

High Country News

Vol. 17 No. 13

July 8, 1985

A Paper for People who Care about the West

One Dollar

A fruitgrower falls prey to his poisonous sprays

by Candi Harper

“An awakening” is the way Paonia orchardist Harvey Baer describes the change in attitude toward pesticide dangers that has swept through the fruit-growing North Fork Valley in Delta County, Colorado.

At the annual January meeting of the Western Horticultural Society in Grand Junction, Baer and more than 200 of his fellow growers heard Dorsey Chism of Hotchkiss describe in grotesque detail the pesticide poisoning that had almost taken his life.

Less than six months later, on June 15, Dorsey “Red” Chism died from complications of the chronic pesticide poisoning he described to fruit growers.

“It could happen to you,” Dorsey croaked again and again from the speakers’ platform he shared with his wife, Carolyn, his physician, Dr. Harold Whitcomb of Aspen and Dr. Eldon Savage, a professor of environmental health at Colorado State University in Fort Collins, Colorado. Pesticide poisonings are not rare. In *America: The Poisoned*, Lewis Regenstein reports that at least 100,000 cases occur in this country each year. Rare, however, are personal accounts of the consequences of a poisoning such as the story the Chisms shared with fellow orchardists.

“I spend half my life hooked to an oxygen-enriching machine,” rasped Dorsey. “I sleep with it every night, but the thought of spending half of the rest of my life tied to that machine is almost intolerable.”

Chism’s lungs were permanently impaired from the Diazinon, Guthion and Thiodan he used to combat the codling moth -- the pest that puts the worm in the apple. He was doubly poisoned with paraquat, which he used as an herbicide around young trees.

Chism’s case demonstrates how far removed agriculture is from the healthy outdoor activity most of us conjure up when we think of life on the farm. Except for a very few organic growers, all fruitgrowers use the same highly toxic organophosphate pesticides to produce blemish-free, bright-red, plastic-looking apples we buy in the store.

Dorsey admitted that he knew caution should be used with pesticide sprays. “After spraying you should take your clothes off and bathe immediately. I knew that,” he confessed, “but I didn’t always do it.” He usually sprayed in the morning before the wind blew up. He quit when it got hot or windy, but he often went on to his other chores without going into the house to bathe. He even admitted not wearing a protective



Harvey Baer, ready to spray

respirator when spraying during the hottest summer days.

“The sweat gets to dripping down inside the respirator, which is very uncomfortable; it’s hard to breathe through one of those things,” he said, “but, of course, not as hard as it is to breathe now.”

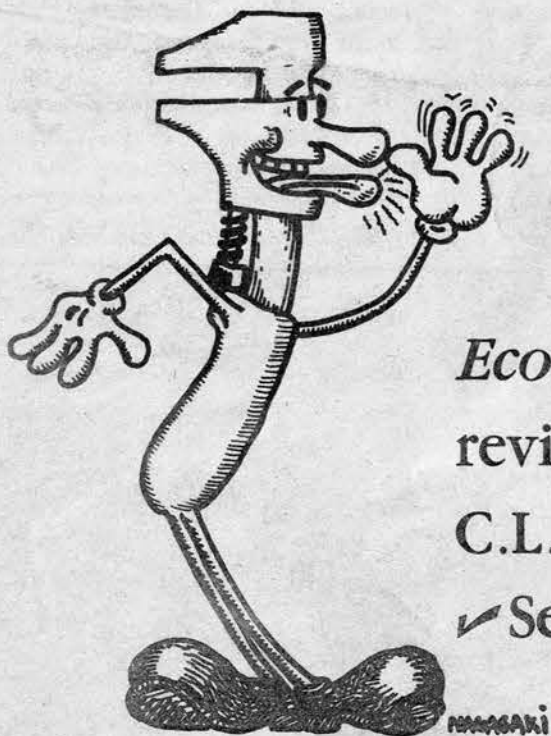
Carolyn Chism told the fruitgrowers that her husband had trouble breathing and had been

diagnosed as having emphysema five years ago. He quit smoking cigarettes, but still his condition worsened. About the same time as the emphysema diagnosis, the Chisms bought a new concentrate sprayer, so instead of diluting pesticides in a large 500-gallon tank of water, he sprayed a much more concentrated solution.

Since her husband’s brush with

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Coyotes:
Target of 1080
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Ecodefense,
reviewed by
C.L. Rawlins
✓ See page 14

Len Rue, Jr., Defenders of Wildlife



WESTERN ROUNDUP

Soon, nothing will be known about acid rain

Officially, the annual meeting of the Wyoming Outdoor Council June 15 was about acid rain. But the unifying thread that ran through the day was politics.

Wyoming is a small state, and that means most people and most issues are linked. So when keynote speaker Richard Cheney, the conservative Republican who is the state's sole congressman, received a standing ovation from the conservationists gathered in Jackson's stately Wort Hotel, it was natural that he attempt a little coalition building.

