

The book includes enough interesting statistics on coal and water to allow the publication of a resource-oriented *Trivial Pursuit* board game. But the statistics aren't irrelevant -- they're woven together in the "Overview" to give a comprehensive picture of coal in the West. The book brings together the coal tonnage in each state, the water that coal mining and power plants consume, the likely impacts of coal gasification and slurry pipelines, the quality and accessibility of coal in the different coal basins, and the water and leasing laws which govern development.

The case studies, which take up much of the book, describe the major issues and players, and in several instances print the central documents.

Western Network, a non-profit research group, has chosen to take a rigorously objective, non-speculative approach to the issues. That has obvious advantages, but it also has a few disadvantages. For example, the largest single factor affecting coal development in the West is some difficult-to-separate mixture of the economy and electric power conservation. Those factors have killed numerous projects, (e.g., half of the Intermountain Power Project in Utah, Colorado-Ute's Mack plant, half of Deseret's Bonanza plant in Utah), and stretched out the construction schedule on others, (e.g., Deseret's Bonanza I and Colorado-Ute's Craig III). The economics, therefore, deserved a section in the overview, although it would have been speculative.



Second, the objectivity often obscured what may be really going on. The Aquatrain proposal, for example, always seemed suspect, and today it seems more like sci-fi than a technical possibility.

But these are quibbles. If you're interested in coal development, agriculture, river-based recreation, and energy, get this book.

12-High Country News-Feb. 20, 1984



This year, the Colorado River will bury us in electricity

Last year, the Colorado River flooded the states it passes through with water. This year, it will flood the same region with electricity.

The region will get electricity instead of water because last year's snow and rain came late in the season -- in May and June. So late that the U.S. Bureau of Reclamation had no choice but to spill enormous amounts of water instead of sending it through the dams' power plants.

This year the snows came early. By January 1, the Western Slope of Colorado, where much of the Colorado River's runoff originates, had a snowpack 220 percent of normal. With the high snowpack and last year's disaster as warnings, the Bureau kept running the power plants along the river flat out. If precipitation is more or less normal between now and May, it will continue to run those powerplants round the clock well past summer.

In a normal year, the powerplants have enough water to run only half the time -- when peak demand for electricity is high. But the Bureau estimates that this year its power plants at Glen Canyon, Navajo, Flaming Gorge, Hoover, Parker et al will generate twice as much energy as normally.

It will therefore have for sale an extra 12.5 billion kilowatt-hours of electric energy, about half from Hoover and its neighbors on the lower Colorado, and half from Glen Canyon and the other dams on the upper Colorado River Storage Project.

It would take six million tons of coal to produce this extra 12.5 billion kw-hrs of electricity. That's a lot of coal. The entire state of Utah only produced 11.5 million tons last year. It is still stuck with 1.5 million of those tons and half its mines are shut. Colorado and Wyoming are in similar, though less serious, straits.

Many utilities which burn Rocky Mountain and Great Plains coal are also in trouble. Back in the 1970s, they overestimated the demand for electricity. That miscalculation is bearing fruit now, as Colstrip Four in Montana, Rawhide in Eastern Colorado, Bonanza in Utah, Craig III in Western Colorado and others are operating or about to begin operating.

Each utility with excess capacity hopes to sell its surplus to utilities in California and elsewhere who are energy short. It would have been a buyers' market in a normal year. But now the three to four cents per kilowatt-hour coal energy faces a tough competitor: penny a kilowatt-hour hydropower from Bureau dams.

The effect of the cheap power on electric rates and coal and gas consumption can't be nailed down. No public agency monitors the overall situation, and the buying and selling of electricity isn't done through a central exchange. You can't look up the spot price and volume in the *Wall Street Journal* each morning. Instead, the utilities make their deals one on one. Often the deals are made hourly, as demand and supply change.

The utility employees who do the buying and selling aren't eager to tell the press, or anybody else, how they expect the market to behave over the

next few months. But some educated guesses can be made.

The major market for excess power lies in California, which already imports a large amount of coal power from Southwestern coal plants like Four Corners. But California also generates power locally by burning gas. (Most of the oil-generated electricity has been pushed out by the gas glut.)

