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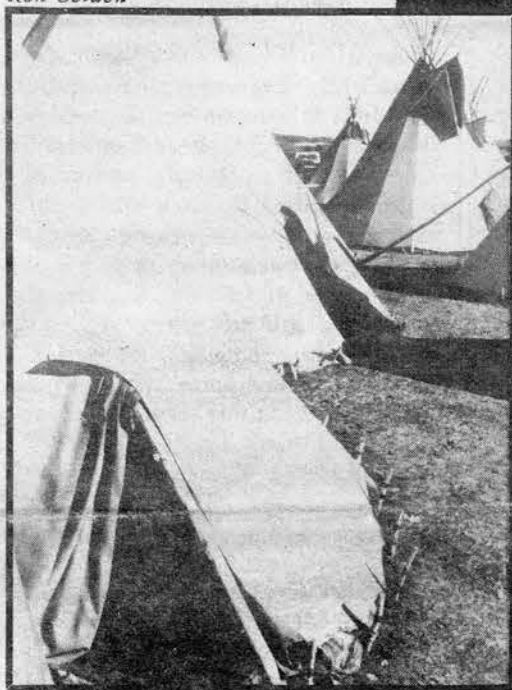
The Paper for People who Care about the West

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Sara Hunter-Wiles



Ron Selden



John Running



Is America's Indian policy that of 'starve or sell'?

by Ed Marston

An Indian health care bill vetoed by President Ronald Reagan after the 98th Congress adjourned will be the subject of a major struggle in the 99th Congress next year. At issue is an array of expanded programs, many aimed at the estimated two-thirds of America's 1.6 million Indians who do not live on reservations.

To some, the issue is simply the delivery of health care to Indians on and off reservations. But to others it is a possible plot to put the tribes in a "starve or sell" position, where they must deal away their natural resources at low prices in order to survive.

Since 1955, Indian health statistics in areas such as infant mortality, tuberculosis, influenza and pneumonia have improved markedly. The President cited those improvements and this year's \$855 million Indian Health Service appropriation as evidence that the present system is working, and that a major expansion is not needed.

But Susan Shown Harjo, executive director of the National Congress of American Indians, says that even after 30 years of improvement, Indians lag the nation. Infant mortality is 11 percent above the national average, deaths from tuberculosis are six times higher and growing, and Indians die

from influenza and pneumonia at a higher rate than the rest of the nation. Those statistics, she says, and their roots in poor housing, sanitation and education, show the need for the expanded services the vetoed bill would have provided.

The Indian Health Care Amendments of 1984 would have affected all states with Indians, but they were especially important to Montana. That state funds health care for indigents out of county property taxes. Because Indian reservations do not pay property taxes, this approach puts counties such as Roosevelt and Hill, which have entire Indian reservations within their borders, at a severe disadvantage. The *Great Falls Tribune* reported recently that some Indians have been turned away from hospitals because the hospitals could not afford to treat the Indians.

To remedy the situation, Senator John Melcher of Montana, the ranking Democrat on the Senate Select Committee on Indian Affairs, attached an amendment to the health care bill. It specified that the federal Indian Health Service, rather than state or local government, would have primary responsibility for Indian health care.

Reagan cited the Montana amendment as a reason for vetoing the bill. He wrote that it would deprive "eligible Indians of benefits that should be due them by virtue of their

citizenship in the state." He also objected because it made the Indian Health Service the primary health care provider.

IHS aide Richard McCloskey told the *Great Falls Tribune*, "Our policy has always been that we've been a residual provider," with the state and county responsible for the bulk of Indian health care. But Indians and their allies hold that, under the nation's trust responsibility to the Indians, the federal government has primary responsibility for Indian health, education, and other services.

Sponsors say the vetoed bill was indeed an attempt to impose that principle on the administration. Originally the bill extended the Montana provision to the entire nation. But fear of a veto led sponsors to limit the bill to a test period in Montana, where the funding problem was the most serious.

Although Congress was surprised that Reagan vetoed the bill, his action does not represent a change in administration policy. The Reagan administration has recommended large cuts in funding of Indian programs each year since coming to office. Those recommendations were overridden each time by Congress, which is sympathetic to Indian concerns. This fiscal year, for example, the administration recommended \$741 million for the Indian

Health Service. Congress approved \$855 million, which continues most existing programs.

The vetoed bill was an authorization bill. It did not appropriate funds, but rather established new programs in such areas as community health care, sanitation and alcoholism prevention. It also built a better legal base under existing programs Congress has created in a back door way by simply allocating money for them. There had been a fear that with the authorization bill dead, the administration's Office of Management and Budget would move to close down some programs Congress had funded. But that does not seem likely to occur.

In addition to creating new programs, the vetoed bill can be seen as a Freedom of Information Act for Indians, according to Harjo. It would have required the compilation and release of reports on Indian health. When done, Harjo says, such reports are often kept secret. Their release could lay the base for new legislation or increased money to aid Indians. In his veto message, the president cited "unnecessary reports" as one reason for blocking the bill.

In response to that veto, Max Richtman, an aide to Senator Melcher on the Indian Affairs Committee, said recently, "Senator Melcher's plan is

(Continued on page 10)

WESTERN ROUNDUP



High Country News

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Ruckleshaus moves on

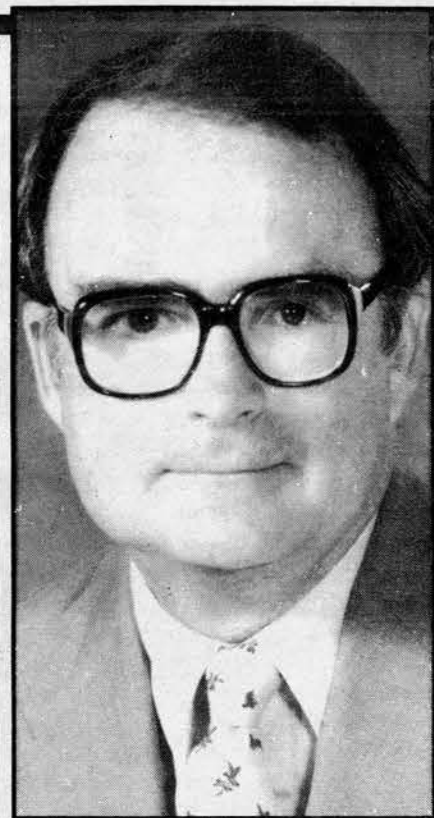
William D. Ruckleshaus resigned November 28 as chief of the Environmental Protection Agency. Ruckleshaus, who was the agency's founding head, came back to the EPA in May 1983 in the wake of the Anne Burford-Rita Lavelle controversy. By most accounts, he has restored the budget, morale and sense of direction critics say were all but destroyed under Burford. But he was unable to deal with the acid rain question, and critics questioned his benefit-risk approach to pollution control.

Ruckleshaus will be replaced by Lee Thomas, who served as assistant administrator for the toxic waste program. Thomas was the only high-ranking Burford administrator to survive the coming of Ruckleshaus. Some environmentalists see the departure of Ruckleshaus as grim

news. Jonathan Lash of the Natural Resources Defense Council said: "He has outlived his usefulness and he has been cynically discarded."

But Robert Yuhnke of the Environmental Defense Fund suggested it was too soon to tell if the EPA were soon to be dismantled. Ruckleshaus has replaced EPA's regional administrators with his own people, and Yuhnke says the departure of these administrators would signal a renewed attack on the EPA.

The EPA chief's resignation will not come as a surprise to HCN readers. Back in the February 20, 1984 issue, EPA employee Hugh Kaufman told the paper: "My personal feeling is that Bill Ruckleshaus's bags are already packed. If Ronald Reagan gets re-elected, they'll



William D. Ruckleshaus replace Ruckleshaus with a Gorsuch or a Watt."

--the staff

Dear friends,

We read recently that Boston employers are having a tough time filling jobs of any kind, but especially low-paying clerk and cashier-type positions. So pressed are they, that firms are providing free bus service from distant towns with higher unemployment rates and lower wage scales than metropolitan Boston.

The Boston employers would think they'd died and gone to heaven were they to put out a "Help Wanted" sign here in the North Fork Valley. City Market recently opened a supermarket in Hotchkiss, a small town ten miles from Paonia, and 1,500 people applied for the 22 or so low-paying jobs.

If the almost 75 applicants per position do not impress you, consider this: Delta County has only 24,000 people, and it is the "oldest" county in Colorado: 5,000 of us are at least 65 years old and presumably retired. There are 8,367 jobs in the county, and an unemployment rate of ten percent, which means roughly 800 people are officially out of work. But almost twice that number showed up at City Market.

This grim picture is not unique to the North Fork Valley. The West -- away from the Denvers and Salt Lakes -- is in one of its commodity busts, and the rural areas are up for sale. For the well to do there are cattle ranches and coal mines to be snapped up. For others there are four bedroom homes on three acres for \$59,000.

But a warning to those who would move in to take advantage of the present rural depression. In the early 1970s, the counterculture ('hippies' to every rural community to host them) took advantage of \$30 a month rents and seasonal agricultural and back-country work to establish themselves in small towns in the Rockies. Over the last decade, much of the counterculture has become the counter culture -- they are part of the economy, and they are being hurt as badly as anyone else by hard times.

Everyone knows what is happening. Montana has its Build Montana program; the Republicans in Wyoming are getting ready to pass a package of job creation laws. Colorado wants to revive failing western Colorado agriculture. But it's hard for an enlightened member of the counter culture to become enthused over conventional job creation. It almost always seems to mean more-of-the-

same growth -- more mining jobs, more logging jobs, more supermarkets, more dams -- even though those strategies appear to have outlived their usefulness. What is needed is true economic development: structural changes in the economy to get the rural West off the boom-bust cycle.

The downturn has taken some of the pressure off the environment. Plans for new mines, power plants, subdivisions and ski areas are at a minimum. But no one wants to see preservation at the price of human misery. The key is to build an economy which creates wealth in all senses of the word, rather than creates one kind of wealth while destroying others.

While waiting for that achievement, we can contemplate our current problems. An excellent presentation of one of these problems is provided by the movie *Country*, which is reviewed in this issue.

We sometimes wish we were a Yellow Press newspaper (undoubtedly, some would say we are) like Rupert Murdoch's *New York Post*, so we could run four-inch-high screaming headlines over our most important stories. Were we the *Post*, this week's headline would read:

"IDAHO TO KILL THE SNAKE,"

above Glenn Oakley's story on Idaho's Swan Falls. Even some HCN readers may find it obscure. But to us it is a Rosetta Stone to our difficulties: a nation whose agricultural community is being killed by food surpluses is about to irrigate enough new land to feed another half million or so people, at the cost of its fish, wildlife and cheap hydroelectric power.

Forester Randal O'Toole writes a "What Do Environmentalists Really Want" essay in this issue. (Everyone is invited to contribute to this section.) Speaking of O'Toole, the Forest Service Mission conference that his Cascade Holistic Economic Consultants helped organize will be held in San Francisco December 14 and 15. Call 503/686-CHEC for information.

This is one of those weeks when we could have been 20 or even 24 pages. In the HCN safe is a profile of Morley Nelson, a Boise resident who knows as much about falcons, eagles and other raptors as anyone. Next to it, and also typeset, is an article on forest landscaping -- an explanation of how the Forest Service plans to shape the appearance of its 191 million acres.

With April 15 approaching, it is time to think of a tax-deductible contribution to the High Country News Research Fund. We will appreciate it now and you will appreciate it when you read HCN and at tax time.

--the staff

BARBED WIRE

A new toxic waste treatment technology -- kidneys.

A toxic waste dump in Ohio has been closed by the EPA after an inspector charged that the operators deliberately discharged water contaminated with phenol into a stream which supplies a town with drinking water.

America is a little safer today.

Congress has ordered the Department of Defense to spend \$48 million over the next four years on anthracite coal for its overseas military bases. The law specifically forbids the DOD from switching from coal to gas or oil. It will aid Pennsylvania's coal industry.

It shows they must have been really committed to the folks back home.

The *New York Times* estimates that 300 former senators and

congressmen are in Washington, D.C., working at jobs they found after they were defeated.

But what do the fried eggs cost?

An official with the now operating Great Plains Coal Gasification Project said: "This gas is making cars, firing blast furnaces and probably heating restaurants, frying some eggs." Gas from the synfuels, coal-to-methane project costs the equivalent of \$58 a barrel of oil. Oil now costs \$29 a barrel. The federal government will make up the difference.

Personally, we're grateful someone is there to tell them what to do.

Writer Gregg Easterbrook in this month's *Atlantic* says lobbyists gather at the entrances to the Senate and House chambers to give their boys and girls thumbs up and thumbs down signals as they rush in for roll call votes.

Green vote helped, but couldn't do it all

Did the "green vote" help or hurt Western candidates for political office November 6? A survey of some who suffered defeat at the polls indicates that support from conservationists was a plus. They helped register people, got out the vote and raised campaign funds. There just weren't enough of them to pull out a victory.

In her second try for election in Salt Lake City's second Congressional District, Democrat Frances Farley came within 472 votes of defeating David Monson. Since President Reagan took his heaviest majority of any state in Utah, Farley says the close vote out of 110,000 cast was unusual. Of 4,000 volunteers in her campaign, environmentalists were active and extremely effective, she says. "They were dedicated volunteers and really organized properly."

What sandbagged her effort had nothing to do with being labeled as an environmentalist. "That was never an issue," she reports. What Farley could not fight was being identified as pro-abortion. On the Sunday before election full-page ads ran in the two Salt Lake City dailies with a picture of a baby and the headline: "If Frances Farley had been in office he never would have been born." There were also attacks against her on the abortion issue in flyers placed under car windshields outside churches as well as "talk show ugliness," she says. Farley, whose position on abortion is the same as Geraldine Ferraro's, says she never responded to the anti-abortion attacks.



Frances Farley

Farley's issues coordinator was Alan Miller, a full-time volunteer who had been chairman of the local Sierra Club. "We all feel rather devastated," he says. "Our problem is the Republican mind set which is

anti-environment and a dying -- maybe dead -- Democratic Party."

Miller says there was one bright spot. Over the years, Democrats in Utah finally learned how to approach environmental issues in an election. He says the lesson is not to stress them.

"In 1982 when Frances decided to run again we decided: Don't make a point, make a difference. We know what candidates are receptive to environmental issues."

Miller speculates that what might have weighed against Democrat Wayne Owens, who lost the Utah gubernatorial race to Norm Bangerter, was Owens' opposition to a high-level nuclear waste dump near Canyonlands National Park. Owens' campaign, which was managed by a staffer on sabbatical from the Environmental Policy Institute, may have overemphasized the issue, Miller guesses. Although Bangerter was not "unalterably opposed" to the high-level nuclear waste dump as Owens was, his position was skeptical and inquiring. Perhaps, Miller concludes, Owens spent too much time on a "non-issue."

While there may be exit polls determining how certain kinds of people vote it is always difficult to determine why they voted the way they did.

Like Farley, some pro-environment candidates report that other factors led to their defeat. That even applies to W Mitchell, an active conservationist and Democrat who ran for the third Congressional District seat in rural Western Colorado and the steel-mining town of Pueblo. In some areas, Mitchell was perceived as anti-growth because of his opposition, when mayor of Crested Butte, to AMAX's proposed molybdenum mine close to the ski town.

But what may have blunted Mitchell's campaign was the presidential race. In the last week of the campaign, opponent Mike Strang linked Mitchell to Walter Mondale, who had urged tax hikes to curb the deficit. Strang repeatedly said that he would not vote to raise taxes; Mitchell found it difficult to separate himself from the Mondale campaign.

The Reagan victory also helped defeat Democrat Brock Evans in Seattle, Washington's first Congressional District. For 20 years Evans worked as an effective lobbyist for the Sierra Club, National Audubon Society and Federation of Outdoor Clubs. He lost his bid for Congress by 20,000 votes in a heavily-Republican district.