The Public Range Land Improvement Act expires in 1985, he said, "and we need a unified Wyoming position... What's in danger of occurring is a confrontation between the conservation community, which is proposing harsh, strident measures, and the livestock industry."

Without the ranchers and sheepmen, he said, Wyoming would not be Wyoming, and so the entire state has a stake in their survival. "Consider whether you can find it in your hearts to support a straight extension of the law. It would be a magnanimous act." Cheney was speaking to the audience as individuals; under president John Barlow, a rancher, WOC had already endorsed Cheney's position.

Cheney did not come to WOC empty-handed. He and Congressman Morris Udall, D-Az, had just introduced a bill to reduce sulfur dioxide emitted in 31 Midwestern states by 10 million tons, to study the problem in the West and to seek agreements with Canada and Mexico.

The bill doesn't do things some would like: it doesn't deal with oxides of nitrogen, it doesn't address the Arizona smelters, it doesn't require anything to happen in the West but research and it doesn't have sponsors from outside the West.

But it is the first acid rain bill in the hopper, and its sponsorship announces that acid rain is also a Western issue. It is especially an issue for WOC. The group has put much effort into the permitting of the Exxon sour gas project in southwest Wyoming, and is watching existing SO₂ sources. Barlow especially, who ranches in the shadow of the Wind River Range in the Upper Green River Valley, has been concerned with the issue.

But at the June 15 meeting, he and other WOC members from the Upper Green were also concerned about another issue: the Forest Service's decision to allow Louisiana-Pacific to practice creative maintenance on the road over Union Pass (HCN,



Congressman Richard Cheney

6/24/1985). Residents had seen the nearly impassable road as a green Maginot Line, preventing L-P from using it to truck out trees to its Dubois mill over the range. The decision to improve the road outraged WOC, and members asked Cheney for help at the meeting.

Barlow said he was not sure Cheney would get involved. "He's unhappy at the extent he's been drawn into the day-to-day management of the Bridger-Teton." But the following week, Cheney asked the Forest Service to delay L-P's road work.

Two state legislators hijacked the meeting in another direction: the contentious severance tax on carbon dioxide reserves (HCN, 3/18/85). The gas flows out of the ground with methane and hydrogen sulfide at Exxon's sour gas project, and will be used to rejuvenate exhausted oil fields in South Dakota, California and Wyoming.

Representative Jim Barlow and Senator Tom Stroock, both independent oilmen from Casper, discussed the subject. Barlow, who was named Conservation Legislator of the Year, first expressed regrets that "I'm the best you have down there."

He then warned that Exxon and other firms might end up with an unhealthy amount of control over the Legislature because of the state's impact mitigation system. "Plant operators are having to negotiate with 45 boards and agencies. The companies are placed in the awkward position of having to pass out money beads and glass necklaces." That could affect lawmakers from the area. "It sets the stage for a legislature not in the best interests of the whole state."

Stroock, a member of the day's policy panel, said of CO₂: "You know

that Chevron, Amoco and Exxon are constructing gas processing plants. It concerns me that the three companies are trying to avoid paying severance taxes on huge amounts of natural gas."

Also on the policy panel was state senator John Turner, R-Teton County. After listening to the scientists' panel, he said, "It seems to me as a society we've been blindsided by science's need for data." Turner said he feared society would end up documenting but not preventing the death of the Upper Green River. "I think we know an awful lot already. We know that if acid deposition continues to increase, it will have a crushing effect on Wyoming's resources and way of life."

You couldn't have proved Turner's statements from the scientists. Dr. Jim Gibson, director of the National Atmospheric Deposition Program, receives data from 190 monitoring stations. But the longer the work goes on, he said, the less seems to be known. The simple equation of sulfur dioxide and nitrogen oxides acidifying lakes and forests is becoming blurred.

"It's unfortunate we called it acid rain. It should be called air pollution," he said. He also said that as the role of sulphates becomes better understood, "We almost don't need (to know) the pH."

Bo Stuart, hydrologist with the Bridger-Teton National Forest, said, "The best thing we can do with our pH meters is to tie rocks to them and throw them in the lake." His frustration, he said, came from the variability of lake pH readings from hour to hour.

Gibson said that a number of effects thought due to man-caused acid deposition are turning out to be natural variability. If old data about Eastern lakes are accurate, he said, the alkalinity of as many lakes has increased as has decreased.

Much of the discussion was general: the applicability of acid damage to Scandinavian lakes to Wind River lakes, the need to prevent damage in the West rather than wait until a cure was needed, the lack of data on high-altitude lakes because of their inaccessibility, and the need for at least 10 more years of research.

As it turned out, the most definitive statement of the day came from a politician and not a scientist. Although he couldn't guarantee that his bill would be the one, Cheney said flatly: "In the next few years, there will be an acid rain bill."