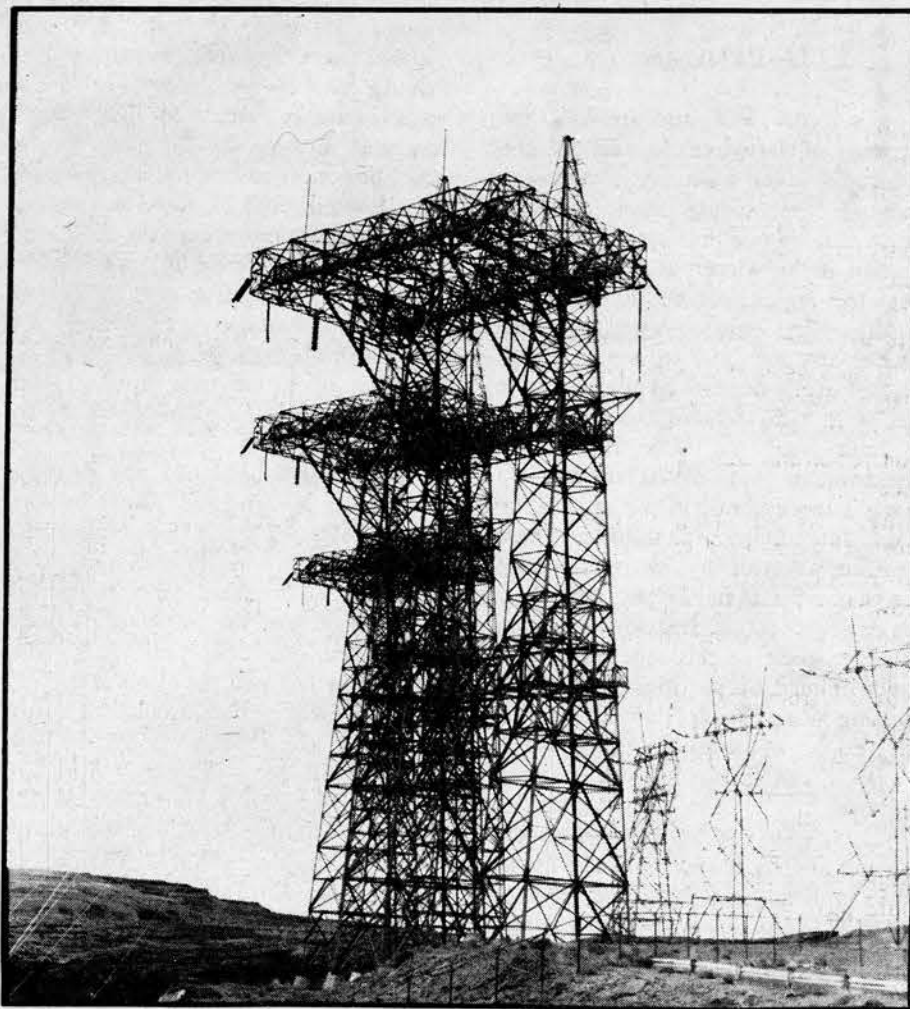
The excess hydropower shouldn't have any effect during the daily peak periods since the dams are normally operating flat out at those times. The effect of the excess water will be seen in non-peak periods -- at night and on weekends -- when hydropower would not normally be available.

At those times, California utilities tend to shut down their expensive gas generation and import power from their own Southwestern coal plants and from Rocky Mountain and Great Plains utilities with excess capacity.

But now cheap hydropower will be available around the clock. It seems likely that that energy will find its way into Southern California, displacing the coal-fired power the utilities buy from others or generate themselves.

The excess hydropower will put other pressure on Rocky Mountain and Great Plains coal power. Public power utilities such as municipalities or REAs that now buy coal-fired power will be able to cut back their coal-fired purchases as much as their contracts permit.

The effect on rates is difficult to guess. But it seems likely that California consumers and others who live in areas that buy outside power



Power lines at Glen Canyon Dam

will pay less for their electricity. But those who get their electricity from utilities that goofed and overbuilt will pay higher rates. Customers of Montana Power, New Mexico Public Service, Utah's Desert Generation

and Transmission, Colorado-Ute Electric Association, and others with coal power to sell may find themselves having to raise rates due to the lack of expected California sales.

--Ed Marston

LETTERS

MORE ON ABBEY

Dear HCN,

The Opinion column by J.V. Rosenfeld in the Dec. 26th issue left me troubled. I haven't seen the movie *Koyaanisgatsi* so I can't take sides there, but I agree in principle that environmental extremism and demagoguery are bad. Then I got to the paragraph which begins "Man does not live in harmony with nature. He never has, he never will...To truly live in harmony with nature is to adapt...with purely biological responses." Wait a second, something's wrong here.

First of all, why does harmony with nature require purely biological responses? Plants and animals adapt to the changeable but normally rather predictable cycles of nature with instincts, lungs, hair, etc. We adapt with our wits and our myriad cultures. But both methods began as ways to adapt.

There is a fundamental difference between adapting to nature and trying to control it. After all, a tree as it grows gradually changes and moderates its immediate surroundings, and a forest can greatly modify the local climate, but I have yet to meet a tree trying to tame nature.