Daniel Kemmis

He says wilderness and other conservation issues did not arise in his campaign because the Seattle electorate is environmentally aware. He told students at the University of Idaho shortly after the election that Reagan's coattails and name recognition tipped the scales for his opponent, Republican John Miller.

In Montana, former state legislator Dan Kemmis, who lost his race for state supreme court judge, says, "If anything, my pro-environmental record helped me rather than hurt me." Kemmis is a Democrat and a native Montanan who has written about new directions for economic development in Montana and the need for severance taxes on any enterprise creating air pollution.

Kemmis concludes, "The biggest factor in my race was to get the electorate to know anything." --B.M.



Brock Evans

HOTLINE

Toxic loopholes plugged

Congress' last-minute reauthorization of the Resource Conservation and Recovery Act plugged some loopholes in the 1976 law which was designed to control hazardous wastes. For example, the new bill gives the Environmental Protection Agency 32 months to develop disposal rules for the most toxic wastes. If the EPA can't make the deadline, the wastes will be banned from land disposal. President Reagan has signed the bill, which also requires retrofitting of existing hazardous waste pits and lagoons, both with liners and collection systems, so that underground water is not contaminated.

Non-corrosive fish

Scientists in New York's Adirondack Mountains are experimenting with what may be a controversial solution to the effect acidic lakes have on dwindling fish populations. They have bred a strain of trout resistant to moderately acidic water. According to the *National Wildlife* magazine, this was accomplished by hybridizing domestic acid-tolerant trout with a wild strain. Researchers hope to develop a strain of fish not altogether resistant to acid, but one tolerant of the conditions during the spring snowmelt, when toxic effects are greatest and a heavy toll is taken on plant, animal and microscopic life. The solution, however, is limited: to have acid-tolerant trout survive, there must also be an acid-tolerant food chain to provide prey for the fish.

Casper oil office survives

Chevron Corporation has announced it will retain Gulf Oil's exploration office in Casper, Wyoming. The news ended months of uncertainty over whether the purchase of Gulf by Chevron would cause the loss of Gulf's Casper operation and its \$9 million payroll (HCN, 10/29/84). The operation will be reduced, however, and as many as one third of the current 261 employees may be let go. A Chevron spokesman said their decision to retain the Casper office was not affected by government offers of a severance tax cut, but by a favorable attitude from Casper and state leaders. Elsewhere in Wyoming, Chevron will expand its Evanston operation by at least 100 employees from the current 212 to operate its gas processing plants, fertilizer plant and pipelines underway in the area.

DOD toxic program goes nowhere

The Government Accounting Office says the Defense Department has done a miserable job of carrying out its toxic cleanup program begun nine years ago. According to a GAO report, the DOD has yet to complete work at a single military installation, and of 463 military bases targeted, 113 have not completed even a preliminary assessment of potential contamination. The GAO added the department has completed testing at only 48 of 200 sites where extensive testing for groundwater contamination is required. The GAO, an investigative arm of Congress, says the DOD's program to clean up its hazardous wastes has been plagued by a lack of coordination with state and local officials and other federal agencies and by an apparent lack of appreciation for the severity of the problem.

Voters try to annul Indian fishing rights

Backers of Washington state's controversial initiative 456 (HCN, 10/15/84) are hailing its 52-48 approval November 6 as a clear victory for equal rights. They claim that passage of the initiative is the first step in overturning the Boldt Decision, a 1974 federal court decision which upheld Indian tribes' treaty rights. The decision allocated to the tribes half of all the salmon and steelhead fish returning to state waters.

The initiative was opposed by a coalition of Indian tribes, sportsmen groups and commercial fishermen. Until recently, members of the unlikely coalition were bitter enemies in the fish wars. But they joined together to fight 456 out of a belief that cooperation would be better than the wars, in which fish management had been neglected in favor of legal battles. Members of the coalition

say they will continue to cooperate.

But the initiative could easily lead to renewed fighting. It requires the state to assume total control over all natural resources, including the beleaguered salmon and steelhead fisheries. The initiative also asks the state to break Indian treaties and rescind tribes' treaty rights.

Washington officials have not yet taken a position on the initiative. "We are still trying to figure it out," said a spokesman for the state Attorney General. "So we've told the departments of fisheries and game to continue cooperating with the tribes as if the initiative didn't exist."

The treaty tribes say they will fight the initiative in Congress and in the courts. "We're just trying to build up the salmon and steelhead populations again," says Tony Forsman, fisheries manager for the Suquamish tribe and

chairman of the NIX 456 coalition. "Those fish are important to Indians. We fish to survive."

According to Forsman, voters didn't understand the initiative. "They thought it would help the fish and the tribes." The implications of the initiative go beyond the fishing issue, and extend to Indian control of reservation land, water and natural resources. The initiative may be part of a national reaction against their status.

Taking the long-range point of view, Susan Harjo of the National Congress of American Indians in Washington, D.C. suggested. "The Washington tribes should view the vote as a victory. Not so long ago the initiative would have gotten 80 percent of the vote."

--Susan Tweit

HOTLINE

Idaho may further dewater the Snake River

Montana forest plans

If the U.S. Forest Service draft fifty-year plans are implemented for the ten Montana forests, the state will have an additional 660,000 acres of wilderness and lose 1.6 million acres of roadless areas to roading and logging. According to Regional Forester Tom Coston, who presented the overview to Montana state officials, a remaining 3.5 million acres will be left roadless, but not put into wilderness.

The information is contained in ten Fifty Year Forest Plans due out by March 1, 1985. Already out are plans for the Flathead and the Lewis and Clark National Forests. The Lewis and Clark plan would road 155,000 acres of roadless land; reduce wilderness recommendations from RARE II's 63,000 acres to 47,000 acres; add 17 miles of road annually to the forest's present 1,400 miles; and reduce the 1,677 miles of trail slightly. About half the forest will end up roadless or wilderness.

Rural commitment



Americans are apparently experiencing another back-to-the-land movement, according to the latest agricultural census. The number of small farms increased 17 percent between 1978 and 1982 and there are now 637,000 farmers with fewer than 50 acres. Eighty percent of those farmers derive most of their income from outside employment, but are said to be committed to the land and a rural way of life.

A cultural creche

The National Park Service will sponsor a nativity scene in the Christmas Pageant of Peace this year. It's the annual holiday celebration visited by thousands that takes place alongside the national Christmas tree, which is traditionally lighted by the President. The Park Service said pressure for adding a nativity scene came from a religious group called the Citizens for God and Country, a northern Virginia organization that advocates including religion in national celebrations. A nativity scene is a cultural symbol, according to a Supreme Court ruling last March, and therefore does not constitute a government preference for Christianity. That ruling overturned a 1973 decision by the U.S. District Court of Appeals, which ordered the NPS not to include a nativity scene as part of the pageant's official program.

The dispute over who owns the remaining water in the Snake River -- the state of Idaho or Idaho Power Company -- has been settled by those two contesting parties, with Idaho Power giving up much of its water right in exchange for an increased minimum flow in the river.

The agreement hammered out between the utility, Governor John Evans (D) and Attorney General Jim Jones must still be approved by the state legislature, which convenes in January. Most expect the long fought-over agreement to be ratified (HCN, 6/25/84).

The pact was hailed as "an excellent program for the people of Idaho" by Pat Costello, legal counsel to Governor Evans, and a key negotiator in the agreement. Consumer activist groups were less enthusiastic. They criticized the agreement as a "disaster" which will result in radically increased electric rates by taking water out of the Snake and decreasing the generation of cheap hydropower.

The legal issue is the 1982 Idaho Supreme Court decision which ruled that Idaho Power Company (IPC) owned rights to 8,400 cubic feet per second at its archaic Swan Falls Dam south of Boise on the Snake River. That ruling made IPC the water master of the Snake River watershed upstream of the 1901 dam. To preserve the flow at Swan Falls, a moratorium was placed on new water permits both for the river and for ground water from the Snake River aquifer. Thousands of other irrigators were also potentially jeopardized since existing irrigation regularly reduces the flow at Swan Falls to 4,500 cfs each summer. In theory, IPC could have asked that irrigators be cut off to increase its summer flow to 8,400 cfs.

Since the 1982 decision, Governor Evans and others have sought to remove IPC's water right. Legislative efforts at subordination -- making the utility's water right secondary to irrigation and other uses -- have failed. The dispute has made for strange alliances. Conservation and consumer groups have lined up with IPC to keep water in the river for hydroelectric generation and fish and wildlife. (See related story.)

This agreement ends that alliance. Its key provisions are:

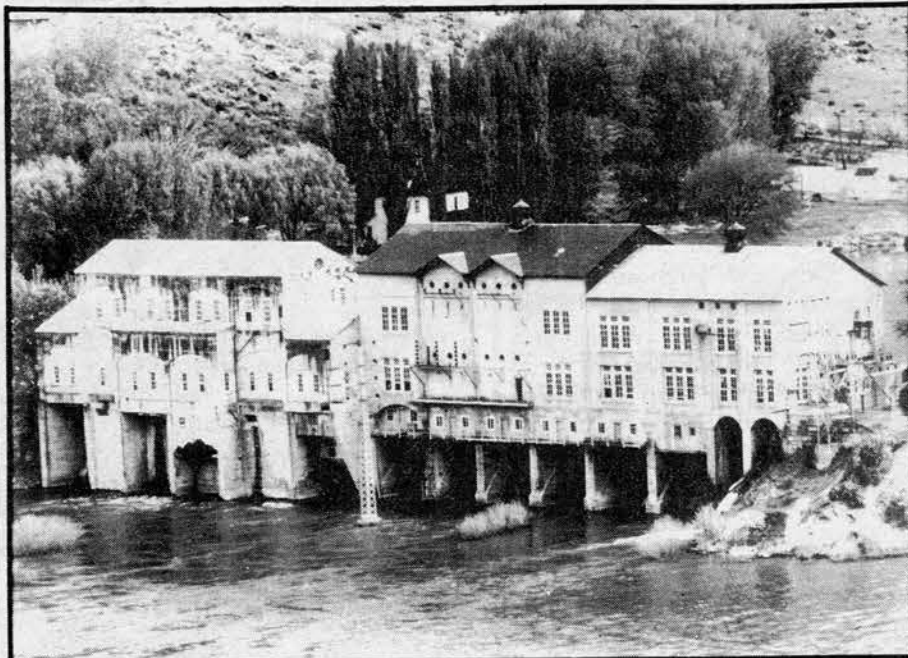
- IPC is to give up its 8,400 cfs right in exchange for a guaranteed state minimum flow of 3,900 cfs from April 1 to October 31, and 5,600 cfs from November 1 to March 31. The existing state minimum flow is now 3,300 cfs;

- Water rights in the Snake River basin are to be adjudicated;

- The Idaho Public Utilities Commission (PUC) is to lose its power to consider whether IPC "should have or could have preserved, maintained or protected its water right." IPC's alleged failure to protect its water right from irrigators was the basis of the court case which resulted in the 1982 Supreme Court decision; and

- The Department of Water Resources is to serve as a public interest review agency when determining whether to grant new water permits.

The agreement, if ratified, means new water would be available to irrigate another 300,000 to 600,000 acres of desert in southern Idaho, at a rate of no more than 20,000 acres per year. Most of the potentially irrigable land is now managed by the Bureau of Land Management. It is available through the Desert Land Act and the



Swan Falls Power Plant

Carey Act, two latter-day Homestead Acts.

The major point of contention is how much this new irrigation will cost electric rate payers through subsidized rates to the new farmers, who may pump the water hundreds of vertical feet up the Snake River Canyon, and through the additional electricity that may be needed to replace the cheap hydropower lost because of the increased water removal. While Swan Falls produces little hydropower, IPC's Hells Canyon Dam complex downstream provides the bulk of the utility's generating capacity. Its power is much cheaper than power from a coal or nuclear power plant.

Three studies have been used to predict possible rate increases. The projections vary from minor to an increase of \$150 million a year. IPC, which agreed to forfeit much of its water right to prevent a complete taking by the legislature or courts, will not predict how much the agreement will cost its customers. According to Larry Taylor, IPC spokesman, "It's just impossible to come up with accurate figures."

In the 1970s, Idaho rejected construction of a coal-fired power plant IPC wanted to build to meet expected need. However, it doesn't seem likely that a decrease in IPC's hydroelectric power will lead immediately to a coal-fired plant. The Pacific Northwest is awash in surplus electricity -- a surplus which led to cancellation of the WPPSS plants and to Montana Power Company's present difficulties with Colstrip 3 (HCN, 10/1/84). For the foreseeable future, at least, IPC could buy all the electricity it needs to replace decreased output from its Hells Canyon dams.

But purchased power would also be more expensive than hydropower. And Al Fothergill, director of the Idaho Citizens Coalition, subscribes to the \$150 million figure. He believes the agreement will be "a disaster for other farmers, whose electric rates will rise along with residential rate payers." Asked who the winners and losers were, he says, "I don't think there's any winners. I think there's a few thieves." The thieves, he charges, will be the few hundred farmers who will "mine the land for potatoes for a few years."

But the governor's Costello argues that a total prohibition on new irrigation "just wasn't in the cards... I think it's inevitable that some kind of a balance would have to be struck between hydroelectric generation and irrigation. If either side had won a total court victory, political pressure would push for middle ground."

Costello says the agreement sets up "a whole new management system" for allocating water. And, he states, "There are very beneficial aspects in it for the ratepayer." They include a recognition of the value of winter river flows (IPC can sell hydropower quite profitably in the winter); an increase in the state minimum flow for the Snake River; and the establishment of a public interest review procedure for allocating water.

The agency responsible for the public interests review is the Department of Water Resources. Far from reassuring the agreement's critics, selection of the water agency as the safety check has brought derision. "You think the water resources people are going to give a damn?" asks Fothergill.

When a similar management plan was submitted to the legislature last January, Idaho Public Utilities Commissioner Perry Swisher also questioned the water agency's ability to fairly manage the water. "Its heart belongs to irrigation," he said.

The Idaho PUC members owe their positions to Governor Evans, who is pushing the agreement, and they are not criticizing the new plan. Idaho PUC commissioner Conley Ward said he would "take a wait and see attitude." But he also said he was "modestly skeptical" that water permitting policies would change.

Costello, however, defends the water department, noting, "They haven't had a mandate" to look at other issues in the past. Water policy, he says, has been on a first-come, first-served basis.

Among the criteria the department is to consider in the public interest review is the development of family farms. Fothergill calls that a "canard... It takes a lot of money to open more lands," he says, "So I don't think any family farms are going to be opened up. You aren't going to have a farm where there's a house and chickens and hedgerow." Instead, Fothergill thinks increased electric rates resulting from the agreement will weaken existing farmers and contribute to the concentration of farms in corporate hands.

A large bill is attached to the agreement. If the legislature ratifies the agreement, it will be faced with funding the adjudication of water rights as called for in the agreement. Adjudication costs are estimated at \$28 million, and no funding source has been publicly identified. If funding for adjudication falls through, the whole agreement could be dead.

--Glenn Oakley

The Swan Falls agreement ignores fishing

The Snake River water agreement signed by Idaho's Governor and Attorney General and Idaho Power Company was actually negotiated by three attorneys representing the principals. At a public meeting in Boise November 1, Governor Evans' attorney Pat Costello stated quite simply what the negotiations were about. "We tried to balance between the two competing uses of agriculture and hydropower," he said. And a bit later, "We compromised between the two competing interests."

Costello's description applies to the two major new provisions in the agreement (nearly all the rest is not new and is generally agreed upon). These propose to change the Snake's minimum flow at Murphy (30 miles south of Boise) and establish new criteria for granting future water rights in the Snake Basin above Murphy.