--Ed Marston



High Country News

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Dear friends,

Shown at right, adorned in HCN t-shirts, are some of those who sauntered up Paonia's Mt. Lamborn June 22.

Thanks to Michael Stewart and Bruce Gordon of the conservationists' air force, Project Lighthawk, for flying us and others to the annual meeting of the Wyoming Outdoor Council. (See above.) The outfit, which is based in Missoula, Santa Fe and Denver, now has two planes.

Finally, congratulations to Ray Ring (see his Grand Canyon noise story) on being named Arizona Journalist of the Year.

Hikers before Mount Lamborn climb



Forest planning can't stretch the resources

Despite good will, five years of work, \$1.5 million and 100 public meetings, the planning process on the Flathead National Forest in Montana is leading to the same results as those produced by more casual efforts: a pitched battle between conservationists and the timber industry.

Across the nation, 155 national forests are in the midst of or have completed plans to guide forest management in detail over the next 10 years and broadly over the next 50 years in grazing, timber and mineral production. They also outline how much recreation, wilderness, water and wildlife will be available to the public. Though the management plans are products of several years of work by professionals, most produced so far have been challenged through appeals or in the courts.

Because of an aggressive approach to public involvement, one forest thought to have a chance at bucking the inevitable criticism was the Flathead National Forest. The Forest Service allowed a coalition of conservationists access to its raw data and computers, and this enabled the group to develop one of the 16 alternatives analyzed in the draft forest plan released late last year.

But Dick Kuhl, chairman of the Flathead Chapter of the Montana Wilderness Association, an organization involved in forest planning, says his group is disturbed by the alternative favored by the Forest Service. It includes only a few of their recommendations for wildlife, water, old growth and wilderness, Kuhl says.

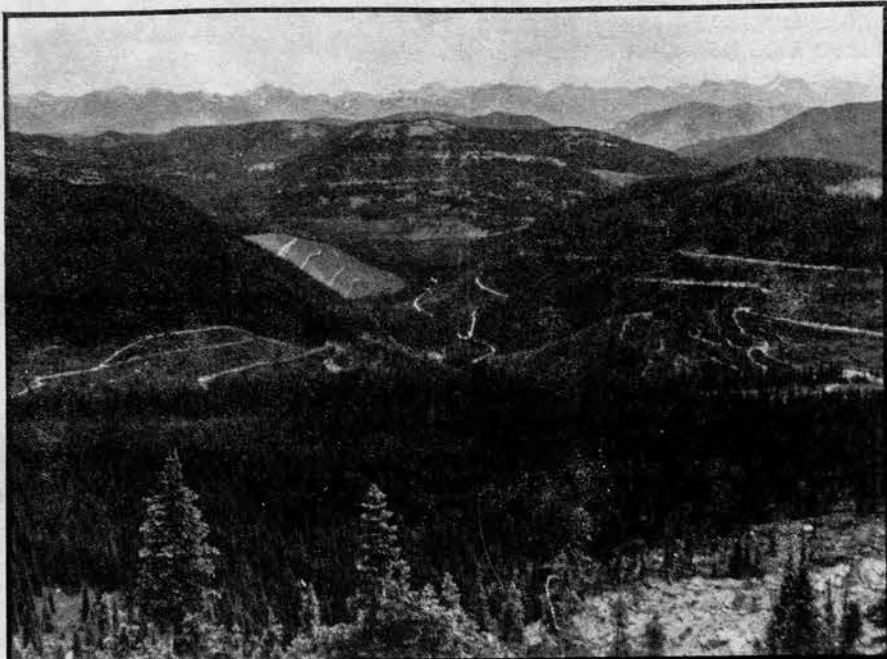
The timber industry doesn't like the plan any better. Timbermen didn't develop an alternative, but they did respond to calls for public involvement by outlining how much timber they wanted to cut yearly: 135 million board feet. The Forest Service recommendation is for 100 million board feet, which is 20 million more than the conservationist proposal.

Dennis Swift, a spokesman for Stoltze Lumber and Land Company in Columbia Falls, says: "We don't support any of the alternatives. We see problems with them all." He says that without at least 135 million board feet to offset decreasing production on private timberlands, Flathead Valley mills will be in trouble in the near future.

Industry blames wilderness and grizzly management recommendations for the lower harvest proposals. Dick Kuhl, armed with data from the analysis the conservationists did, disagrees. He says timbermen ignore the critical fact: that grizzly management and even the 250,000 acres of wilderness the conservationists propose have only a nominal effect on annual harvest levels. "Only one-sixth of our wilderness proposal is commercial forest."

Montana Wilderness Association Program Director and former Flathead Coalition President John Gatchell adds that "commercial forest" is a misleading term, defined as "practically anything with a tree on it." He says the conservationists' alternative would affect less than 1 percent of scheduled timber cuts for the next 20 years.