The model used by the Anasazi in their dams and irrigation systems more closely resembles the way of the forest than it does our way of the dynamite. There is a fundamental difference in culture and in outlook between the Anasazi (and their descendents) and ourselves. The difference boils down to their belief in man's proper relationship with nature and the limits imposed by that relationship, versus our lack of that tradition. The Anasazi and many other cultures around the world have believed that every nook and cranny, every bush and beast has a fundamental and sacred place in the universe. It probably took a lot of soul searching, praying, fasting, and apologizing to the gods before any Anasazi started digging an irrigation ditch. A culture with beliefs like that can maintain a long-term balance and harmony with nature a lot more easily than we can.

History books record the big changes, dramatic events, powerful individuals. But even in historic times, a lot of mankind's existence has been spent in harmony with nature, taking and giving in more or less equal measure over the long haul. That we now have a primarily adversary relationship with nature is a product of our times and our history and our culture, not some fundamental flaw of

human nature or a law of the universe.

On the other hand, it is true that technology and this century have changed us all. It is very difficult, these days, for any individual or group to maintain a life in harmony with nature. For example, I don't know anyone who isn't dependent on fossil fuels, directly or indirectly, even though the burning of them appears to be increasing global CO₂ levels, which could change the climate.

We may or may not be able to have our cake and eat it too. Maybe we can find and use ways to maintain the levels of comfort and convenience we enjoy without irreparably changing our environment. But then that in itself would be harmonious.

Balance and harmony with nature are demanding and real issues, not just sentimental notions. In the long run, nature doesn't care what we do. Life, nature, and the earth will continue in some form either with us or without us. Nature will bend where it can and break where it can't bend. All the bending and breaking will be very hard on us, and will cause civilizations to bend and break, until some new equilibrium is reached. The bottom line is that we still need the earth but the earth doesn't need us.

Paul Lewis
Montrose, CO

EPA whistleblower...

[Continued from page 1]

pressure from chemical companies and waste handlers got to Carter. He instructed EPA in writing to not find more dumps."

Kaufman says he testified about that at three dozen Congressional hearings. In 1980, Congress passed the Superfund law. It set a tax on waste generators -- mainly petrochemical firms like Dow and Occidental -- to create a \$1.2 billion revolving fund to deal with the damage done by the 164 million tons of hazardous wastes generated and disposed of annually.

The idea, says Kaufman, was to use the Superfund to clean up hazardous waste dumps. And then replenish the fund by going to court to collect up to treble damages from the polluter. The fund is needed, says Kaufman, because it takes about six years to bring a polluter to bay, and the wastes can't be allowed to seep into the soil and water during the legal process.

After Carter came Reagan, and Kaufman discovered that the Reagan administration was not going to be a throwback to the Nixon-Ford years. "The Nixon administration had its crazy side. But the craziness was kept separate from the running of the government. Nixon hired people who knew how to run government.

"With Reagan, the craziness is all over everything. The people they put in charge (of the EPA) came to office to destroy the agency. The first budget would have wiped it out."

In addition to a destructive budget, Burford got rid of a large number of EPA employees. But Kaufman was too well connected to Congress and the media. "They didn't want to fire me, so they put me under domestic surveillance. They tapped my phone. They hoped to blackmail me. They got pictures of me and my wife checking into a motel room. The surveillance went on into the end of 1982."

At that time, whistleblower Kaufman was tipped off by another whistleblower, one he won't identify. Kaufman turned to a section of the Superfund Act -- a section that protects whistleblowers in industry and government.

As a result of the law, the Department of Labor investigated Kaufman's charges and nailed the EPA. In the end, "The EPA signed a consent agreement to protect my rights. I am now the most protected government employee in the U.S. I go directly to the U.S. Court of Appeals if I'm harassed. I was outspoken before; I'm just more so now."

Kaufman believes he understands what makes the Reagan Administration tick: "They turned the environment into a partisan issue to hide the money deals."

He illustrates his theory with the case of Rita Lavelle, his boss until a year ago at the EPA. Her nickname, he says, is "Boom Boom." "Lavelle calls the general counsel of Aerojet General and tells them: 'Your company is on the Superfund list for Stringfellow Dump in California.'

"That could cost Aerojet General big money. If the EPA spends, let's say, \$20 million cleaning up Stringfellow, the company could be liable for \$60 million. 'But she told them: 'Don't worry. I won't spend much.' That came out in the trial."

Why was Lavelle on trial? "She was the lowest ranking official. So Boom Boom had to fry. But they got her on lying about criminal acts, not on the acts." If they had tried her for

'With Reagan, the craziness is all over everything. The people they put in charge of the EPA came to destroy the agency.'

Hugh Kaufman



the acts, he says, they would have to involve others.

"Plus, it puts her in the position of being a convicted perjurer, so if some time she decides to sing..."

What Lavelle did for a few companies, Kaufman charges, the EPA under Burford did for all companies that generate hazardous waste. She did it by issuing regulations so that "the landfill operators can be near bankrupt subsidiaries of the hazardous waste generators." Once the landfill is full up, Kaufman says, the subsidiary can go bankrupt, leaving the public to pay for the inevitable cleanup.