The problem is there are more than two competing uses of the Snake River. Migration of salmon and steelhead is an example of an important economic use which was not considered in the compromise but will be affected if the agreement is made law.

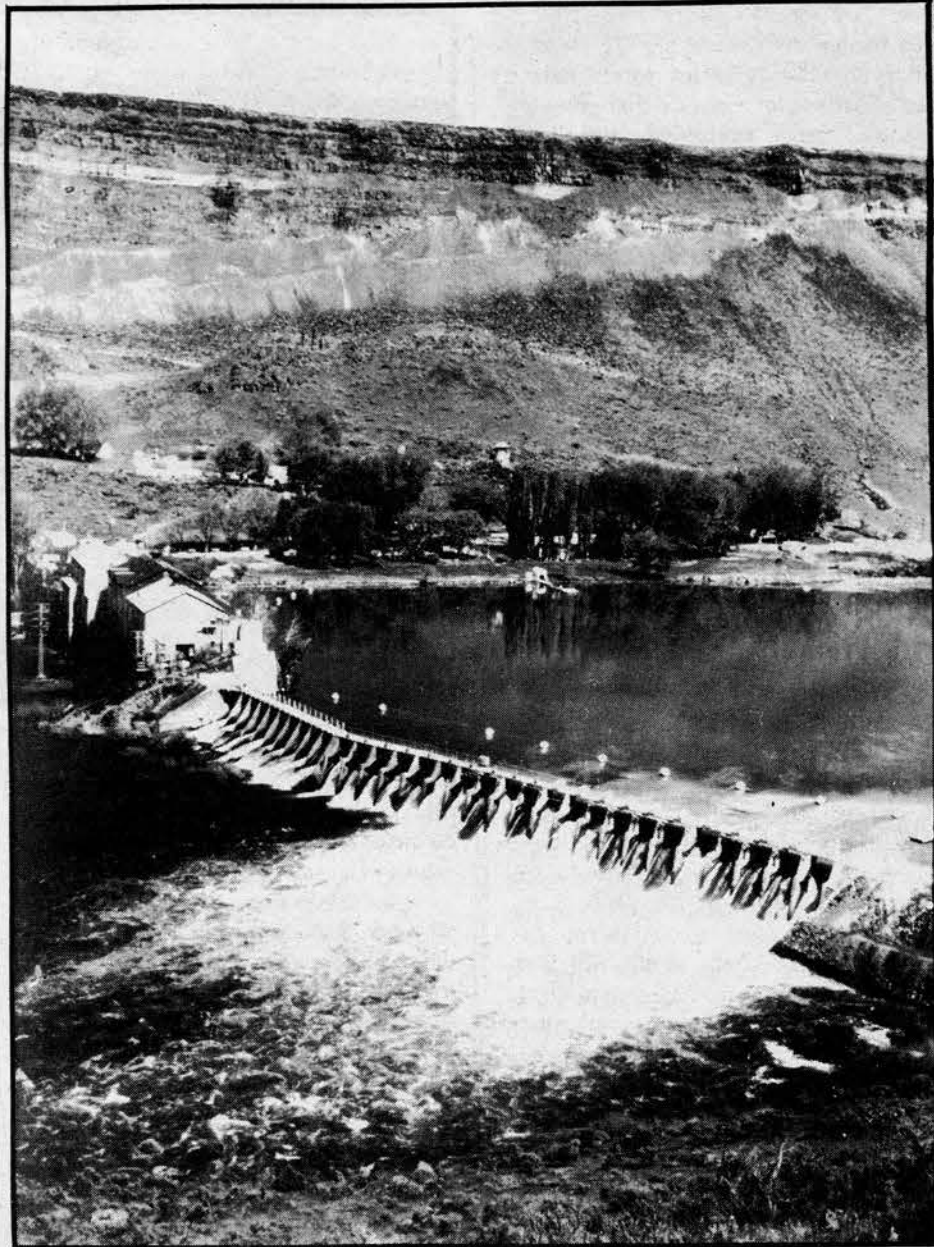
The new minimum flow proposed at Murphy is higher than the existing legal minimum flow. But it is lower than present actual flows by 600 cubic feet per second spring-summer and 1200 cfs fall-winter, measured in average daily flow. If the agreement is adopted, those latter amounts will be consumptively diverted over time.

The key to restoration of salmon and steelhead runs in Idaho is provision of sufficient spring flows in the lower Snake and Columbia Rivers to flush the migrating juveniles quickly down to the ocean. The Northwest Power Planning Council has established a water budget (a block of water to be gradually released for this purpose April 15 to June 15) of 85,000 cfs at Lower Granite Dam on the Snake. The Council is trying to direct federal entities and persuade state and private entities to cooperatively provide that water each year.

Idaho Power, whose Brownlee Reservoir is a potential major source for the water budget, has already told the Power Council it cannot provide its requested portion of the water budget in low-water years, due to various constraints like existing water rights and lack of storage. "What's needed," says Idaho's foremost salmon/steelhead expert, Ed Chaney, "is an assurance, with evidence, by the parties that this agreement will not be a further constraint on Idaho Power's ability to help with the water budget. Or at least the parties should say, 'Yes, it will constrain, but we think it's worth the tradeoff, for reasons x and y.'"

The negotiators did not analyze this matter, and Idaho Power is unwilling to give such an assurance. It is clear the agreement will not materially affect the water budget in most years. But it probably will affect it when two or three low-water years occur in a row -- precisely the times the water budget will be most needed. "Maybe there is no serious impact," says Chaney. "But we don't know and the parties aren't analyzing the question."

The second provision proposes six new criteria for considering future water right applications above Murphy. Two of the six specifically direct consideration of agriculture's



Swan Falls Dam

needs, two others of hydropower's needs, and the final two of economic development generally. No criteria direct consideration of fish and wildlife.

If a new application is filed for an irrigation right, for instance, Idaho's Director of Water Resources would by law examine and strongly weigh its economic benefits. He would by law strongly weigh its costs for existing hydropower production. But he would not have to weigh any of its other costs, like those for salmon and steelhead restoration.

"Assume we want to grant new water rights almost entirely on economic grounds," continues Chaney. "Why shouldn't a general economic test apply to all uses? Why give two uses a preference they may

not deserve economically? Salmon and steelhead are a good economy now, and could be a huge one in 10 or 15 years. But these criteria automatically discount that economy for no good reason."

Conservationists will concentrate on changing these two provisions as the agreement now goes to the Idaho legislature. But the chances of changing them will be slim.

At the same November 1 meeting, Idaho Power attorney Tom Nelson said the company argued for inclusion of fish and wildlife on the list of new criteria. But Attorney General Jones opposed it, and the Governor apparently had no strong feelings either way.

--Pat Ford

Legal attack on SO2

The Environmental Defense Fund and three private citizens went into federal district court in Tucson, Arizona, November 28 in an attempt to clean up the West's largest generators of sulfur dioxide (SO2). The EDF suit asks the court to order the Phelps Dodge copper smelter at Douglas, Arizona, and the Magma Copper Corp's San Manuel smelter north of Tucson to comply with federal clean air standards.

Between them, the two smelters emit over 550,000 tons of SO2, which is about one-third of all SO2 in the West. An EDF study says the SO2 funnels north until it hits the Rockies, where it falls out as rain or snow. So instead of being spread out all over the largely alkaline southwest, it is falling out in concentrated form over high alpine lakes that are sensitive to acid rain, according to EDF (HCN, 9/2/84).

By January, 1986, present clean air plans require the two smelters to emit less than a total of 150,000 tons a year. But EDF attorney Robert Yuhnke says the firms are not installing control equipment to meet that reduction. He also says the Environmental Protection Agency and the state of Arizona are doing nothing to force the firms to meet present standards or prepare for the 1986 standards. Under the Clean Air Act, groups and individuals can sue firms directly to force compliance, as the EDF is doing. Magma Copper says it is in full compliance and that the EDF suit is without merit.

According to EDF, the cleanup has international implications. Yuhnke says that the U.S. won't be able to ask Mexico to clean up its large and uncontrolled border smelters if U.S. smelters are also emitting SO2.

--the staff

HOTLINE

Parks under siege

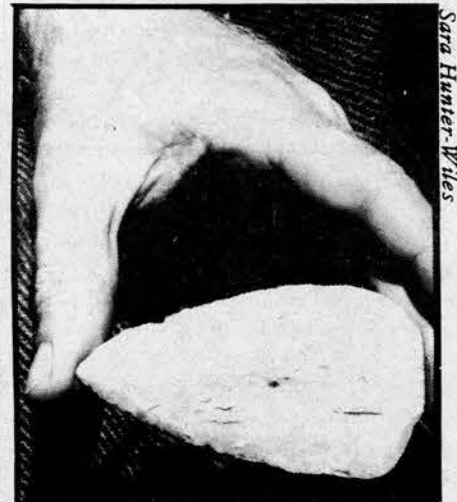
James Watt's resistance to the acquisition of new National Parks lands had effects which persist today, according to a congressional subcommittee report released during the 98th Congress. Though Congress rejected Watt's 1981 proposed moratorium on parkland acquisition, Watt's restrictive policies resulted in the lowest level of acquisitions in 20 years. In 1965, the Land Conservation Fund was established to add to parks. The report says that despite William Clark's more favorable statements concerning parkland acquisition, Watt's policies remain in place. Threats and damages to 20 different Park Service lands are cited in the report from the Public Lands and National Parks Subcommittee.

Land authorized by Congress for acquisition faces stripmining, clearcutting and commercial and housing development. Interior Assistant Secretary Ray Arnett, in charge of the acquisitions programs under Watt and Clark, has resigned since the report was released.

Waiting to pounce

Opponents of a high-level nuclear waste dump in Utah are set to pounce when the Department of Energy releases its Environmental Assessment December 20. The EA will analyze suitability of dumping grounds in the state that come within two miles of the entrance to Canyonlands National Park. The EA and its comments from the public will form the basis for nomination as a finalist site (three will be chosen) to be selected next year.

Moving against 'pot hunters'



Sara Hunter-Wiles

The representatives from 23 federal, state and local agencies in Utah have organized to stop 'pot hunters' who steal and then sell artifacts from Indian ruins. The group hopes to set up a telephone hotline so that it can gather information about looters of pots, baskets, jewelry, weapons and carvings. When a tip results in an arrest and conviction, federal law now gives informants a \$500 reward. The Utah Law Enforcement Task Force also plans to educate visitors about the historical and scientific importance of ruins. State archaeologist David Madsen said about 80 percent of the ruins have been looted in southeastern Utah, where the problem is most severe. In recent years it is not so much souvenir seekers or amateur archaeologists who disturb sites. It is professional looters who sell to collectors, merchants and even some museums, said U.S. Attorney Bruce Ward of Salt Lake City.

HOTLINE

Voters seize the initiative on nuclear waste

Casper quake studied

The U.S. Geological Survey just completed a survey of damage related to the recent earthquake centered near Casper, Wyoming. It was the largest quake ever recorded in the state outside of the Yellowstone area. The damage mostly consisted of broken windows and cracked chimneys, walls and foundations, but the earthquake also moved gravestones at the Medicine Bow, Wyoming cemetery.

LETTERS

LAND TRUST STORY CRITICIZED

Dear HCN,

Your article about Paul Brunner's Eco Realty (HCN, 11/12/84) contained some gross inaccuracies about conservation easements. Contrary to your article, conservation easements do not "put land into a perpetual trust," nor are they necessarily donations of subdivision rights. A conservation easement is a negotiated agreement between a landowner and a non-profit organization or government agency. The agreement can permit or prohibit any conceivable land use. It does not automatically prohibit subdivision, and it certainly does not automatically allow the landowner to "fish, hunt, ranch, cut timber, even set up a dude ranch," as Paul Brunner is quoted as saying.

The provisions of an easement depend on the objectives of the recipient organization and the needs of the landowner. If the objective is to preserve open space, then the easement might prohibit subdivision. If the objective is to preserve a rare plant, then the easement might permit subdivision but restrict grazing or logging.

Nor is it true, as the article implies, that the organization receiving the easement will always keep its hands off the management of the land. If the landowner violates the agreement, the receiving organization has the legal right and the moral obligation to intervene, even to the point of taking the landowner to court.

Finally, while it may be true that easements in Montana "are typically valued at 50 percent of the land value," that figure doesn't mean much. It is "typical" only in the same sense that the "typical" U.S. farm is 415 acres. The actual value of an easement is determined by the local market and the value of the rights given away. An easement may have almost no value, or it may come close to 100 percent of the value of the land. Easements are periodically attacked by those who don't understand them or don't want to. One common allegation is that easements are merely a tax dodge for fat-cat landowners who want to lock the gate to further subdivision. But in fact, not all easement donors are "millionaires from the Midwest or East" like Paul's buyers. Some of them can't even use the tax deduction, although they have six years (not five, as the article incorrectly says) to write off the donation. They make the gift because they love the land, want it protected, and find in easements a flexible tool for doing so. Unfortunately, the careless journalism of the article you printed might be quoted by those who want to destroy that tool.

Jon Roush
Florence, MT

By an overwhelming 62 percent margin, South Dakota voters passed an initiative November 6 that gives the people the "exclusive right" to approve or reject the disposal of all nuclear wastes within the state. The 182,952 to 112,161 vote also gives the people the right to approve South Dakota's entry into any regional state compact for nuclear waste burial.

Passage of the initiative was a victory for the Nuclear Waste Vote Coalition's 500 volunteers. In two and a half months they collected 24,999 signatures on petitions to put the initiative on the ballot, 1,100 more than was needed.

Nick Meinhardt, a full-time, unpaid volunteer from Rapid City, who led the petition drive, says supporters ranged from the state AFL-CIO to the South Dakota Farmers Union, Flandreau JayCees and grassroots conservation groups such as the Black Hills Energy Coalition. Many members of these groups live east of the Missouri River, which bisects the state from north to south. East River is where four-fifths of South Dakotans live and includes the largest city, Sioux Falls, population 81,000.

But more rural West River is where a low-level nuclear waste facility has been proposed and pushed by Chem-Nuclear Systems, Inc. The company, which runs a low-level dump in South Carolina, has not given up on what it calls an "exceptional" site for shallow-trench burial of low-level radioactive garbage. Chem-Nuclear has optioned 11,000 acres just outside Edgemont, South Dakota, on semi-arid land which once was an Army weapons depot.

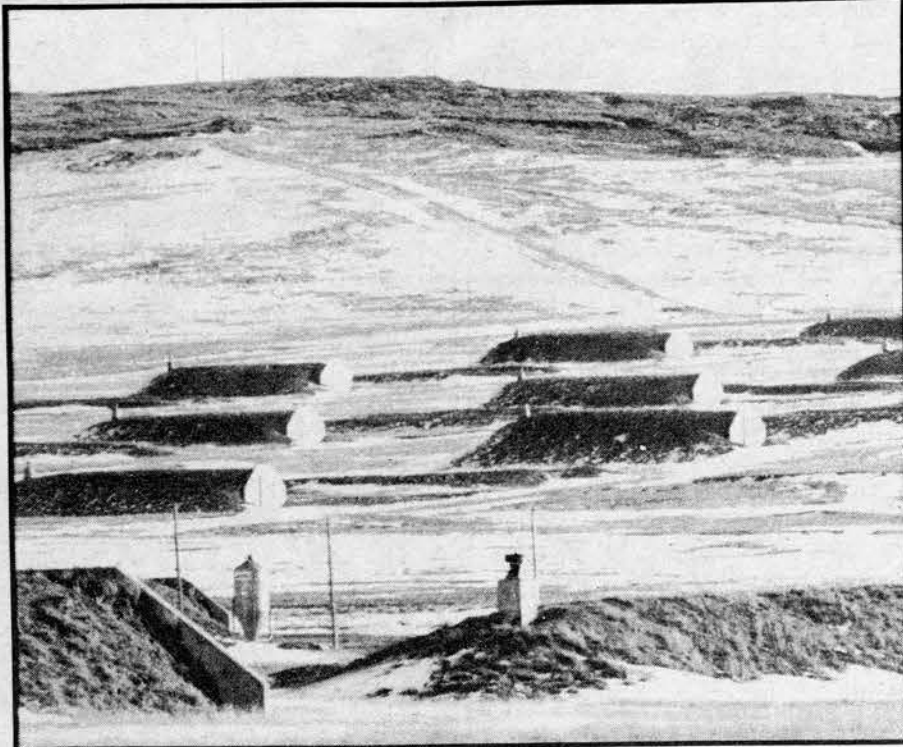
Before the November election, South Dakota's legislature considered a bill (there were eight others on the low-level nuclear waste issue) which would have turned the state into a "host" repository for one-third of the nation's low-level radwastes. These wastes are the radioactive debris from hospitals and universities as well as the relatively quicker-decaying parts of nuclear reactors.