Out of the 495,000 acres of roadless country on the forest, conservationists propose wilderness for 240,000 acres; the Forest Service



Timbered North Fork area, Flathead National Forest

recommends 50,000 acres of new wilderness and the industry says there is already enough.

Warren Illi, planning staff officer on the Flathead, also disagrees with the industry argument. "The timber industry has taken an average of 101 million board feet annually off the forest in the past 10 years," says Illi. "Additionally, there are 450 million that are sold but still uncut. At 100 million a year, we figure the industry is okay for the immediate future. There will be no loss of jobs because of timber supply." Illi points out that if there is a timber supply crunch, it will be after the next 10 years, and the Forest Service has proposed increasing the harvest at that time.

Conservationists believe industry emphasizes wilderness and grizzly conflicts because they're emotional issues. But the push to reduce logging comes mainly from the public's demand to protect scenery, water, big-game winter range and old growth outside wilderness, Kuhl says. That is why there was widespread opposition to a recent proposal to log a sensitive scenic area in the Swan Range near Kalispell and Columbia Falls, he adds.

Both the Forest Service and the conservationists say they have not been able to make it clear that wilderness and grizzlies play only a small role in their proposed timber cuts. Also, many conservationists say the perception that forest planning can bridge differences between opposing interests ignores a critical point. There is not enough land and resources to satisfy everyone.

Speaking several months ago, a frustrated Dick Kuhl concluded that the planning process was too confusing to be a good vehicle for arriving at consensus. "I don't think most people around here care about forest planning. The Forest Service cooperated as well as it could, I suppose, given the constraints of the planning process. But because of its complexity and the unrealistic goal of integrating every resource on a whole forest into one document, planning is not easily grasped by the public," Kuhl said. "It comes down to the same interests battling it out on the same issues. Planning, I believe, is a failure."

--Bruce Farling

Tax dollars head west

"Like it or not, the federal government is a massive economic force," according to Howell Hovey, editor of a study of federal spending. That massive force appears to be working to the benefit of the West. The study by State Policy Reports calculated the difference between what the federal government spends in a state and what it collects in taxes.

Thanks to nuclear weapons manufacturing and other military spending, the biggest surplus was run up in New Mexico: \$1,983 per person in fiscal year 1984. The biggest deficits occurred in Illinois, \$1,161, and New Jersey, \$1,013. In addition to New Mexico, other Western states with positive federal fiscal balances were Utah, \$802, South Dakota, \$667, Arizona, \$522, California, \$395, Montana, \$376, Idaho, \$360, and Washington, \$205. The Pentagon budget is the major factor, but the calculations include welfare payments, highway grants, water projects, social security payments and so on. Western states with deficits in 1984 were Oregon, \$207, Colorado, \$325, and Wyoming, \$626.

The federally regulated flow of wealth has not gone unremarked. The

Northeast-Midwest Congressional Coalition has issued a study called the "Pentagon Tilt" which says twice as many defense dollars are spent in the South and West as in the Northeast and Midwest.

On a related front, Gov. Mario Cuomo, D-NY, charges that the removal of the federal tax deduction for state and local taxes will weaken states' ability to tax, and therefore to provide services the federal government has cut back on. It appears that the change will hurt the East more than the West. In addition, the removal of such tax breaks as the Investment Tax Credit will hurt heavy industry, mainly concentrated in the East, and favor service and related industries concentrated in the West.

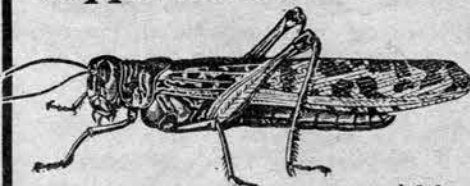
BARBS

Anything for a picture.

An angry black bear who chased a college student up a tree in northwestern Montana, chewed off his sneaker and then left him alone, was incited to return by the noise of a dropped lenscap when the student tried for a photograph.