"It's a liability transfer scam."

Kaufman says the situation has to be seen in a wider context. Landfill dumping, he says, can be economically banned and is being banned in Florida, New York and California. Technology exists to recycle hazardous wastes, to change manufacturing methods to eliminate them, or to destroy them harmlessly.

"So it's not business versus the environment." It's actually one set of businesses versus the other. "The economic effects are either a wash, or they create jobs. The solid waste generators have bucks, and the recyclers have bucks." And the recyclers would improve the environment.

So why does the Reagan administration always appear to come down on the dirty side? Kaufman believes it's because the friends of the administration happen to be polluters. "The dying or backward parts of industry are now in charge of government policy at the expense of the American people and of small and medium size entrepreneurs."

He compares the situation to the anti-trust laws. He says anti-trust laws aren't anti-business. "Conglomerates just move goods and services around. They don't create anything. It's new technology and new businesses that create growth. That's why anti-trust laws were written -- it's a natural way to stimulate economic growth." Analogously, he suggests that if the polluters' grip on government can be broken, it would help the economy and the environment.

"Take EDB. We could retrofit grain elevators to use carbon dioxide instead of EDB." If the elevators were flooded with carbon dioxide, "The pests would die. They need air. So you'd eliminate EDB and substitute carbon dioxide. It would be a wash."

Kaufman says the Carter administration was slowly moving to ban EDB when Reagan derailed the effort. "Mrs. Gorsuch and others in the EPA successfully kept it hidden under the carpet. But it popped up as a result of news leaks and Ruckleshaus' attempts

to open up the EPA. It finally came out. And others will also come out."

Despite everything, Kaufman is clearly pleased to be at the EPA, especially now that Ruckleshaus is back. He says that Ruckleshaus is working to attract good people back to the agency, that he has opened the agency up, and that things are getting done. When asked who he'd like to see President, he replies: "Bill Ruckleshaus. The Democratic candidates all say the right thing, they all give lip service, but..."

He says of Ruckleshaus: "He has given me about 80 percent of the policy changes I requested in the hazardous waste area. And there are no more closed door meetings with industry. The agency operates much more openly and positively."

How long will that last? "My personal feeling is that Bill Ruckleshaus' bags are already packed. If Ronald Reagan gets re-elected, they'll replace Ruckleshaus with a Gorsuch or a Watt. Reagan is just on his good behavior until the election."

He says one indication of Reagan's post-election intentions came in his recent State of the Union address, in which he said he wanted to see the Superfund reauthorized. But, according to Kaufman, when Congressmen contacted the administration to start working on the bill, they were told nothing would happen until after the election. If the Superfund expires in 1985, the threat of treble damages against hazardous waste generators would vanish.

He expresses dismay at the nomination of Edward Meese to be Attorney General. Meese, he says, opposed prosecuting the EPA wrong-

doers. Now, as attorney general, he will be in charge of prosecuting polluters for the EPA.

How does the bureaucrat keep up his morale while working within an administration he believes opposes most things he favors? Kaufman says he believes he is in step with America and that the Reagans, Watts, and Burfords are out of step.

He finds supporting evidence in places like Boone, North Carolina, where seven hundred people turned out to hear him. And at Minot State College in cold, conservative North Dakota, he debated James Watt on Valentine's Day. That debate came about in an interesting way -- a way that reinforced Kaufman's faith in the grassroots.

"A fat cat goes to the president of Minot State College and donates money to bring in James Watt. But the students on the speaker board go to the president. They say they want a balanced program -- they want to bring in Hugh Kaufman. And this isn't Berkeley or Columbia. It's Minot State.

"I think the James Watts are at war with the majority of American people... The majority wants tax money to go to protecting the drinking supply. They want to leave the earth in the best shape they can for their children and their children's children. We don't own the world -- we're just leasing it from future generations."

Kaufman's title is: Assistant to the Director, Hazardous Site Control Division. He monitors the effectiveness of the Superfund cleanup effort. His address is: EPA, Hazardous Waste, Washington, D.C. 20460.

LETTERS

THOUGHTLESS DRIVEL

Dear HCN,

I do not understand why HCN sees fit to publish such thoughtless drivel as J.V. Rosenfeld's "Monkeywrenching Edward Abbey." (Dec. 26, 1983). Rosenfeld's vapid musings on man's place in nature (and woman's too?) have nothing whatever to do with Abbey's artistic and political beliefs, which Rosenfeld obviously does not understand, and in any case Rosenfeld misses the point completely: "Koyaanisqatsi" ("life out of balance," the Hopi equivalent of our *hybris*), is not a film that harkens to some mythical golden age in human evolution but an intelligent attempt to contrast our own made social order with one more closely connected to the Earth and its

ways. Abbey simply points this out and remarks on the dearth of intelligence in American popular culture -- a condition that is reinforced by your choice of op-ed writers.