South Dakota produces just seven cubic feet of low-level waste, which is about the size of a speaker's lectern. The burial ground Chem-Nuclear proposes would accept 1.2 million cubic feet. The issues raised by the coalition were well researched. They ranged from the potential for skewing the state's economy to the nuclear industry, to the unknowns of storing radioactive wastes for hundreds of years. The state has the responsibility for monitoring the safety of the site after Chem-Nuclear leaves in 50 years, says Meinhardt.

Perry Lawrence, a rancher who is a member of the Black Hills Energy Coalition, says the nuclear industry's record on reclamation is to let the public foot the bill. A 4.5 million ton tailings pile lies close to Edgemont on the Cheyenne River, and its cleanup is costing the federal and state government \$33 million. Lawrence and other Chem-Nuclear critics say the immediate economic benefits of a dump will be outweighed by the long-term state responsibility.

Gary Benda, site development director for Chem-Nuclear, says most opponents of the facility don't live in western South Dakota, aren't ready for the nuclear age, and overestimate the hazards of trucking and shallow land burial.

Benda says more stringent Nuclear Regulatory Commission regulations issued last year will correct problems



Army bunkers at Igloo, South Dakota

that occurred at other waste sites. "We'll be the most modern facility," he says.

Chem-Nuclear estimates it will spend \$10 million before state licensing is achieved and the facility at Igloo is built in 1988.

Meinhardt's coalition bucked a massive Chem-Nuclear public relations campaign, both during the legislative session and afterwards during the petition drive. Chem-Nuclear's four-page advertising insert ran in all the state's newspapers but one -- the *Argus Leader*, which refused -- and a half-hour quasi documentary on television argued the company's case to South Dakota viewers. In its presentations, the company covered its record of safety and management in South Carolina and environmental safeguards at the Army depot site in Igloo. What it stressed, however, were jobs and the economic benefits the facility would bring to the Edgemont community and county in the southwestern corner of the state.

The remote county of Fall River, which has experienced booms and busts for 75 years from both the Army depot and uranium mining and milling, needs an economic boost. Between 1960 and 1970, the county lost 29.8 percent of its population. Backing Chem-Nuclear strongly are Edgemont business people who have seen a dozen enterprises fail in the last few years. Back in June, a county straw poll resulted in 63 percent (1,880-1,092) approving a waste dump.

A local banker, Don Hanson, put it this way: "IBM ain't going to come out here. What everybody else wants, we can't get. We're too far away."

Jack Manke, a state senator who introduced Chem-Nuclear's bill in the

legislature, says the Edgemont community has no economic choice but to support Chem-Nuclear. "The land at Igloo hasn't generated a dime, so why not use it?" Manke lives 35 miles away from Igloo and ranches just eight miles away.

The trucking won't bother him, he says. "We're used to the nuclear industry; we've lived with millions of tons of (uranium mill) tailings." Manke adds, "Chem-Nuclear will be like a feedlot with 112 employees generating a steady flow of money. It's professional antis opposed to progress who are against Chem-Nuclear."

Besides the presence of Chem-Nuclear, pressure to make a decision on storing wastes in the state comes from the federal government. In 1980 Congress passed the Low-Level Radioactive Policy Act which requires all states to be responsible for their radwastes by 1986. South Dakota could join existing regional state compacts or form a new one. The advantage is that after January 1, 1986 compacts can refuse wastes from outside their region. Compacts, however, must be ratified by Congress and the 1986 date may not be met.

In any case, South Dakotans now have the opportunity to fully examine both Chem-Nuclear's plans and any compact. Seven hearings around the state are required by the initiative.

Despite the initiative's success, Manke and other supporters of a regional dump for low-level nuclear wastes in the state still have a chance in 1985 to have their way. Under South Dakota law, the legislature can nullify initiatives. Chem-Nuclear opponents say they've won one battle, but the war continues.

--Betsy Marston

BARBS

This free enterprise stuff has gone too far.

Wall Street analysts were shocked to hear that the Montana Public Service Commission will not hold a safety net under Montana Power Company. PSC member John Driscoll told the New York-based analysts, "We don't make rates based on whether or not it's going to bankrupt a utility. That decision is a utility's when it decides to build a plant." According to the *Great Falls Tribune*, one analyst said Driscoll makes the consumer-minded Louisiana PSC "seem like the Sisters of Charity."

The National Paranoia Association.

Canada could become an electric OPEC, says Carl Bagge, president of the National Coal Association. For that reason, the U.S. should abort the trend toward importing increasing amounts of electricity across the border. Instead, the nation should generate its electricity in-house by burning U.S. coal. Imports from Canada, he says, repeat "chapter and verse, pit and snare," the nation's former dependence on Mideast oil.

BOOK NOTES

A river is worth more alive than dead

Preview by Jeanne Englert

What's a free-flowing river worth? \$112.6 million a year -- or \$95 per Colorado household -- say three natural resource economists at Colorado State University in a soon-to-be-published book entitled, *Wild and Scenic River Economics: Recreation Use and Preservation Values*.

In the past, conservationists and river recreationists have waxed profoundly and eloquently about rivers as sources of spiritual inspiration and renewal, about the ineffable value of a pristine river untrammelled by dams. But though poetic, such values are immeasurable and therefore worthless to a reclamation economist computing the cost-benefit ratio of a water project.

But thanks to the pioneering work done by Dr. Richard G. Walsh, Larry D. Sanders and Dr. B. Loomis, the preservation value has been quantified for eleven Colorado rivers recommended for wild and scenic designation. (The rivers are the Cache la Poudre, Colorado, Conejos, Dolores, Elk, Encampment, Green, Gunnison, Los Pinos, Piedra and Yampa.) Using a process called the contingent valuation method, the three economists determined Coloradans' willingness to pay to preserve and protect these rivers, based on a random sample of 214 households.

"So far as is known, this is the first time that preservation values of free-flowing rivers were ever monetarily determined," said Cliff Merritt, executive director of the American Wilderness Alliance, which in part funded the study.

Surprisingly, people are willing to pay a large amount just to know a river is flowing freely; non-use preservation benefits accounted for \$91.3 million, or more than 81 percent of the annual

value. River recreation accounted for \$21.3 million, or about 19 percent of the total.

The economists measured the non-use preservation value three ways: option value, existence value and bequest value. The option value is the amount citizens would be willing to pay to preserve the rivers for possible future use. Existence value is the price Coloradans would pay to know the rivers are protected as fish and wildlife habitat. Bequest value represents the amount they would be willing to give to endow the rivers to future generations.

Are these numbers strictly theoretical? Or would Colorado families actually be willing to pay \$95 a year to preserve these rivers? Yes, said Merritt, citing their willingness to pay for non-game wildlife preservation through a check-off box on their state income tax form. He distinguished between a financial value, as when a dam produces hard cash from the sale of a dammed river's hydropower, and economic value, which the CSU study measures. Economic value arises when a scarce resource provides benefits or costs to individuals even if no money changes hands.

Benjamin Harding, a Boulder engineer who has fought for years to stop hydroelectric dams on the Yampa, said the preservation value of the Yampa could be explained as analogous to the value of the Mona Lisa. If the Mona Lisa were destroyed, it could not be replaced. The same would be true of the Yampa if it were dammed since the river's beauty is unique. That irreplacability is what the economists have quantified.

What surprised the economists most was that Coloradans put preservation of the rivers above recreation. Boating, fishing, camping, and hunting ranked fifth in importance. Most important was protection of the quality of the air and scenery.



David Sumner

Next was knowing that future generations will have rivers (their bequest value). Third was protection of fish and wildlife habitat. Satisfaction from knowing they have the option of possible recreation visits to rivers in the future was the fourth most important reason given for preserving the 11 rivers.

Another surprising conclusion of the study was that agricultural people, often perceived as foes of river protection, are willing to pay more for preservation value and for option, existence and bequest values than other citizens of the state. Environmentalists, often the advocates of protection, were willing to pay more for option and bequest value, but not for existence and recreation use value.

What does such a study mean to the future of the Colorado rivers, and to other Western rivers which could be evaluated by the same method? The traditional method of determining if a water project is economically sound is to compare the direct costs of building it to the benefits of irrigation, flood control, hydropower and flatwater re-

creation. River recreation, fish and wildlife and 'inspiration' were, until now, difficult to measure. So the CSU study means that a quantified preservation value can be included in any cost-benefit analysis of proposed projects, such as the Tri-County Reservoir on the Gunnison, Juniper Cross Mountain on the Yampa or the proposed dams on the Cache la Poudre. Had such values been measurable during the planning stage of the Dolores project, its costs might have exceeded its annual benefits.

What this study does, said Merritt, "is add an exciting new dimension to river management. It can serve as a model for evaluating other rivers. River managers, outfitters, guides, elected officials, whitewater boaters and sportsmen should all find the publication useful in deciding which rivers should remain wild and free and which should be developed."

The book will soon be available at \$16.50 postpaid from the American Wilderness Alliance, 7600 E. Arapahoe Road, Suite 114, Englewood, CO 80112.

A solid job of mapping the Yellowstone

Greater Yellowstone,
The National Park
and Adjacent Wildlands

Rick Reese. Helena, Montana: Montana Magazine Publishing Co., Montana Geographic Series Number Six, 1984. 104 pages, illustrations. \$13.95, paper.

Review by Paul Schullery

Recently it has become fashionable among both popular journalists and historians to point out that founders of the national parks did not often pay close attention to ecological matters when they set up the first park boundaries. Sometimes a good deal of smugness accompanies the presentation of this information, along with the implication that we are now so much smarter than our forebears. But rarely is the very difficult question of just what boundaries would have been ecologically good enough addressed at all.

Now that we know what an ecosystem is, we have fond hopes that our parks should enclose complete ones, but the hope is hardly realistic in most cases. Yellowstone Park is a superb example of how complex a challenge we face, both in protecting an area's ecological integrity and in defining just how much needs to be

saved in order to have ecological integrity.

Rick Reese's new book, *Greater Yellowstone, The National Park and Adjacent Wildlands*, is an excellent introduction to all elements of the challenge. Former director of the Yellowstone Institute, he has synthesized a great deal of information into a brief, succinct account of the prospects and ills of the area in and near Yellowstone Park.

The book is at least half-filled with photographs (all well printed in color) and has three parts: "Yellowstone National Park... Not an Island Apart," "Defining the Greater Yellowstone Ecosystem," and "Threats to Greater Yellowstone." Numerous maps show areas of interest to miners, geothermal developers, and other special interest groups, including wilderness enthusiasts.

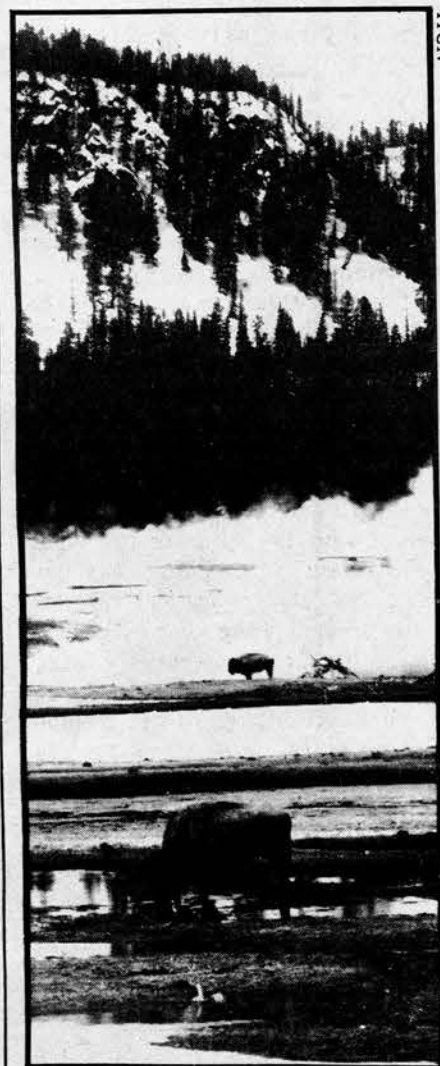
The central issue of the book is how to protect this "extraordinary national treasure" despite various threats to it, and despite current management decisions that are being made by a variety of agencies "in a fragmented manner which does not recognize the area as a single ecological area."

As the author concludes, what is lacking is a "mechanism for managing the ecosystem as an ecosystem, with decisions being based on sound biological grounds and area-wide

considerations." This mechanism is the goal of the umbrella organization formed in 1983, called the Greater Yellowstone Coalition (HCN, 6/24/83).

As Reese makes clear, the establishment of such a mechanism will be extraordinarily difficult. Not the least of its problems is the essentially arbitrary decision made any time someone draws a circle on a map and declares the area within it an ecosystem. Reese's attempt to establish working boundaries for the greater Yellowstone ecosystem uses primarily vegetation types (or potential natural vegetation types) as a basis, recognizing at the same time the overriding significance of including the known range of certain Yellowstone wildlife. The approach holds up as well as any would, but it may make many an ecologist uncomfortable.

There is little question, however, that the lines have to be drawn, even if only for informal reference, but they can be fiddled with later if new information suggests they should be. What is important now is that Reese has done such a solid job of getting things started for the general reader. *Greater Yellowstone* can make you very uncomfortable, showing you superb photographs of the Yellowstone area's natural wonders while telling a tale of the peril those wonders



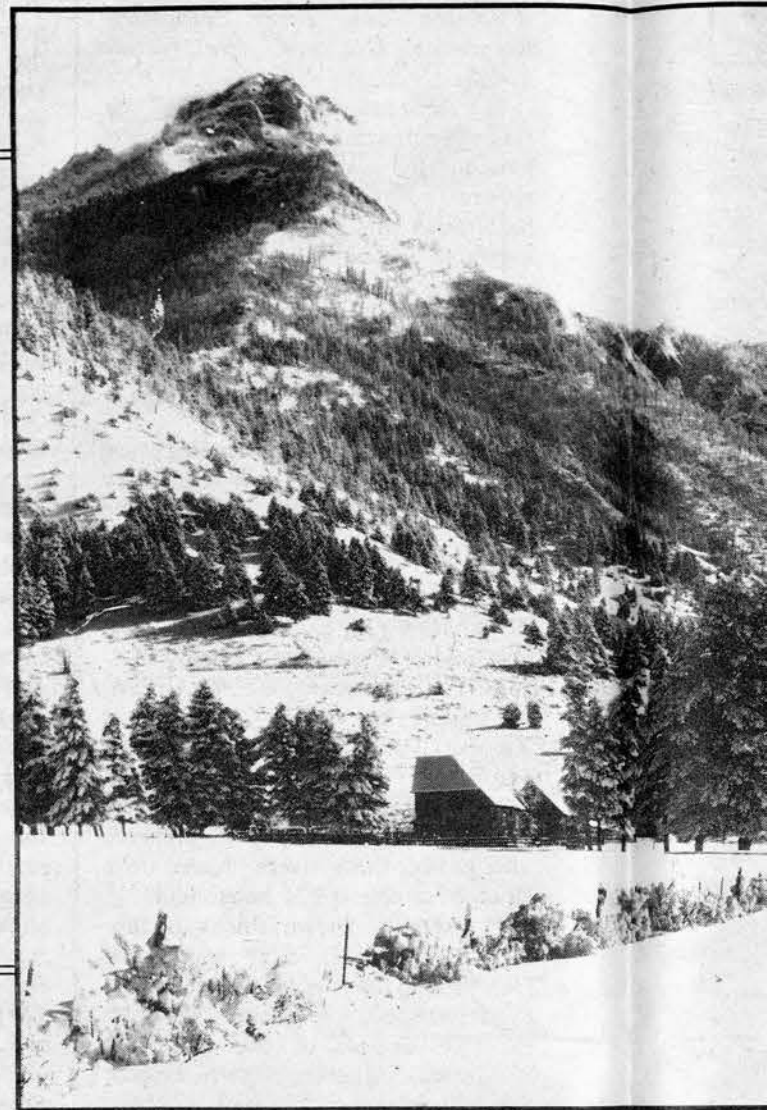
HCN

face. If enough people can be made uncomfortable enough, the peril may be greatly reduced. *Greater Yellowstone* should be of some help in that process.