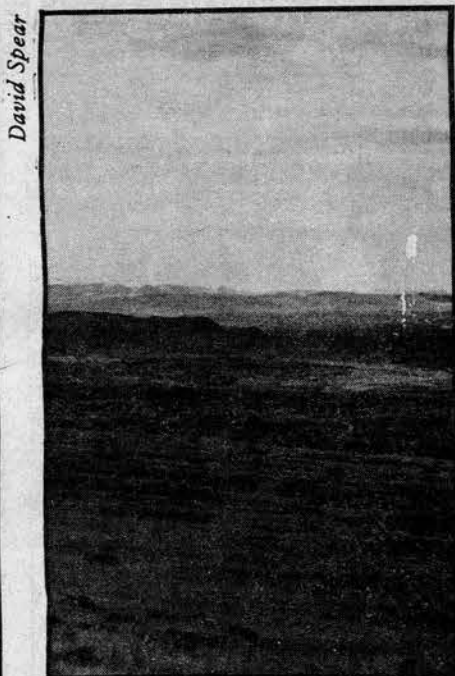
HOTLINE

Hopper attack



Emergency grasshopper and Mormon cricket spraying continues in western states from Texas to Montana. A relatively mild spring combined with warm and dry weather have brought the pests out earlier than usual and in far greater numbers than anticipated. \$15 million in federal emergency aid has financed recent applications of malathion and Sevin-4 oil to large tracts of infested land in southern Idaho, northern Wyoming, and parts of Utah and Colorado. While the U.S. Department of Agriculture, which oversees the spraying insists that environmental damage from these pesticides is minimal, they are complying with U.S. Fish and Wildlife Service requests to avoid spraying water sources. They have also created buffer zones around the habitats of some endangered species such as the Bruno Hotsprings (ID) Snail and the peregrine falcon. However, the 10-mile buffer zone around falcon aeries suggested by the U.S. Fish and Wildlife Service was reduced by the Department of Agriculture to one mile. The latter agency has yet to reply to Fish and Wildlife and Park Service suggestions about developing a comprehensive plan to address the issues of pest control and wildlife maintenance.

Toward a tidy basin



Powder River Basin

The Bureau of Land Management is tripling its efforts to resurvey northeastern Wyoming's oil and gas-rich Powder River Basin (HCN, 6/10/85). Though the agency has known of the confusion for years, the severity of the problem, which confuses oil lease management and accounting and land ownership, was only realized this spring. The BLM says over one-third of the 10,000-square-mile basin needs to be resurveyed. BLM Wyoming State Director Hilary Oden says that the resurvey will lead to changes in royalty payments and reclamation responsibilities, but that these changes will not be retroactive. The tripling of the survey staff next year, from two to six, should cut the originally estimated resurvey time of 22 years by two-thirds. The BLM hopes this will minimize exploration slowdowns.

BULLETIN BOARD

WILDERNESS MEETING

Wilderness researchers will meet, talk about their work and identify future research needs at a national conference in Fort Collins, Colorado, later this month. The meeting is sponsored by the American Wilderness Alliance, federal land management agencies, Colorado State University and Oregon State University. The dates are July 23-26. For more information on the National Wilderness Research Conference, contact Conference Services, CSU, Fort Collins, CO 80524.

SAN JUAN SYMPOSIUM

Western Colorado's Mesa College plans a symposium July 22 through August 21 to examine the history, geology and biology of the San Juan Mountains. The course includes a week-long jeep trip through the mountains near Ouray, Colorado, and may be taken for credit. For more information call Mesa College's School of Social and Behavioral Sciences, 303/248-1316.

MONTANA WILDLIFE FILMS

Schools and community organizations may borrow award-winning films that have been shown at the annual International Wildlife Film Festival at the University of Montana. For a list of the films available, call or write The International Wildlife Film Festival, Wildlife Biology Program, University of Montana, Missoula, MT 59812 (406/243-4493).

Temperate but
endangered planet,
enjoys weather,
northern lights,
continental drift,
seeks caring
relationship
with intelligent
lifeform.



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FRIENDS OF THE EARTH

THE FUTURE OF THE CONSERVATION MOVEMENT

Former Idaho Gov. Cecil Andrus will deliver the keynote address Sunday, July 21, in Jackson, Wyoming, at a public forum titled, "The Future of the Conservation Movement." The Andrus talk will be followed by a panel consisting of: Bill Bryan, a board member of the Greater Yellowstone Coalition and operator of Silvertip Consulting Associates; Louie Dunlap, president of the Environmental Policy Institute in Washington, D.C.; Dave Foreman, a founder of Earth First!; Margaret McDonald, staff director of the Northern Plains Resource Council; Leslie Peterson, a county commissioner from Teton County, Wyoming; and Mary Lou Reed, moderator and Democratic state senator for north Idaho. The forum, organized by the Northern Rockies Action Group of Helena, Montana, will run from 1 to 4:30 p.m. in the Jackson High School auditorium. Admission is \$3. Further information is available at 406/442-6615.

WILDLIFE PRIMER

Since its release in 1978, "Helping Wildlife: Working With Nature," by Delwin E. Benson has helped educate youngsters about wildlife. The 32-page booklet was produced as a teachers' guide and student primer for grades 4-12 on wildlife and related natural resource management. Now in its sixth printing, the booklet has been distributed in all 50 states as well as Canada, Mexico, Europe, Australia, and New Zealand. Copies of the booklet are available for \$1.50 each, postpaid, from the Wildlife Management Institute, Suite 725, 1101 Fourteenth Street, NW, Washington, D.C. 20005. Inquire about discounts for bulk orders.