Why a simple letter to the editor from Abbey should inspire such a harebrained *ad hominem* screed from Rosenfeld is a mystery to me. Why you should publish it is an even greater mystery, although it fits in with the decline in HCN publishing standards over the past few months. It is sheer folly to spend your efforts on jumping a comrade in the environmental movement when there are real enemies out there to attack.

Gregory McNamee
Tucson, Arizona

14-High Country News--Feb. 20, 1984

LETTERS

Watt is attacked, Abbey defended...

BLM CHAOS

Dear HCN,

I am writing in regard to the article headlined "Praise for Watt's Programs: MMS, decentralization cited," appearing in the October 31, 1983 issue of HCN. I would like to note the following points.

First, it was James Watt himself who created the splinter agency Minerals Management Service in the first place, by splitting off the Conservation Division of the U.S. Geological Survey and the OCS portion of BLM, in January 1982. The overt rationale was to create an independent agency to assure to the public full return on its federal minerals development (!).

The subsequent folding of MMS into the BLM energy and mineral resources program less than one year later (on December 2, 1982) had the real effect of completing the transfer of minerals auditing functions from the professional oriented and independent USGS to the BLM, which was charged also with the marketing and development post haste of federal mineral resources. In other words, the opportunity for independent scrutiny of at least the financial impacts of Watt's minerals leasing campaign had effectively been subverted.

This is not to say that very real royalty fraud problems weren't in dire need of correction. However, the placement of those personnel responsible for evaluation of the worth of and return on federal minerals under the supervision of those charged with quick and massive dumping of federal energy minerals, etc. is clearly no solution. An expanded and reformed auditing program within USGS would have addressed the abuses that Watt claimed to have corrected.

The second point is that, from a managerial point of view, two thorough rounds of shake-ups, transfers and reorganizations of personnel within one year cannot but demoralize and reduce the effectiveness of any group of professionals, including the geologists, engineers and economists who are or were the backbone of the former USGS Conservation Division. I believe that these two moves by Watt may correctly be perceived as an attempt to purge or stifle internal opposition to Watt's policies by professional staff within D.O.I. It is consistent with the former Secretary's refusal to adequately fund resource conservation and management efforts throughout the Interior Department's agencies.

The third point is that, whatever may be the benefits of "decentralization" (itself a myth in many respects), concentrating responsibility for resources at the local level, it has opened the way for the conservation-oriented management directives given by Congress in FLPMA and other laws to be ignored or openly flouted at the local level. It has removed support for local BLM managers trying to resist local pressures to overlook abuse of public resources.

I do not think that Watt's reorganizational efforts contributed to the effective and efficient management of our public lands and minerals in accordance with Congressional intent.

Very truly yours,
Jonathan M. Teague
Albuquerque, N.M.

ABBHEY AND PAINE

Dear HCN,

If Edward Abbey's letter to the editor is a bit strident or pugnacious, I say, "So what?" Those newspaper letters are meant for "tub-thumpers." Does Rosenfeld seriously expect Abbey or anyone else to send artistic or scholarly letters to a Tucson newspaper?

Of course there are criticisms to be made. Rosenfeld is correct, for example, in pointing out Abbey's tendency to romanticize native Americans. But the condensed philosophy of life which he attributes to Abbey ("Life in Nature is good and civilized life is bad") shows that Rosenfeld is not altogether familiar with Abbey's recent writing.

As should be expected, Abbey makes strong statements on behalf of America's wildlands, but he adds (in his 1982 book, *Down the River*) that "Wilderness complements and completes civilization." Continuing, Abbey says, "This is not to suggest that our race should efface itself from plant Earth, or that humanity is an 'excrecence' on the map of Nature." Does this fit the neat dichotomy which Rosenfeld represents as Abbey's philosophy?

In *Down the River*, Abbey acknowledges the value of Mozart, flush toilets, and the World Series. But he adds, "Without necessarily rejecting either science or technology, it seems to me that we can keep them as servants, not masters, only by doing our bit to preserve the variety and openness of life on earth." Hardly the talk of a demagogue. Further, Rosenfeld characterizes Abbey's writing as a surrender to "despair and invective." Abbey, however, says that his essays are instead "meant to serve as antidotes to despair." I can say for certain that his humor and his undiplomatic directness have buoyed quite a few ragged spirits, wearied by seemingly endless hearings and meetings.

In addition to his morale-raising, Abbey is a valuable contributor to the environmental movement's philosophical underpinnings. For many years, he has stressed the connection between the American wilderness and American freedom. This is probably his most valuable endeavor. Americans need to be reminded that the wilderness is a vital part of our national character, that it helped to make us a freedom-loving people. Abbey reminds us, as did Robinson Jeffers, that the wilderness is a cache of liberty, a store we may one day need "when the cities lie at the monster's feet."