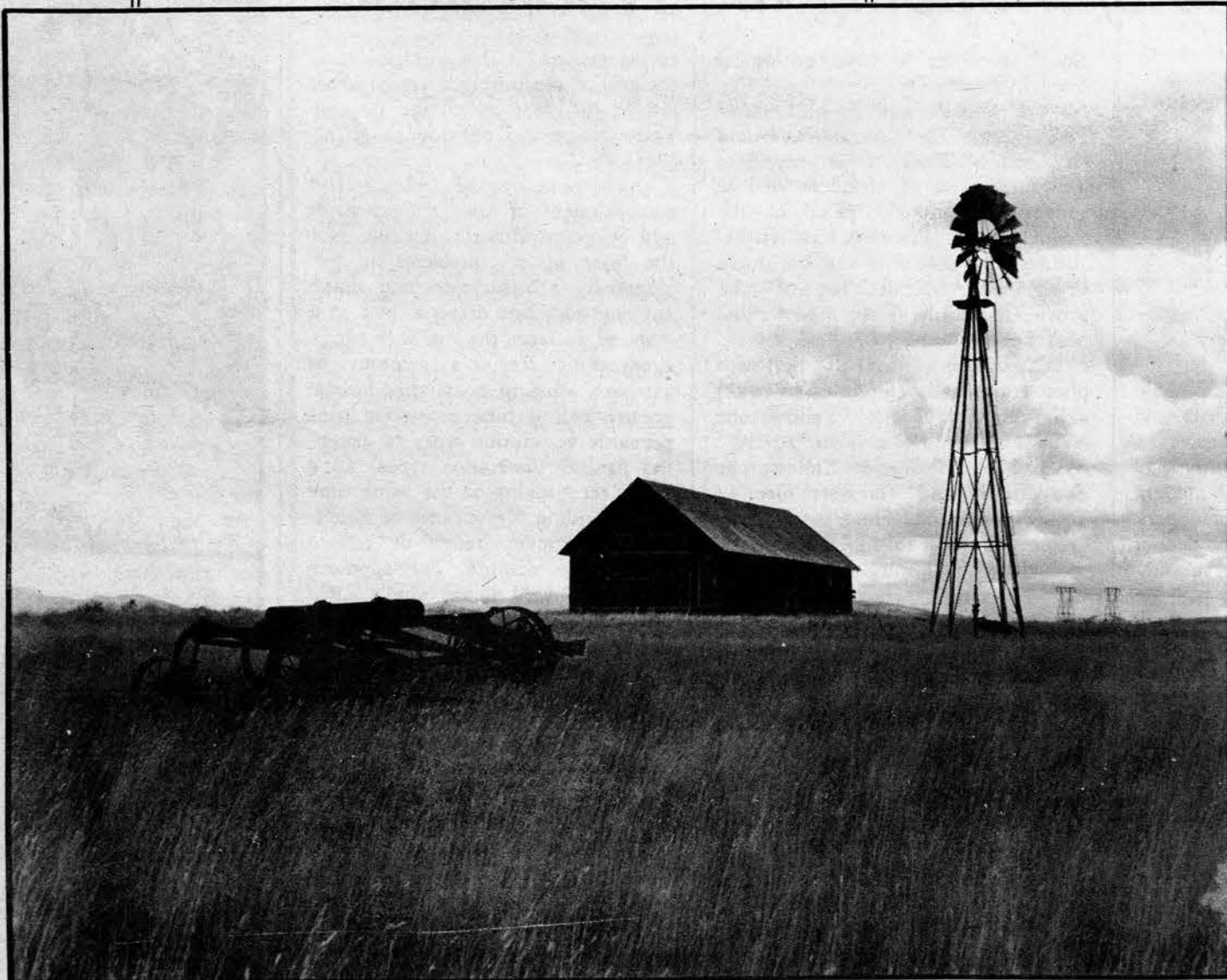
Willie Bear Medicine, Chris Roberts, Missoula.

RURAL MONTANA



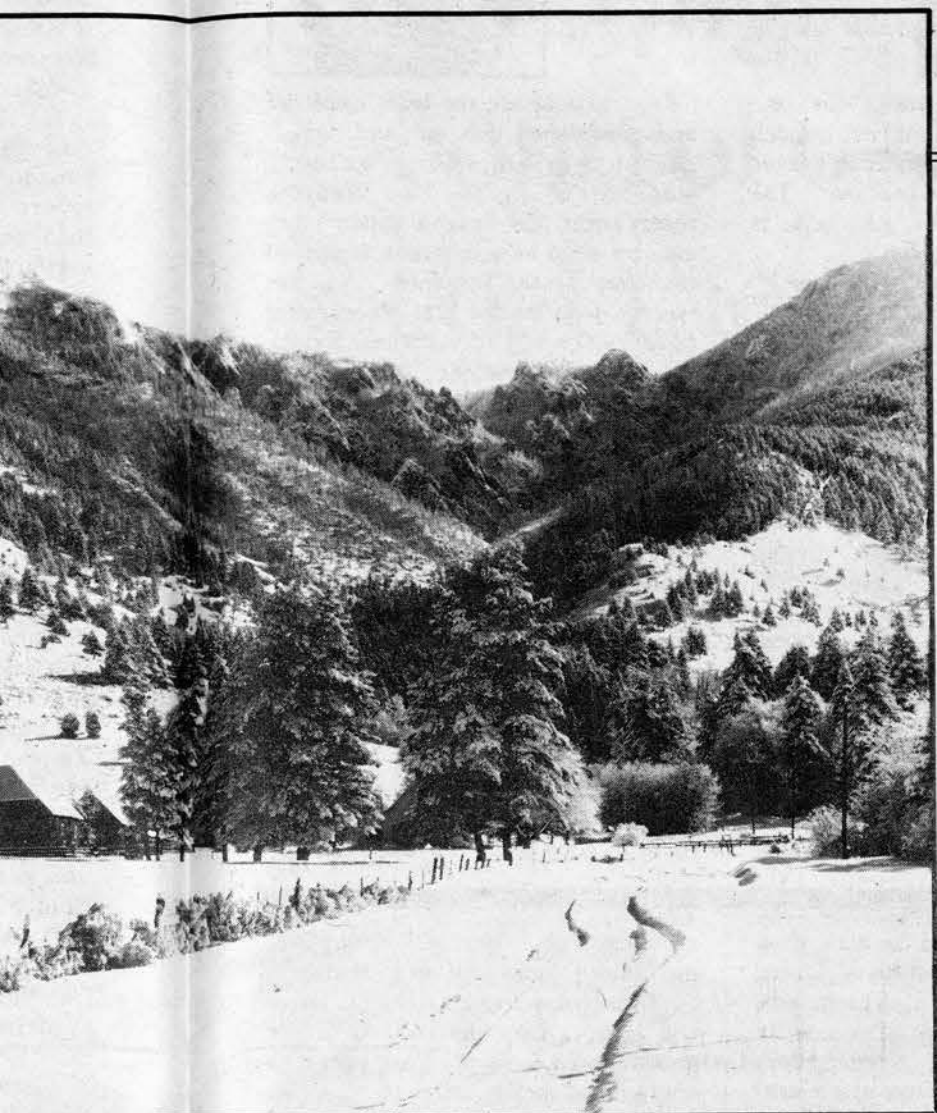
Untitled, Iner Peterson, Bozeman.

Untitled, Travis Elder, Helena; first place, photos by youths under 16.



Photographs here were entries, and some winners, in the Northern Plains Resource Council's Second Annual "Rural Montana" Photo Contest. The contest and subsequent photo shows are annual fundraisers for the Montana non-profit organization. Contact their main office at 419 Stapleton Building, Billings, Montana 59101.

RURAL MONTANA



End of an Era, wheat basin southeast of Rapelje, Jon J. Brown, Missoula.

Untitled, Jennifer Brevik, Billings, honorable mention, people category.



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Indian health...

(Continued from page 1)

to reintroduce the bill with the Montana provision. It is Senator Melcher's view that providing health care for Indians is a federal responsibility." There is no indication yet as to whether other sections of the bill may be changed to make them more acceptable to the administration.

However, a planner for the Albuquerque Area Indian Health Board, one of the urban health care centers affected by the veto, said that the bill would probably be reintroduced as is. Ona Porter said the veto message was so sweeping that it did not appear that anything less than major surgery on the bill could win over Reagan. So, she said, the strategy would probably be to repass the bill and then attempt to override a veto. There was no roll call vote on the bill in the 98th Congress, indicating that it enjoys widespread support. After passage, the White House was bombarded with requests that President Reagan sign the bill. Among those writing the president were many conservative Western senators.

Porter said that in addition to giving the federal government primary responsibility for Indian health care, the vetoed bill attempted to establish health care for urban Indians. A key part dealt with Community Health Care Representatives. Some perform technical jobs such as dental or records technician. Others act as liaison. According to Porter, that's especially important on Western reservations, which lack public transportation and often lack telephones. The Health Care Representatives, she said, provide in-home health services to people who don't need to visit a doctor or clinic, deliver appointment slips, and transport patients to hospitals, clinics and to specialists on and off reservations.

The Indian Health Service, she said, doesn't provide full care even for the one-third or so of the Indians who live on reservations. When their health care needs exceed what the IHS can do, they are referred to off-reservation doctors or hospitals under a contract arrangement. But under the present law, she said, off-reservation Indians can't get contract services; the vetoed bill would have extended contract services to them.

According to her, the effect of the veto "will be to push people back on the reservations" in search of health care. And that, she said, would weaken reservations through overcrowding and increased demand for services.

Porter sees an ulterior motive behind the veto and a relation between it and the "gutting" of education and other Bureau of Indian Affairs programs. She suggested that the cumulative effect will be to weaken reservations; that, in turn, could force the sale of land and other resources. In her view, the veto of the bill is another aspect of the privatization that the Reagan Administration has supported for public lands.

Such a theory gets indirect support from a statement made by James Watt when he was Secretary of Interior. "If you are the (tribal) chief or the chairman, you are interested in keeping this group of people assembled on a desert environment where there are no jobs, no agricultural potential, no water, because if the Indians were allowed to

be liberated, they would go and get a job and that guy wouldn't have his government handout as a government-paid Indian official."

But Max Richtman, the Melcher aide in the Senate and a critic of the Reagan veto, thinks the theory stretches the facts. Richtman sees the veto as simply a logical extension of Reaganomics. "I don't think it's an attempt to control natural resources. It's mostly about money. But some people see a conspiracy everywhere."

Among those who see a conspiracy in this case is Susan Harjo of the National Congress of American Indians. "I dislike putting labels on any particular action. But there has been a starve or sell policy from the days of open warfare to the present." That policy, she says, operated in many ways. In the beginning it denied Indians food, housing and other amenities to "make Indians ill" and kill them off. At other times, she says, it operated more directly. According to her, the U.S. Cavalry gave Indians in the Middle Plains blankets infected with smallpox.

"I don't see that this has changed any as a basic technique." What has changed, she says, is who implements the starve or sell policy. "In the last part of the 19th century, starve or sell was a congressional policy." That, she says, was how the Black Hills in South Dakota were extorted from the Indians. "Back then, Congress was a bad guy. The courts were good friends of the Indians."

LETTERS

WRONG EMPHASIS

Dear HCN,

Automobile-generated air pollution originates in the private, for-profit ownership of the automobile-producing, petroleum, and highway construction industries. Air pollution control measures adversely affect the profits of the owners of those industries. Polluters are thus highly interested in displacing the various costs of pollution onto consumers and taxpayers. They are also interested in minimizing the impact of pollution control measures on the continued viability of their industries.

The HCN article, "Can Gentle Mind Twisting Clean the Air?" exemplifies an approach compatible with the interests of these industrial owners. The Denver "Better Air Campaign" clearly displaces blame for air pollution from the relatively small number who profit to the many who consume. Public officials, including Colorado Governor Lamm and Denver Mayor Pena, serve to protect corporate interests through this campaign, thus cleverly deflecting what should be their commitment to the public interest.

It is true the public has been a mostly-willing accomplice to the dominance of the automobile-dependent industries. This problem will only be effectively addressed by targeting those who are truly to blame, such that the manner in which the public has been advertised into dependence on cars is evident.

Moreover, the "blame the consumer" approach is simply ineffective. It is designed so that no fundamental change will result. The environmental movement should play a key role in exposing such manipulations, not perpetuating them. The issue of who really is to

blame and what should be done must be raised. Environmentalists figured out years ago that can and bottle bills were more effective than having volunteers pick up litter every Saturday. Let's apply that same clear logic to the automobile air pollution problem.

Jay D. Jurie
Tempe, Arizona

SPELLING CORRECTION

Dear HCN:

You titled the "Hotline" piece on Cal Black as "Privitization." The correct spelling is "Privytization," as the San Juan County Commissioner is fond of saying that the rest of the country, being so polluted by modern technology, should "clean up its outhouse before they tell us down here that we can't even have a decent outhouse." Thus, privytization is the belief that pollution equals progress.

Richard M. Warnick
Logan, Utah

GET AROUSED

Dear HCN,

Dr. Povilitis' article, "Save the Grizzly" (HCN, 10/29/84), gives acceptable insight to the predicament of the grizzly bear and has merit.

However, I live in an area where people are being driven out by the influx of illegal aliens and immigration from Mexico and Asian-European places.

This terrific increase in population puts equal demands on the entire ecological system, but you can't see it.

The biggest single problem in the United States, from my view, is this intense increase in population and should be number one priority in all conservation organizations.

I believe all conservation efforts

"Reservations are the least explored and developed for oil and gas." According to Wall, a Chippewa Indian who grew up on a Western reservation, the Reagan policies can also be seen as a different aspect of the Sagebrush Rebellion. "Indian reservations are the first place states righters attack. The Northwest fishing initiative is an example." (See related story.)

Despite their small numbers, Wall says the Indians are not politically helpless. Their natural allies include those who believe in federal control of natural resources, and who see Indians as important players in that struggle because of the coal, oil, gas and water they control.

Other support comes because "there's a certain amount of guilt floating around out there, and we're not ashamed of using it. I work with seven Indian communities, and they average 60 percent unemployment. So there is good reason for the guilt."

are meaningless unless the people of the United States face up to reality.

These new arrivals demand water and get it. They demand consumer goods and get them. They demand energy and they get it.

We in a "free" society had better get aroused before it is too late.