DASCHLE AT FARMERS PICNIC

Rep. Tom Daschle, D-S.D., will address the Rocky Mountain Farmers Union's summer picnic set for Sunday, July 28 at the Farmers' Union Education Center near Bailey, Colorado. A member of the House Agriculture Committee, Daschle is a strong supporter of the family farm and related legislation. Cy Carpenter, current National Farmers Union president, will also speak. The picnic will start at 1 p.m. and will cost \$3 for adults, \$2 for children under 12. For tickets, write or phone the RMFU state office, P.O. Box 39628, Denver, CO 80239. (303/371-9090).

DURANGO CLEANUP

The Department of Energy and the state of Colorado are about to begin cleanup of tailings from a Durango, Colorado, vanadium mill that were used in construction projects around the town. Info about any construction that used the tailings from the Vanadium Corporation of America mill should be sent to John Innis of Morrison-Knudsen Co. at 303/247-8874 or Bob Woolrich of the San Juan Health Department at 303/247-5702, by July 30. For more information about cleanup, contact the DOE's Ben McCarty at 505/844-6938.

CAMP STAMPS

Campers in Utah and Colorado can now save 15 percent off national forest campground charges by buying camp stamps in advance at Forest Service offices. These stamps could considerably reduce the government's cost of administering the fee programs. The Forest Service is offering the new program on a one-year trial basis in the two Western states, but hopes to expand it nationwide if the response is positive.

S.O.S.

Small hydro was to cure many problems: our dependence on foreign oil, our need for nuclear energy and our need for polluting coal-fired power plants. It was to do it all in a non-polluting and renewable way. Not so, says Save Our Streams, or S.O.S., a California group which is willing to help fight small hydro wherever it rears its head. S.O.S. argues that hydro projects, large or small, are likely to damage streams and rivers while providing a relatively small amount of power. Its newsletter quips, in a reference to small hydro's tax breaks: "Free enterprise is what made America great; we should subsidize it to the hilt." The group can be reached at P.O. Box 56, North Fork, California 93643 (209/877-2978).

FWP COMPREHENSIVE PLAN

Montana's Department of Fish, Wildlife and Parks has a new 1985-1990 comprehensive strategic plan that presents department goals, forecasts major problems, and investigates potential solutions. Copies are available at all Department offices and many public libraries throughout Montana. Send written comments on the plan by July 30 to Dave Conklin at the DFWP's Helena office, 1420 Sixth Avenue, Helena MT 59620.

PAYETTE OVERVIEW

The Payette National Forest in west-central Idaho, has a unique publication available which collates and updates the status of all private and public projects in the Forest. It divides the Forest into sections and then reviews each project in each section, stating whether it has had an environmental assessment approved, whether it needs an EIS, or, if the paperwork is done, how far the project is from actual completion. It is a space-saving and time-saving overview of all the developmental activities in the Forest, and is available from Kenneth Wyers, Forest Supervisor, Payette National Forest, P.O. Box 1026, McCall, ID 83638.

CANYONLANDS PLAN

The Park Service has released a draft natural resource management plan and environmental assessment for Canyonlands National Park, Utah. The plan, which describes 17 management problems and presents their solutions and possible impacts, will be the primary guide for management of the park for the next several years. Copies are available from the Superintendent, Canyonlands National Park, 125 West 200 South, Moab, UT 84532 (801/259-7164). Send comments to the same address by July 20.

ANTELOPE ISLAND FERRY

You can now take a ferry to Antelope Island in the middle of the Great Salt Lake near Salt Lake City, Utah. Four 37-foot rubber rafts depart hourly from 12 p.m. to 8 p.m. weekdays and 8 a.m. to 8 p.m. weekends. Scenic boat tours to the west side of the island will also be conducted, on weekends. Contact Western Rivers Expeditions at 801/942-6673.

SALMON RIVER PERMITS

Power and float-boaters need permits to operate in the 79-mile "wild river" stretch of the Salmon River above Riggins, Idaho, until Sept. 7. Private power-boat permits are issued on a first-come, first-served basis, and reservations may be made by calling 208/839-2211 or in person at the Nezperce National Forest's Slate Creek Ranger District office. All reservations for float-boat permits are filled but you can hope for a cancellation. Contact the North Fork Ranger District for more information.



TETON MANAGEMENT PLAN

The draft management plan for Grand Teton National Park's natural resources is out. The plan deals with such issues as fire management, wildlife control, and water problems. You can look at the plan at park offices in Moose and Colter Bay, or in a local library; the comment period is over on July 15. Part two of the draft resource management plan for the park, dealing with the park's cultural resources, is due out later this summer.

GLACIER PARK PLANNING

The National Park Service is renewing its planning effort for the North Fork area of Glacier National Park. Problems of inadequate facilities and external threats dealt with in a previous plan will be addressed and they will try to develop a system to monitor changes in the area. A planning newsletter containing a list of goals and objectives is available from the Superintendent, Glacier National Park, Box 128, West Glacier, MT 59936.