Edward Abbey a rabble-rouser? Certainly. America needed Madison and Franklin, but it needed Tom Paine as well.

Steven Paulson
Logan, Utah

RECLAMATION IS SAFE

Dear HCN,

In Tom Wolf's article about potential candidates for Wyoming's governor in 1986, he mentions Sen. Tom Stroock's "performance budgeting" and posits that the state's abandoned mine reclamation program

would "be in trouble" because it doesn't bring dollars into the state. If I understand the funding of this program correctly, it comes from a federal tax on coal production, which is then turned back to the state to cover the costs of a state reclamation program approved by the federal Office of Surface Mining. If no such state program existed, the tax revenues (from the federal tax on coal) would still go to the feds. Only by having the state reclamation program do we get those funds -- which, of course, provide jobs in the state. So even under Stroock's system, if I understand it right, reclamation of abandoned mines would continue.

Of much greater importance is an error in your cover illustration, which shows 12 storefronts arrayed along road and railroad track, each labelled with the name of a Wyoming community. You may mistakenly think that Lander sits on the *other* side of the tracks, or that it floats in a nimbus of perfection somewhere above the rest of the fray (and therefore out of the picture). For the sake of accurate pictorial metaphor: Riverton (included in your picture) should be erased and replaced with Lander -- for as anybody

here can tell you, Lander stands in the forefront, and Riverton, our neighbor 20 miles away, is a sort of back door to Lander... a service entrance, you might say.