W. J. Worthington
Inglewood, CA

GOOD LUCK

Dear HCN,

I have read of the crisis occasioned by the move of your sole Mississippi subscriber to the west. I recommend you write a Mississippi unit of the National Park Service which is reputed to have some transplanted westerners on its staff, namely: Natchez Trace Parkway, Rural Route 1, NT - 143, Tupelo, MS 38801.

Good luck to *High Country News* in again circulating to all fifty states.

Peter L. Parry
Superintendent
Natural Bridges National Monument
Moab, UT

PRAISE

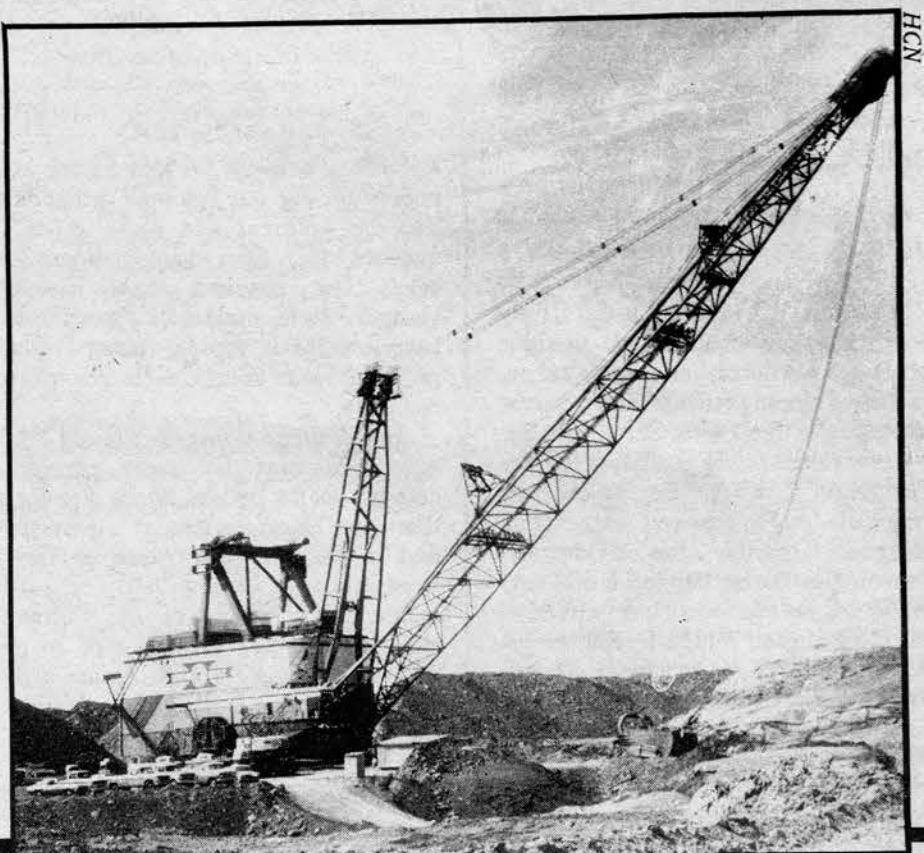
Dear HCN,

Many thanks to Mike Jacobs for his report on the Garrison Diversion Project and the North Dakotan mind (post-holiday Sept. 17 issue). Jacobs, as some HCN readers might recall, authored the highly-acclaimed "A One Time Harvest," a passionate portrait of strip mining in an agrarian social fabric. Jacobs writes with a depth of feeling and conviction that so many of us nomadic reporters can only dream of. May HCN be blessed with a bakers' dozen more like him.

Michael Moss
Atlanta, GA



Indians will again ask Congress for control of the coal they own



Four Corners coal strip mine, New Mexico

The coal-owning tribes of the West hope to finally escape from the regulatory limbo they have been in since passage of the 1977 Surface Mining Control and Reclamation Act (SMCRA).

The part of the act dealing with Indian land says the tribes should be treated like the states, and empowered to regulate mining on their lands. But Indian coal is complicated by mixed land and mineral ownership, and by coal seams that sprawl across private, federal and Indian land. So back in 1977, Congress asked the just-created Office of Surface Mining (OSM) to study the issue and propose legislation by January 1979.

Today, five years after that deadline, all of the Western states except Arizona regulate coal mining on non-federal land, and have cooperative regulatory agreements with the federal government for federal lands. But Indian-owned coal both on and off reservations remains uncontrolled by the tribes, and until the Office of Surface Mining issued regulations a week ago, Indian coal was totally unregulated.

It is not a minor matter. Thirteen tribes own approximately one-third of the low-sulfur strippable coal in the region. Despite that, neither the Carter nor the Reagan administrations followed Congress' 1977 orders and formulated an approach to Indian coal. Recently, the OSM did issue a report. But it set out six different options for Congress to consider in solving the problems of mixed land and mineral rights ownership, thereby avoiding a stand on the sensitive issues.

In the meantime, the tribes drafted their own legislation, which was introduced by Congressman Morris Udall (D-AZ) in the House. But the major action on a bill for Indian lands took place in the Senate in the last session, with Senator John Melcher (D-MT) taking the lead.

While the tribes were satisfied with many of the compromises in Melcher's bill, some were unacceptable. The sticking points centered on the regulation of Indian coal lying outside the reservation and under private land. Such situations are fairly common; over the years much reservation land has been sold to private owners, with the tribe retaining ownership of mineral rights, or has been taken over by the federal government for homesteading, land grants to the railroads, reservoir projects, and so on.

The tribes want to regulate the

mining of their coal, both within and outside reservations. But Melcher's bill required that the Indians and the states cooperatively regulate Indian coal lying outside reservations. The tribes, however, want the authority to regulate coal development through cooperative agreements with the OSM; not with the states.

Tom Acevido, an attorney for the Crow Tribe, says history is partly responsible for the tribe's reluctance to share authority with the state of Montana. He says the Crow believe the state would act aggressively to erode tribal jurisdiction and would use its power to inhibit or prohibit mining in the ceded strip.

"The tribe wants its coal mined reasonably, and they think they're the ones to do it. They want their lands reclaimed -- it's their homeland -- and they don't want a West Virginia type landscape." The Crow's draft regulations now follow OSM's rather than the more stringent Montana regulations.

The Environmental Policy Institute, the environmental group most involved in this issue, backs the tribes on a majority of the issues. But it supports Melcher in the debate over shared state-tribe control; and it wants the state or tribal reclamation standards to apply, whichever is highest.

Ed Grandis, a Washington, D.C. staffer with EPI, says that the state's desire to control the regulation of coal mining on Indian land is easy to understand. It's not related to challenging the Indian's sovereignty over their land. It's a matter of bureaucratic and regulatory efficiency, he says. "A lot of the coal mines cross reservation boundaries. Coal haul roads may start on the reservation and end up off it."

Separate jurisdictions, he continues, "become a regulatory nightmare for them." Also, "some of the tribes may not have the same level of environmental sensitivity as a state." Montana is one possible example, he says.

Another difficult issue is that of the power of owners of surface land to veto mining of the subsurface coal. For non-Indian land, SMCRA says those who own private land above federal coal can veto mining. The question is whether such a veto should be extended to Indian coal. Grandis says the EPI supports the veto, both on and off the reservation, for Indian and non-Indian surface owners. The Navajos take a similar position.

The Crows, however, think differently. They do not want the private landowners on their ceded strip (non-Indian-owned land northeast of the Crow reservation) or individual Indians who own surface land within reservations to have such veto power. Melcher's bill calls for surface owner veto both on and off the reservation.

The Crow have had experience with the veto power of surface owners. Some ranchers in the ceded strip, which the Crows had ceded to the federal government for homesteading, have opposed coal mining there because of delicate groundwater systems. In 1977, Montana ranchers were at the forefront of the successful movement to give surface owners a voice in deciding whether federal coal under their lands could be mined. Several have used the surface owner veto to block strip mining of Indian coal beneath their lands.

In addition to the sovereignty issue, there is the matter of money.

Both the tribes and the states want the money that coal companies pay into the Abandoned Mined Land (AML) fund from off-reservation coal. Melcher's bill would send all the off-reservation AML money, which is meant to reclaim abandoned mines, to the states.

In an unusual show of solidarity, the National Coal Association, the tribes and the Environmental Policy Institute together urged Melcher to allow the tribes to receive these AML funds. But Melcher did not make the suggested change, and the bill died in committee.

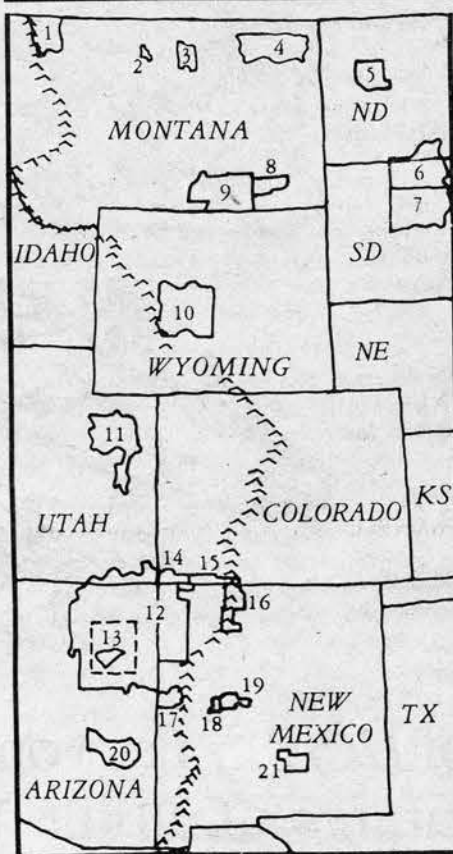
Under SMCRA, on non-Indian coal land, AML funds are split evenly between the state and the federal government. Ed Grandis says EPI would like to see the Indians get 85 percent of the AML money for Indian coal. Grandis argues that the tribes need more money than the states, which have other income sources. "Everyone is better off if the tribes have good programs, and it takes money to do that. We're not trying to get a windfall for the tribes; we just want a good program."

A fair amount of money is already at stake. Since 1977, \$57.4 million has accumulated in the AML accounts of the three tribes with coal production: the Navajo and Hopi of the Southwest and the Crow of Montana. The tribes cannot use the money until Congress acts on their legislation, and each year of delay costs them millions of dollars in potential income since Congress did not specifically authorize an interest-bearing account.

The money in the Navajo and Hopi accounts comes from Indian coal mined within the reservations. But the Crow coal production has taken place on the ceded strip northeast of the reservation, where the tribe owns the coal but not the surface. Under Melcher's bill, the state of Montana, which would help regulate mining in that area, would receive the entire \$8.4 million now in the Crow Tribe's AML account, as well as future proceeds from the Crow coal.

Whether a bill will be passed by the 99th Congress may depend on the OSM's new director, John Ward. The tribes plan to seek OSM's active support as a way to break the current impasse over the AML funds with Melcher. Whether or not OSM will finally take a stand on the state-tribe regulatory dispute remains to be seen.

--Marjane Ambler, staff



Reservation lands of the 21 Western coal-owning tribes (there are 25 nationwide): 1. Blackfeet, 2. Rocky Boys, 3. Fort Belknap, 4. Fort Peck, 5. Fort Berthold, 6. Standing Rock, 7. Cheyenne River, 8. Northern Cheyenne, 9. Crow, 10. Wind River, 11. Uintah and Ouray, 12. Navajo, 13. Hopi, 14. Ute Mountain, 15. Southern Ute, 16. Jicarilla, 17. Zuni, 18. Acoma, 19. Laguna, 20. Fort Apache, 21. Mescalero.

LETTERS

MORE ON THE FOREST SERVICE

Dear HCN,

Good for Vern Hamre's response (HCN, 10/1/84) to the HCN March 19 editorial, "Can the Forest Service be Reformed?" Hamre convincingly reports many tough and positive positions the Forest Service has taken. Some of these positions came at the initiation of the Forest Service, while others came at the initiation of the Congress with the Forest Service being the tool to achieve Congressional goals. Notably, the Wilderness System on Forest Service lands and many of the examples Hamre used of the Sawtooth National Recreation Area represent Forest Service actions as a result of Congressional directives.

I saw Hamre and many of his peers work on many of these major resource allocation issues firsthand and participated in many of the discussions. My respect for the Forest Service has been high, but unfortunately, it is rapidly dwindling.

The recent intense criticism of the Forest Service is legitimate and will intensify. The Forest Service is simply faced with a land base which cannot meet many of the demands, whether they are political, social or resource allocations, being placed on this relatively small land base. I am always disturbed by many foresters who respond with something like, "Well, we have handled these problems in the past and we'll handle them in the future." That is one of the problems facing land managers -- the belief that resource decisions or allocations in the past should continue to be the model for the future. Maybe we should look

at forestry schools for this failure in understanding our resource demands and the political and social consequences which have changed dramatically. The resource base hasn't changed while the social dimensions have changed rapidly along with rather obvious increases in resource demands.

One of the real tragedies facing the agency is that for every positive decision made by the Forest Service that Vern Hamre notes, it is easy to find a blunder. For example, just recently here in Utah a district ranger on the north slope of the Uintas allowed extensive seismic work on a number of areas the U.S. Senate had already included in the proposed High Uintas Wilderness with full knowledge the House of Representatives was going to follow suit. There was no EA prepared and no public input. Another example just occurred on an area in southern Utah called Box-Death Hollow. The Forest Service abdicated its responsibility for surface management to the BLM by allowing the BLM to prepare a miniscule EA. Even though this specific area was just excluded from the Box-Death Hollow Wilderness by the Congress, it is one of the most controversial areas in Utah. For the Forest Service to sit on its haunches and allow BLM to get away with a brief EA on the headwaters of the Escalante River system is ludicrous. These two examples only represent the tip of a serious problem. It is true there is a dichotomy of management of surface and sub-surface resources. But it is imperative the Forest Service not be

dragged into simply bowing to mineral development.

These two small examples are a symptom of precisely the question, what is the "mission" of the Forest Service? As time has advanced the mission hasn't kept pace. Mineral development on public lands is but one example. Public involvement and accountability is another. The inconsistency in public involvement and participation on Forest Service management decisions in a large part relates to the inconsistency of decisions.

The existing planning process is another problem. We are seeing decisions hidden in all sorts of computer printouts as the public simply can't be expected to understand FORPLAN. Thus the agency's public involvement procedures must be improved. It is imperative to understand that FORPLAN is based upon timber allocation and simply does not do as well with other resources. And now the Forest Service is finally being forced to answer why so much of its timber harvesting programs are below cost and on marginally productive lands which are also important wildlife and recreation lands and most suited for those uses.

Not long ago, I was sitting in a Forest Supervisor's office and I picked up and thumbed through the guide of employees in Region IV. I was amazed at how few biologists were listed and how many timber specialists were listed, especially in a region where wildlife values are so important and timber values are marginal.

Again, this is a function of the "mission" of the Forest Service. It is time for a reassessment. Not a reassessment of the sustained yield or public ownership or multiple use

principles, but a reassessment of timber primacy and the inevitability of mineral development. A reassessment is needed of the quiet agenda that it is the Forest Service's responsibility *only to slow down* the inevitable decline in quality of the National Forests with each generation of use. If development changes the face and environmental quality of the National Forests, the agency should say NO! and not tolerate diminution of our forest lands.

The concept of public participation must also "trickle down" to the district rangers as oftentimes these rangers are "captured" by local publics and land users. And now that many RARE II bills are temporarily completed, the Forest Service will have a chance to fill a promise it has made for years -- that it can and will protect roadless and natural values without wilderness designation. The record is sparse and it is not clear the Forest Service will or can protect natural values without formal wilderness designations. Part of this reassessment must include formal backcountry recommendations without mineral development, ORV use or uneven-aged timber management practices.