SLICKROCK TO TIMBERLINE

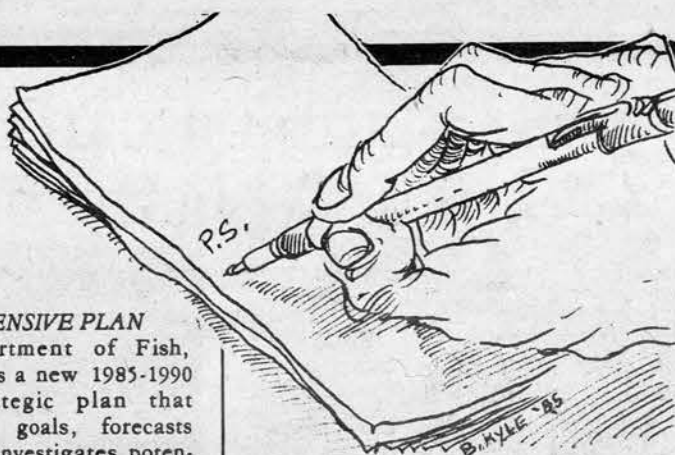
A week-long trip sponsored by the Canyonlands Institute will include hiking in the La Sal Mountains, floating on the Colorado River through Ruby and Westwater Canyons and a jeep tour in Canyonlands National Park's Needles District. A botanist, professional river guides and a former Canyonlands Park ranger will lead the respective parts of the trip. The trip's sponsor is a non-profit educational organization; the cost is \$675 (\$545 for persons under 12). Dates are July 14-20. Contact Karla VanderZanden, Canyonlands Field Institute, Professor Valley Ranch, P.O. Box 68, Moab, UT 84532 (801/259-7750).

NORTH FORK PRESERVATION ASSOCIATION

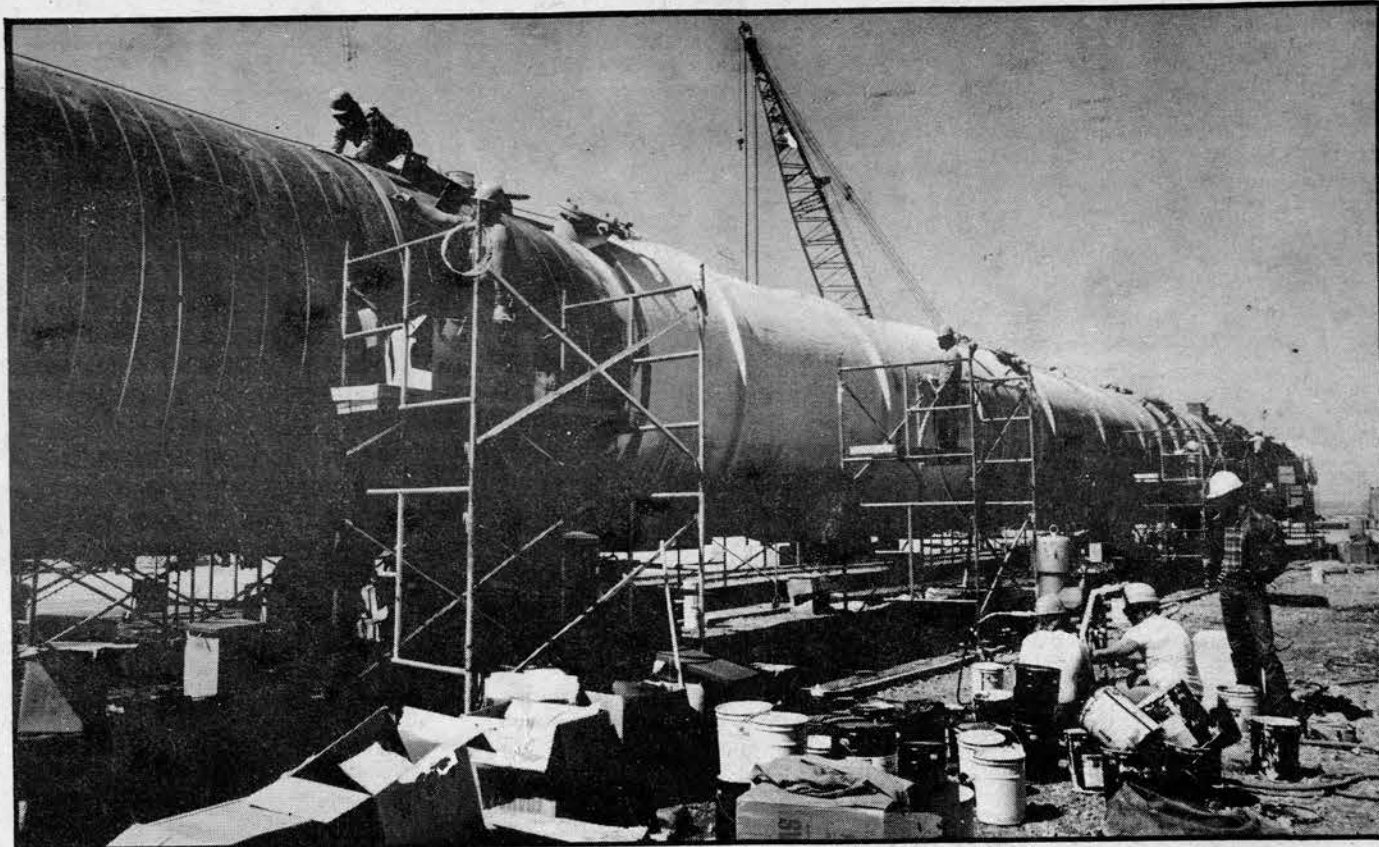
The North Fork Preservation Association is a non-profit group concerned with the area around the North Fork of the Flathead River, on the west side of Glacier National Park. Originally formed in response to area road paving and a proposed Canadian coal mine, the group now has over 100 members and is involved in a variety of conservation activities. They are sponsoring several talks to be given over the summer on Montana wildlife. Jasper Carlton will speak on caribou in July, and Doug Peacock is scheduled to talk about bears in August. For further information or to make a donation, contact the NFPA at P.O. Box 4, Polebridge, MT 59928.