Geoffrey O'Gara
(Former farmer editor)
Lander, Wyoming

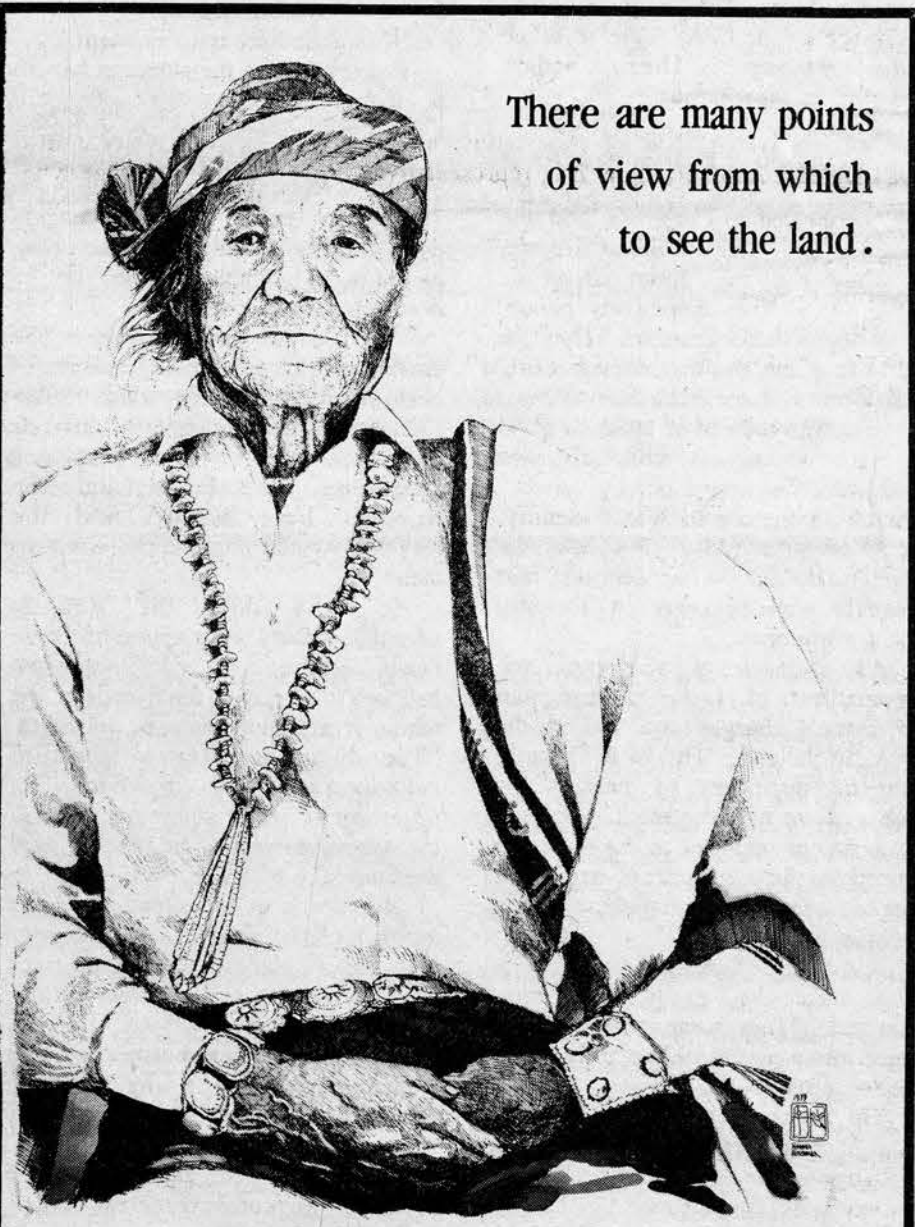
CATCHES WHOPPER

Dear HCN,

I'm glad to see that with your February 6th issue you have entered into the tricky field of typo-puns. Especially good were the "whopping cranes" (pg. 4) and "farmer HCN editor Geoff O'Gara" (pg. 5). I was also interested to learn that, as a small town attorney, I have a dog/cat relationship with you.

Cattily,
David C. Johnston
Paonia, Colorado

Dir Dave,
We didn't before, but we do now.
Regards,
the staff



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OPINION

Guest editorial by Senator McClure

High Country News does not customarily run guest editorials by a conservative Western senator such as James McClure of Idaho. But we are not ideologues. When Senator McClure writes something important, we print it.

In this case, the important writing comes as two press releases thriftily contained in one envelope. The first, titled: "McClure Calls on Colleagues to Put the Federal Budget on a Strict Diet," reads:

"Congress and the country can't afford to delay action until next year to bring the obese federal budget under control... Congress continues to write blank checks for every imaginable program; so it's no surprise that the budget won't balance."

McClure says of the Reagan Administration's proposed 18-percent increase in defense spending: America cannot afford to pay the exorbitant amount requested.

McClure's second release is a celebratory one. Headlined: "McClure and Symms Announce Mountain Home AFB Selected for New Western Radar Headquarters," it is of exactly the same size as the one castigating those who are "spending the nation into the poorhouse." It says:

"The Air Force has earmarked \$18 million in its new budget to construct the (radar) operations center at Mountain Home (Air Force Base in Idaho). In addition, an estimated 125 construction jobs will be required to build the facility."

Let it seem that the new "Backscatter" radar system was forced on deficit-fighter McClure, a man who is plagued by spendthrift colleagues, the following paragraph reads:

"Last November, McClure successfully blocked attempts to eliminate funding for the Backscatter system. During negotiations on the 1984 Defense Appropriations Bill, representatives attempted to cut all funding for the radar system. However, McClure successfully convinced the representatives to withdraw their amendment deleting the funds."

The above sentence looks especially good when placed alongside the headline of his budget-diet release.

Of course, to many people national defense is

sacred. One can be thrifty and still be for radar. So, although it didn't come in the same envelope, it is relevant to include as part of Senator James McClure's first *HCN* guest editorial a third press release. Titled: "McClure Applauds President's Decision Barring Fixed Up-Front Fees for Water Projects," it "commended" President Ronald Reagan for rejecting fixed state or local cost sharing for water projects. McClure said: "It's good news for Western states."

Cost sharing had been President Carter's and then Reagan's attempt to impose discipline on water projects. It was hoped that if states or local entities had to pay part of the cost, they would be less eager to build senseless projects.

So, the sum total of Senator McClure's most recent press releases are that he is:

- 1) Against an "obese" federal budget,
- 2) Against Congressmen who create a "crippling deficit,"
- 3) For a "Backscatter" radar system located in Idaho, and
- 4) For Western water projects funded by taxpayers elsewhere in the nation.

The only thing missing from Senator McClure's press releases is an explicit statement that he is, shall we say, not terribly consistent. Or, he might admit that he is no more conservative than Senator Ted Kennedy when it comes to spending money.

In fact, the only difference between a McClure and a Kennedy is that Kennedy has the grace not to preach fiscal conservatism. Plus, Kennedy tends to favor the social and subway part of the pork budget while McClure favors the defense and dam aspects.

It can be argued that McClure is merely serving his constituents -- giving them what they want. And that if he doesn't bring home defense and water pigs, they'll get themselves a herdsman who will.

That's a possible defense, but it's beginning to seem that 'conservatives' like McClure are worse than their constituents. Over the years, the nation has come to see that spending for Backscatter missile systems, water projects, subways, and social needs must be curbed. And the majority

would be willing to curb the spending if there was leadership.

But McClure is wedded to wasteful spending. His power depends on it, as his support for Backscatter and his opposition to responsible funding of water projects shows.

What has this to do with an environmental newspaper? Everything.

At one time, federal spending both buoyed the economy and was a boon to the environment. The piece on FDR Interior Secretary Harold Ickes (*HCN*, 2/6/84) described Depression projects which put people to work reforesting land, constructing forest trails, stopping soil erosion, and building public facilities we all still use. These programs were conservative in both an economic and environmental sense.