I have (and had) confidence in folks like Hamre and many present Forest Service employees. Many of Hamre's suggestions verge on this new "mission." Whether the agency can respond and undo this Administration's knot is yet to be seen. Until it does the appeals will increase and the solutions will become even more confused.

Dick Carter
Utah Wilderness Association
Salt Lake City, UT

Oh! Weatherby (with apologies to Sir Walter Scott's *Lochinvar*)

Oh! Young Weatherby is come out of the West,
Here is his passion, it brings out his best.
And save his good backpack, he gadgets has none,
He hikes all alone and he kayaks for fun.
But when told of danger to a Wilderness free,
He determined to fight, did Young Weatherby.

He stayed not for McClure, he stopped not for Reagan,
He swam the Snake River where bridge there was none.
But ere he alighted at BLM's gate,
They had consented, for the gallant came late.
Laggards in wildlife, dastards in vegetation,
Were to mine Wilderness and damn reclamation!

Boldly he strode into the BLM hall,
Among bureaucrats, miners, loggers, and all.
The craven developers hid 'tween their legs,
When up spake the hearing boss, hands on his regs:
'Oh come ye in peace or come ye in perfidy,
Or to sneer at our permitting, young Weatherby?'

I long wooed your forest, my suit you did doff,
Love swells like the snowpack, but ebbs like run-off.
Now I am come with this lost love of mine,



To quote from HCN a very short line.
There are lands in Alaska less sullied, you bet,
That will gladly be home to this hiker and ferret.

So the hearing boss said yes, BLM unwound,
And young Weatherby took the podium with a bound.
So stately his form, and so steady his pace,
That never a hearing such a gallant did grace.
The BLM fretted, the Forest Service scuffed,
The firms sat dangling all their permits and stuff.
For the public whispered, 'twould be a pity,
Not to match our Wilderness to Young Weatherby.'

And then it happened: HCN told the tale,
The public read the facts, and did loudly wail;
The permits were pulled, the agency caved in,
Birds, deer, fish, people -- they all did win.

There was noise from Carl Bagge of the giant coal clan,
AMAX and Amoco, they rode and they ran.
There was lobbying and suing throughout all the land,
But the vast Wilderness -- they had to unhand.
Oh! Young Weatherby is come out of the West,
The West is his passion, to save it his test.

Give a gift of HCN... Let your friends and relatives follow the adventures of all the West's Weatherbys in 1984

MAIL TO: BOX 1090, PAONIA, CO 81428

Send a gift card in the name below.

Name _____
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Send my first gift [at \$18] to:

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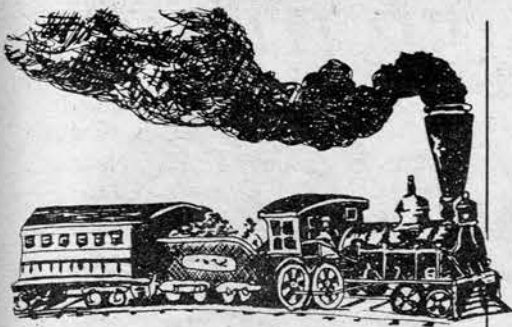
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BULLETIN BOARD



GRAND CANYON CHOO CHOO

Grand Canyon National Park is seeking public comment on an Environmental Assessment for the Grand Canyon Line, a proposed, scenic steam locomotive rail passenger service to the South Rim of Grand Canyon National Park from Williams, Arizona, 60 miles to the south. The assessment identifies possible impacts on resources and existing services. Impact mitigation measures are also identified. After reviewing public comment the park will decide whether to have public meetings. Copies of the Environmental Assessment are available from the Grand Canyon National Park's Division of Resource Management and Planning, Box 129, Grand Canyon, AZ 86023. Comments are due January 1. For more information, call Steve Hadapp, Chief, Division of Resources Management and Planning, 602/638-7787.

BALDY PEAK DEIS

The Bureau of Land Management has released a draft Environmental Assessment on the proposed Baldy Peak timber sale between Gunnison and Montrose, Colorado. The proposed sale involves the harvest of about 1.5 million board feet of Englemann spruce and subalpine fir. For a copy of the DEIS write the Gunnison Resource Area Office, 2505 South Townsend Ave., Montrose, CO 81401. Submit comments by December 21 to the same address.

COLOR ME RAPTOR

If your child doesn't know the difference between the rough-legged hawk and the ferruginous hawk, then drop *Eagles, Hawks, Falcons and Owls of America* and a box of colored pencils on his or her table. In case you don't have a good bird guide at home, this coloring book has small color photos of the 44 species so he or she will know how to fill in the outline drawings. The drawings are too detailed to give a small child much pleasure, but older children may enjoy the book, which is illustrated by Donald L. Malick with text by Frances Hamerstrom.

Roberts-Rinehard Publishers, Box 3161, Boulder, CO 80303. \$3.95.

EFFORTS TO HELP THE HUNGRY

A grassroots effort is underway in southwest Wyoming to help people in North Africa faced with starvation. Called the Southwest Wyoming African Famine Fund, the effort is spearheaded by local business, civic and religious organizations in Kemmerer. One fund-raising event occurs December 19 on local station KMER-AM in Kemmerer when an entire day will be spent gathering contributions. Information on the program is available toll-free in-state at 1-800-442-9004 or out of state at 307/877-4422. Money may be sent directly to Box 432, African Famine Fund, Kemmerer, WY 83101. Money raised will go to the Catholic Relief Service, Lutheran World Service and Church World Services.

A SUBURBAN PORTFOLIO

Our Lives and Our Children is a 96-page book of photographs by Robert Adams. All were taken near the Rocky Flats Nuclear Arsenal plant in the Denver area, and the mostly depressed looking people are meant to symbolize the pall nuclear weapons cast over America. For all the connection to Rocky Flats, it could as well be a commercial for Weight Watchers, a primer on the dangers of poor posture, a plea for more smiles, or an illustration of why everyone in the book needs a get-away vacation in the Caribbean. On the other hand, photography critic Andy Grundberg of *The New York Times* writes: "The fierce, astonishing beauty of these photographs stems from the precise moral vision of their maker."

Aperture, P.O. Box M, Millerton, NY 12546. Paper: \$12.50. 74 black and white photos.

COPING WITH THE CORPS

How to Cope with the Corps, a new book from Ecopress, tells people how to find out what the Army Corps of Engineers is up to and how to affect its proposed water projects. Authors are Marvin Zeldin and W. Carlyle Blakeney, Jr., and the book sells for \$5 from Ecopress, Box 786, Charleston, SC 29402.

STEPHEN T. MATHER AWARD

The National Parks and Conservation Association is accepting nominations for the Stephen T. Mather Award for a public employee working in the field of natural resource management and protection. The award seeks to recognize people who have demonstrated initiative and resourcefulness in promoting environmental protection; who have taken direct action where others have hesitated; and who have risked their jobs and careers while upholding strong environmental principles. Any public employee at any governmental level in any governmental agency is eligible. The national winner will receive \$1000 and a framed certificate of award. Seven regional finalists will receive certificates of recognition. The winner and finalists will be selected by mid May, and if the winner or finalists believes that publicity would be harmful, no publicity will be arranged. Send nominations (no self nominations accepted) to the Mather Award Coordinator, NPCA, 1701 18th St. NW, Washington, D.C. 20009 by March 1. Nominations should not exceed three single-spaced typed pages. Stephen T. Mather, for whom the award is named, was the first director of the National Park Service and earned a reputation as a strong defender of our national parks.

TRAPPING HANDBOOK

Defenders of Wildlife has published a handbook which rebuts the claims frequently made in defense of trapping. "Changing U.S. Trapping Policy: A Handbook for Activists" discusses trapping for disease and predator control and as a tool for wildlife management. Suggestions are offered for activists who want to launch local campaigns against the steel-jaw leghold trap. For copies, write Handbook, Defenders of Wildlife, 1244 Nineteenth St. NW, Washington, D.C. 20036. Enclose \$1 per copy for postage and handling.



BAN ON LEAD SHOT

The Wyoming Game and Fish Commission has recommended to the Wyoming Game and Fish Department that a plan be implemented prohibiting the use of lead shot in the state by the 1986-87 hunting season. The department is taking public comment on the non-toxic shot proposal and will present it to hunters at the annual game bird public meeting next June. Lead poisoning has been found in waterfowl in Goshute County and in a bald eagle in Teton County. Game and Fish Officials found over 52,000 lead pellets per acre at the Springer Wildlife Habitat Unit near Torrington. The threshold for lead shot poisoning die-offs for waterfowl is about 20,000 pellets per acre. Nationwide, the National Wildlife Federation has asked the U.S. Fish and Wildlife Service to ban the use of lead shot starting next September in national wildlife refuges. The federation says it can document at least one case of lead poisoning in each of the refuges, and 36 cases in which bald eagles have died after preying on waterfowl wounded by the pellets.

OIL SHALE SYMPOSIUM

Two 2 1/2-day seminars on oil shale and synthetic fuel resources in the United States will be held this spring at the Colorado School of Mines in Golden, Colorado. Three categories of oil shale will be examined: oil mining and tar sands; synthetic fuels, including gilsonite; and miscellaneous synthetic fuel sources such as biomass conversion. Papers are invited in these categories addressing the general topics of geology and exploration, development, mining, and extraction processing, marketing, environmental and socioeconomic impacts, financing and research. Abstracts must be received by January 1. Dates for the symposium are April 22-24. For more information, call Dr. James Gary, Chemical Engineering and Petroleum Refining Department, 303/273-3950.

BOUGHT AND PAID FOR

If you are insecure about America now, reading Gregg Easterbrook's "What's wrong with Congress" in the December 1984 *Atlantic* will set you to shaking. Easterbrook writes that the committee structure of Congress, aggravated by an unworkable budget system and relatively low pay (\$72,600 for senators and representatives), has made Congress sitting ducks for every special interest totting a PAC. The writer suggests reforms, reforms that leaders of both houses appear to favor. Typical of those seeking institutional change are Senate Whip Alan Simpson (R-WY), who recently criticized the lobbyists who "sit at their computer terminals and pull the triggers that bombard us with mail while we just sit here like boobies."

ENVIRONMENTAL OPPORTUNITIES

Environmental Opportunities is a listing of just that. The 16-page publication is put out by the Environmental Studies Department of the Antioch/New England Graduate School and contains job listings and internship opportunities at environmental organizations all over the country. Subscriptions are six months for \$20, \$36 for one year and \$3.50 for a single copy. Write *Environmental Opportunities*, Box 670, Walpole, NH 03608.

GREENER PASTURES

Is the grass always greener on the other side of the fence? Wyoming author Alfred Shattuck's *The Greener Pastures Relocation Guide* will help you find out. This handy guide is aimed toward the person contemplating a geographic move, and evaluates all 50 states according to ten different criteria: climate, topography, types of people, tax advantages and disadvantages, financial status, health matters, criminal activity, and quality of life. The 212-page book contains a ton of statistics, ranging from groundwater hardness to religious affiliations of the state. The author does not say where the best place to live is, but the fact that he lives in Wyoming must speak for itself. The book is available for \$9.95 from Prentice-Hall, Inc., Englewood Cliffs, New Jersey 07632.

MEDICINE BOW FOREST PLAN

The proposed Land and Resource Management Plan for Wyoming's Medicine Bow National Forest and Thunder Basin National Grassland, and a Draft Environmental Impact Statement, are available for public review. A summary document has been prepared for general distribution. The forest plan and DEIS will guide management of the forest and grassland through the year 2030. Send comments to, or request copies from, the Forest Supervisor's Office, Medicine Bow National Forest, 605 Skyline Drive, Laramie, WY 82070 (307/745-8971).



THE CASE OF THE \$9,600 WRENCH

Eighty-six cases of unbelievable prices paid by the Defense Department to its contractors are documented in a booklet called *Nuts and Bolts of the Pentagon: A Spare Parts Catalog*. It was compiled by the Center on Budget and Policy Priorities, and it's available for \$5 from Defense Budget Project, 236 Massachusetts Ave. NE, Suite 301, Washington, D.C. 20002.



CHANGES IN FEDERAL COAL LEASING

As a result of the Linowes Commission report on leasing federal coal at fair market prices, the Bureau of Land Management has recommended more regulatory changes in its bidding procedures. One suggestion, for example, would replace the term preferred alternative with the term proposed action "to avoid any public perception that a premature decision had been made." For information about the proposed new rules, which were published in the Federal Register on November 5, write before January 4, 1985 to Director (140), Bureau of Land Management, 1800 C St. NW, Washington, D.C. 20240.

WILDLIFE TECHNOLOGY SYMPOSIUM

A symposium on the Management of impacted western wildlife will be held in February by the Thorne Ecological Institute, a non-profit ecological research and education group based in Boulder, Colorado. The symposium will provide a forum for people from industry, government, academia, and consulting and conservation organizations. It will address such topics as responses of wildlife to human activity, regional approaches to habitat mitigation, methods for determining impacts to wildlife resources and economic valuations of wildlife. The dates are February 4-6 at the Hotel Colorado in Glenwood Springs, Colorado. For information write or call Robert Comer, Thorne Ecological Institute, 4860 Riverbend Road, Boulder, CO 80301, or call 303/443-7325.

WYOMING MINING UPDATE

Basic facts about the status of mining and associated industries in Wyoming are available from the state's economic planning and development department. John Goodier, chief of mineral development, has done a 1984 update on each existing, proposed, potential, "or rumored development about which concrete could be discovered." Development includes coal, uranium, beryllium, power plants, refineries, gas plants, synthetic fuels and trona, but not oil and gas drilling. The information provided includes the status of permits, production levels, and name and address of management. Questions, comments and corrections should be sent to the Mineral Division of the Department of Economic Planning and Development, Herschler Building, Cheyenne, WY 82002 or call 307/777-7361.

FIGHTING FIRES ON THE NATIONAL FORESTS

Trimotor and Trail by retired National Forest Service employee Earl Cooley recounts the pioneer days of smokejumping into forest fires in the Montana region. It includes a lengthy account of the Mann Gulch fire on the Helena National Forest, which killed 13 young firefighters in 1949. Along the way, the book relates the life of a more or less typical Forest Service employee in the 1940s and 1950s with an interesting specialty.

Mountain Press Publishing Company, P.O. Box 2399, Missoula, MT 59806. Cloth: \$14.85. 228 pages. Illustrated with maps, photos and sketches.

MEETING ON NEW OIL AND GAS REGULATIONS

The Bureau of Land Management will hold two public meetings on regulations required by the Oil and Gas Royalty Management Act. Both meetings will discuss the history of new legal requirements for production and royalty accounting of federal oil and gas, and the possible impacts on oil and gas leases and operation. The intent of the 1982 act was to provide greater accountability from industry, prevent theft, and assure accurate royalty collections. The first meeting will be held December 11 at 9 A.M. in Rock Springs, Wyoming at the Rocky Springs Quality Inn. If you plan to attend, call 307/382-5350. The second meeting will be in Casper, Wyoming at the Holiday Inn on December 13 at 10 A.M. Call 307/261-5101 if you plan to attend.

GUEST ESSAY

This guy found Oregon to be, you know, trivial

by Dan Whipple

There are those who say that people move from the Rockies to the Pacific Northwest so that they can be closer to the dock when their ship comes in. Maybe, but I find it more curious that so many of us move to the coast, decide we don't like it and return bedraggled to the land of snow plows and Coors beer.

It can't be the beer. As a friend of mine, a teacher, once succinctly put it, "It isn't Coors politics I object to so much, it's their beer. It tastes like elk piss."

Maybe they miss the snow plows. I have some personal experience in this matter, having just returned to the Rockies (well, to Montana, which is almost the same thing) after spending a year in Eugene, Oregon. I won't go into the motives which inspired this move to the great Northwest, except to say that it seemed like a good idea at the time.

If you mention Oregon to the average Wyomingite, you can bet your first-born son that the next sentence out of his or her mouth is going to have something to do with rain. Like, "It rains a lot there, doesn't it?" or "I had an uncle in Eugene once, but he drowned waiting for a bus." Things like that.

The Chamber of Commerce perennially puts out pamphlets with four color charts and graphics that attempt to show that Eugene has less annual precipitation than Ogunquit, Maine, or Hoolehua, Hawaii. But they aren't fooling anybody. Other places may get more water, but for sheer dismal, oppressive winter weather, no place can touch it. In December, there is an annual average of two cloudless days. And I'm from Lander, Wyoming, a place in which there are an average of 356 sunny days per year. No kidding.

But having said all that and made the requisite jokes about the rain, I hasten to point out that the weather isn't the problem. Sure, it rains (and rains... and rains...) but you can stand that. In fact, it has significant compensations. The countryside is lush and green. The rivers are swift, wide and full of fish. There are excellent locally grown wines and wine-tasting rooms with free drinks. There are nearly naked joggers. You can go to lots of movies and they have Alfred Hitchcock retrospectives. There is PAC-10 basketball, a large comics section in the newspaper and two (count 'em, two) liberal Republican senators. You are 50 miles from the coast, 50 miles from the mountains and the skiing is good -- not as good as Togwotee Pass, but good.

So, you ask, what is the problem? The problems are two: Trivial Pursuit and dental assistants. We will consider these in the order named.

Trivial Pursuit, as you probably know, is a board game that is relentlessly popular among a certain class of people. It is enjoying enormous success in the board game world, and all of the stores in Eugene were sold out of them for months, with hundreds on back order. They are harder to find than Democrats at a rodeo. (By way of parenthesis, I will note here that there is a stack of ten TP games gathering dust on the shelves of the Coast to Coast store in Lander, Wyoming.)

In my Rocky Mountain experience, successful parties had a certain pace and timing that allowed people to mingle, get acquainted, flirt, discuss weighty issues, and eat dinner. Then perhaps later, a board game came out, a deck of cards,



musical instruments, or charades was organized.

Not in Oregon. Immediately after shaking hands with the host and hostess at one party, the Trivial Pursuit game was unpacked. Worse, there were about 36 people who had to be incorporated into the contest. The organizing of 36 people into six teams under the direction of three actors stoned to the gills on marijuana took about 45 minutes. Once this task was finally accomplished, the announcement was made that dinner was ready, so, naturally enough, the players who were not Trivial Pursuit fanatics wandered off into other rooms to eat their dinner. The fanatics were irritated that their partners were unconcerned about the fate of the alliance. It took about 15 minutes to answer each question as players were screaming into the dining room, "What's the largest lake in Africa?" "What group was *Times* Man-of-the-Year in 1967?" The answers elicited were usually wrong anyway. These people didn't even know whose turn it was, much less who was vice president during Lincoln's first term.

After about an hour of this, one of the organizers thought that things would go faster if there were only three teams instead of six. There was an argument about this, but the revisionists won out and the restructuring got under way. Seeing that it was likely to take about twice as long as the original effort, I left.

People in Oregon take Trivial Pursuit very seriously. The assumption is that if a person has all of this completely insignificant information tucked away in the lower recesses of his brain, he must also have plenty of more important information available at the higher levels. This is not necessarily true. So, the first reason that Rocky Mountain residents move back home from the Pacific Northwest is that we do not confuse facility at Trivial Pursuit with intelligence.

Let's see, where was I? Oh, yes, dental assistants. I visited the dentist while in Eugene. This dentist had a very attractive dental assistant who unlimbered my chair and tilted me back so that I could look up at the ceiling at an attractive dayglo poster of Noah's Ark. The dentist was not quite ready for me, as seems to frequently be the case with dentists. So while we waited for the novocaine and nitrous oxide to take effect, the dental assistant and I discussed the relative merits of various places we had lived.

And it so happened that this dental assistant

had once lived in Grand Junction, Colorado. "I'm a native Eugenean," she said, "but I got a job in an electronic parts assembly place in Grand Junction. I didn't feel free there. I just didn't fit in. I like to do my own thing, you know, and the other women there wouldn't let me be myself. They were kind of redneck and made cracks about the way I wore my hair or how I dressed. I felt like you had to fit into their mold or they wouldn't accept you. So, I finally moved back here. I think people here are more accepting, you know, give you more space to do your own thing."

Apart from being constitutionally incapable of dealing with people who say things like "do my own thing" and "find my own space," I was astonished at how complete a reversal this experience was from my own. I, too, like to do my own thing. And I also get cracks occasionally about the way I wear my hair (back when I had hair) and my clothes. And, most people I ran into had a more conservative political outlook than I do. They still do. Folks would give me a hard time, make some jokes at my expense. But they didn't seem to take it very seriously and, as long as you showed a sense of humor, we'd always end up drinking a beer together and they'd help me get my car started when it was 40 below. I think this Rocky Mountain friendliness is partly due to the fact that there simply aren't as many people to be friendly with, so you don't want to alienate potential future friends just because someone happens to think that Richard Nixon was a great president.

Furthermore, it seems to me that the "mold" into which a person had to fit in Oregon was even more rigid and confining than the "redneck" one that my dental assistant acquaintance accused us of. True, the Oregon mold was a liberal one, rather than a cowboy one, but there was considerable subliminal pressure to be "politically correct."

So, the second reason that we mountain folk move back to the Rockies from the Northwest is that those of us who really want our space want a lot of it. All those trees and liberals make us claustrophobic. There you have it, the real reasons that the Pacific Northwest is not as terrific as it looks on the map. Remember, you heard it here first.

Dan Whipple is a former editor of *High Country News*, who likes living in Missoula, Montana.

LETTERS

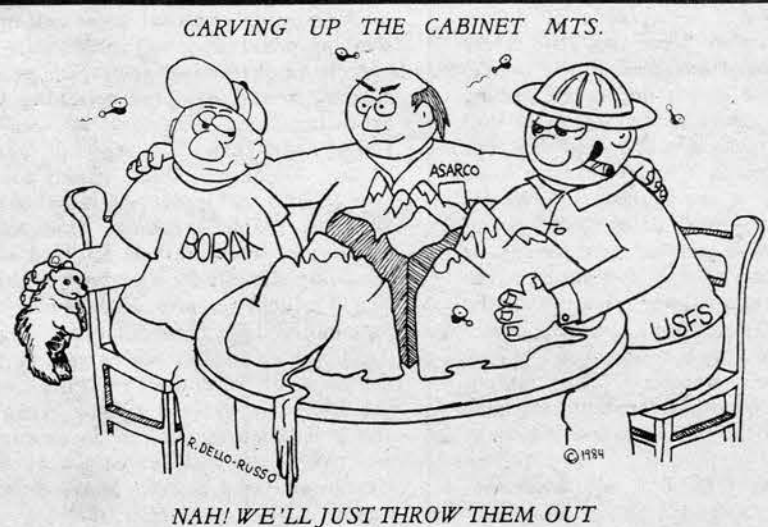
OUTRAGED ON BEHALF OF BEARS

Dear HCN,

I am pleased that your publication has produced an informative article on the plight of the grizzly bear in the Yellowstone ecosystem (October 29, Opinion by Tony Povilis). However, I would like to bring to light, by way of a cartoon, the plight of a small (approximately 12) and rapidly diminishing population of grizzly bears in the Cabinet Mts. Wilderness of northwest Montana.

While some folks feel they are doomed -- the bears are not a viable number, range is too small, too many impacts -- and while this may eventually become true, I am outraged by the seeming lack of attention for these bears. The Cabinet Wilderness situation represents on a small scale a possible future scenario for the Northern Rockies grizzlies in general, if people don't wake up soon and act.

Sincerely,

Robert Dello-Russo
Heron, MT

REPORTER'S NOTEBOOK

The *New Yorker* shows its red neck

When *One Day in the Life of Ivan Denisovich* burst on the Soviet Union, Moscow literati were shocked to discover that its writer was a man who dressed and looked like a country bumpkin, and whose 'country home' was his only home.

But the Soviets, in the early 1960s at least, had the sense to overlook Alexander Solzhenitsyn's lack of style and of a proper address, and acclaimed him as a great artist and brave man. Unfortunately for us, however, America's own urban intelligentsia are not similarly willing to look beyond style to substance.

That at least is my conclusion after seeing Jessica Lange and Sam Shepard in *Country* and then reading the review of it in the *New Yorker*, a magazine so perfectly edited it needs neither a letter to the editor column nor a section for correction. Fittingly, in the person of Pauline Kael, the *New Yorker* has a reviewer who is also omnipotent.

That omnipotence is seen in her review of *Country*. Her major quarrel with the movie is the failure of the farmer (Sam Shepard), who is about to be foreclosed on, to fight back. Kael knows his passivity is unnatural:

"There was considerable television coverage of the farm liquidations and foreclosures that took place in 1982, and the farmers weren't taking it lying down. They were lively and angry: they had personalities, and they were using all their resources to fight back."

So thanks to Network Television, Kael knows that farmers fight back, and don't take foreclosures lying down. Dan Rather never showed her any farmer hitting the bottle and giving up when the foreclosure notice arrived, so the Lange-Shepard movie must be bull.

When country people judge the big city on the basis of television's portrayal of riots and rapes, they are hooted at. But Kael, writing for a prestigious magazine, can claim to understand the behavior of farmers on the basis of what she sees on the nightly news, and the *New Yorker* editors let that silliness go into print as film criticism.

Even worse, the paragraph based on her TV viewing is the most grounded part of the review. At least in that paragraph she is attempting to marshal facts. In other places, she seems to deliberately misunderstand what the film shows.

In one scene, the brain damaged son of a farmer is enraged when men begin carting off his father's foreclosed-on sheep, and he attacks a deputy sheriff. The motivation for the attack was perfectly clear from the film. But Kael interprets his attack as a reaction to the use of prods on the animals. Having misinterpreted what she saw, she then mocks the film: "In movies, only bad guys prod animals."

In addition to distortion, she indulges in snideness, writing of "brain damage as a moral force," and

suggesting that "Watching them (the actors), you may find yourself muttering, 'granola, granola.'"

Country is not perfect. It has its hokey scenes, especially those involving a Farmers Home Administration bureaucrat with a heart of gold. But it is an accurate, moving portrayal of the plight of many farmers and ranchers. We saw the movie at the urging of a rancher we know, who said that almost all her neighbors were under orders from lenders to sell cattle and land or face foreclosure. Despite the fact that the ranching industry in our area is literally being liquidated, there has been nothing in the local press, no demonstrations, no coverage by CBS, no signs that an era is ending. From what we see every day, there is nothing unrealistic about the way Sam Shepard took the foreclosure notice.

The quiet with which agriculture is going to the gallows is partly because they are overwhelmed by the many bad economic years they have faced. And it is partly due to the fact that although agricultural people may nominally control several million dollars in assets, many of them do not have the same personal resources as a main street businessman or small factory owner with a similar level of assets.

Many farmers are basically blue collar working people, whose wives do the 'management' on the kitchen table, as Jessica Lange does. To a large extent, they depend on their

bankers, Farmers Home and Extension Service bureaucrats and accountants for management expertise. When that expertise abandons them, as it has done in the last few years, they often lack the experience and expertise to fight back.

This is one point of the movie. It portrays how the larger urban system is turning on the farmer. And what Kael's review shows is that the turning is not only economic, but also cultural.

Her review comes at a time when an unfortunate form of cowboy-hatted ruralism is ascendant in the person of President Reagan and his allies. And the review appears to be provoked by this ascendancy; she spends much of it mocking the film, because the characters dress plainly, watch football on TV on Sunday after church (a double transgression), and dance "in the courtly way country folks have been doing for decades."

We suppose rural values will always raise the vestigial hair on the necks of city folks. And there are different political and cultural values that make it difficult for city and country people to understand each other. Living in the country, we are often angered at the way rural people, out of their own fear and hostility, brand and distort urban values and urban ways of life. But if we would expect to find those differences understood and transcended anywhere, it would be in the *New Yorker*.

Instead, Kael gives in to a reflexive hostility to things rural, and trashes a moving and accurate movie with a thoughtless and shocking viciousness.

—Ed Marston

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WHAT DO ENVIRONMENTALISTS REALLY WANT?



A self-regulating way to protect the forests

by Randal O'Toole

After working as a professional environmentalist for over ten years, I have come to the conclusion that environmentalists don't know what they want. They certainly know what they don't want, but what they think they want instead often turns out to be worse than what they've got.

National Forest planning is a good example. In protests against Forest Service timber management, environmentalists have consistently maintained that a sound planning process open to public involvement would greatly improve the national forests. Taking us at our word, Congress mandated such a process in 1976. As a result the Forest Service is completely bogged down in a quagmire of bureaucracy which threatens to destroy one of the best agencies the Federal Government ever created.

On a larger scale, environmentalists are opposed to letting the private sector determine how natural resources are managed. Yet our form of government has proved to be totally inefficient in its handling of natural resources.

Traditionally, democracies solve problems by creating a new agency composed of idealistic men and women with broad powers to address an issue. But soon the idealists become or are replaced by seasoned bureaucrats whose main goal is to maximize their budgets. The bureaucrats quickly identify their constituency and develop them into strong political supporters.

Thus we have the Bureau of Reclamation, whose early projects contributed greatly to the nation's agricultural economy, now pushing the multi-billion-dollar Garrison Diversion in North

Dakota, which will harm more farmers than it will help. The Colorado Highway Department, beyond all sense and reason, is destroying beautiful Glenwood Canyon to build a needless four-lane interstate highway. And of course the Forest Service is losing scores of millions of dollars a year to subsidize the central and southern Rocky Mountain timber industry. Needless to say, none of these destructive projects would be undertaken by private industry.

In short, agencies created to enhance the human environment have turned into monsters gobbling it up for the sole benefit of their budgets and prestige. The projects in which they engage seem designed to have the greatest possible dollar and environmental costs, because that makes their budgets and prestige all the greater.

In their most ingenious moments, environmentalists have thought of creating agencies dedicated to their own goals. But ultimately the Environmental Protection Agency and other conservation bureaus will become monsters favoring activities which maximize their budgets. These activities are most likely to be counter to environmentalist goals.

I submit that what environmentalists want is not a new agency but a set of institutions designed to automatically correct environmental problems. Environmental careers may be fascinating, but frankly most of us would rather be backpacking, boating, hunting, or fishing. Just as no one bothers to think about whether there will be enough groceries at the supermarket to fill their refrigerators, no one should have to think about whether the air is clean or if there will be fish to catch.

Environmentalists should listen to the ideas of the people who call themselves the New Resource Economists, also known as the privatizers. It is their goal to promote institutions which will promote environmental protection without huge bureaucracies and pork barrel catastrophes. While environmentalists may never approve of selling the public lands, the New Resource Economists have many other valid ideas which could be used to solve these problems.

This December, Cascade Holistic Economic Consultants (CHEC) will sponsor a National Forest Mission Symposium to examine the appropriate role and mission of the Forest Service. We are inviting New Resource Economists and representatives of many other views to put their heads together and see if the controversies plaguing public forest management can be solved without the huge expenditure of dollars now being made. At the same time, the symposium will review public involvement in forest management and see how forest managers and forest users can work together as partners rather than enemies. Instead of closing their minds to any set of ideas, environmentalists should free themselves from the bureaucratic-regulatory thinking that now pervades the movement. Our ultimate goal is not to put anyone out of business or to restrict any federal agency, but to make the West a place in which we can be proud to live.

Randal O'Toole has been working on public forest management issues since 1973; in 1975 he started Cascade Holistic Economic Consultants, which publishes *Forest Planning* in Eugene, OR. 81402; (303) 249-1978.

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