But today the federal spending process conceived in the 1930s has run amok. The government, in the hands of men like McClure, is unable to spend its billions in non-destructive ways.

Instead, money is spent for the sheer joy of it -- a joy akin to a demolition derby or to the breaking of crockery. The reckless, senseless expenditures sponsored by McClure and his colleagues rarely enhance. Almost always, they destroy or degrade the natural environment.

That is true whether you are talking of the Forest Service subsidizing roads to get at this region's toothpick trees; of the Synfuels Corporation's long search for the least wasteful shale and gasification project to subsidize; of the Department of Energy's subsidy of nuclear energy; of the Bureau of Reclamation's hunt for new projects even though it knows that all the sensible, economic sites have been developed; or of Interior's attempt to revive a depressed economy by putting yet more coal out in the marketplace.

As you have probably guessed by now, this is not a guest editorial by U.S. Senator James McClure. It is an in-house editorial written to express our anger at the self-serving brand of spend and destroy conservatism served up by McClure and some of his colleagues.

--E.M.

ACCESS

WORK

COMMUNITY ORGANIZER WANTED. Dakota Resource Council has a position open for a community organizer. DRC is a grassroots membership organization working on energy/agricultural issues. Job entails: organizing, grassroots fundraising, leadership development, issue campaign development. Inquire: Theresa Keaveny, Dakota Resource Council, Box 254, Dickinson, ND 58601; 701/227-1851.

CANVASS DIRECTOR. The Colorado Peace Network seeks self-reliant individual to manage new canvass program in the Denver area. Minimum: two years experience at managing successful canvass program. Salary: up to \$16,000 depending on experience. Health, vacation benefits. Send letter, resume and three references to: Ms. C. Heit, 2050 S. Wolff St., Denver, CO 80219 by 4/1/84.

TEACHING POSITIONS ARE AVAILABLE THIS SUMMER at Audubon Camp in the West, an adult field-ecology program located in the Wind River Mountains of Wyoming. *Ornithology* - June 13 - August 11, \$1150 (plus room and board); *Aquatic Ecology* - June 13-August 11, \$1150 (plus room and board); *Physical Factors* - July 13-August 11, \$575 (plus room and board); *Ecological Living* - July 13-August 11, \$575 (plus room and board). Interested persons should contact: Don Nelson, Camp in the West Coordinator, 4150 Darley, Suite 4, Boulder, Colorado 80303, (303) 499-5409.

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OFF THE WALL

Can trees fly?

For further information, consult a future edition of Ripley's *Believe it or Not*. The Federal Bureau of Investigation pursues organized crime. The General Accounting Office pursues government waste. And the United States Forest Service pursues standing trees. The Forest Service is now building an experimental flying machine called the Heli-Stat. The gigantic object, which is bigger than the proverbial football field and higher than the proverbial 10-story building, is made up of four old helicopters and an old blimp, all held together by 200 aluminum tubes.

Actually, the Forest Service, which lacks money to maintain its recreation areas, is also holding the Heli-Stat together with money -- \$37 million so far. The agency wants the monster in

order to lift felled trees off steep hillsides which now make logging expensive even by Forest Service standards.

Despite the money already spent, there is a chance the thing will never lift a tree. According to Forest Service consultant Paul Stevens, who knows about these things from having worked on Howard Hughes' Spruce Goose plywood airplane, "Since it's a variety of old parts... it is not an optimum configuration by any means."

A stressful life

A Criminal Career is not all roses. A recent study by the U.S. Department of Justice shows that criminals -- like attorneys, middle managers and scientists -- suffer a high burn-out rate.

A UPI account of the study -- headlined "Survey Shows Criminals End Careers," gave a number of reasons for the loss of some of society's most experienced criminals.

Justice Department statistician Patrick Langan said many criminals charge that the criminal justice system had "worn them down." Another statistician, Lawrence Greenfield, said jail penalties that become more severe for criminals with long records also contribute to the dropout rate.

That's the bad news -- an array of social blocks to a continuing criminal career.

The good news is that the drop-out rate is ameliorated by recruits -- mid-life career-changers moving out of sales or teaching or whatever and taking up a life of crime. Although crime is thought of as a career best started young, the Justice Department study found that many middle-aged convicts were serving their first term, indicating a late start.

The Justice Department study was interesting for its statistical analysis. But the real value was its implicit recognition that being a criminal is a career, not just a job.

--Ed Marston



Thank you, Cody, Kodiak, Bountiful, Shepherdstown, Los Lunas, Peaks Island...

Beverly DeVore
and Andy Bryson
Laramie, Wyoming

John Wilbrecht
Jackson, Wyoming

Mary S. Beer
Hamilton, Montana

Stephen Engelhardt
Bay City, Michigan

Mark Pearson
Grand Junction, Colorado

Dan and Joey Kimball
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Peaks Island, Maine

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