WHOSE WATER... WHOSE FUTURE?

Western State College's Tenth Annual Colorado Water Workshop will be held July 31 through August 2 at Gunnison, Colorado. The theme is, "Colorado Water: At the Great Divide," and the question it will seek to answer about the Colorado River is: "Whose water will it be and what future does it shape?" The workshop's focus will be on the struggle between the Denver metropolitan area and undeveloped western Colorado for use of the river's water. Speakers include Colorado State Engineer Jeris Danielson, Western Network's John Folk-Williams and David Getches, director of the Colorado Department of Natural Resources. Conference sponsors include the Adolph Coors Co., the BLM and Bureau of Reclamation, the Colorado River Water Conservation District, the Colorado Wildlife Federation, the Denver Water Board and the Southern Ute Indian Tribe. The registration fee is \$175. For information, contact Marlene Zanetell, Western State College, Gunnison, CO 81230, or call 303/943-2082.



Wyoming wheels and deals with Exxon



Jeff Germino, Casper Star-Tribune

Exxon workers insulate what will be a vertical hydrogen sulfide stripper

Exxon USA jumped its biggest state hurdle in early summer, winning an industrial siting permit that clears the way to expanded construction of its \$2.2 billion LaBarge Project. The decision by the Wyoming Industrial Siting Council to issue permits for the giant complex in the southwest corner of the state came after seven days of public hearings in Kemmerer.

For awhile, it looked as though the hearings might last two weeks or even longer. The setting was the closed Skate Center in Kemmerer, where tables were set up on the skating surface to accommodate Exxon personnel and representatives from many communities impacted by the development over a three-county area. It had the flavor of a complex lawsuit as lawyers and others began moving back and forth to the podium, prompting one observer to suggest that the skates ought to be passed out to speed the pace.

Before the proceedings began, the city of Kemmerer had expressed unhappiness with the financial package offered by Exxon to help the community deal with impacts thousands of construction workers bring. Also waiting in the wings was the Wyoming Game and Fish Department, which had suggested that Exxon should pay \$8.3 million to offset habitat loss and fishery pressures. The price tag drew the ire of the conservative Wyoming Heritage Society, whose director likened the request to pirate "tribute," an "oldtime stagecoach holdup" and "killing the goose that lays the golden egg."

Besides the money requests, there was the sticky problem of how much of the project was actually covered by siting council jurisdiction. The Wyoming Legislature had amended the siting law to include oil and gas "processing" plants, but still exempted "producing" facilities such as wellfields and pipelines.

After the first day of the hearing, it appeared that the predictions of a lively and lengthy hearing were right. Kemmerer officials blasted Exxon for allegedly understating the size of its peak workforce for this summer. The company had predicted a peak of 5,250

it its siting application. But Kemmerer City Attorney Skip Jacobson said he had information that showed the workforce would actually reach 7,700. Exxon officials stood by their prediction, denying the larger figure.

Then siting staff attorney Weldon Caldbeck blasted Exxon for what he said was company unwillingness to involve the staff in developing mitigation agreements with the communities. The whole idea of siting was to give cities and towns both the expertise and muscle to deal with a huge corporation, he said. By cutting the mitigation deals separately, Exxon in effect was subverting the process, Caldbeck charged.

Later, it was the turn of the Wyoming Outdoor Council to raise another tough question, this time about potential conflicts of interest on the part of the council members. Siting chairman Paul Anselmi told WOC executive director Debra Beck he had an "economic interest" in the project by virtue of his land and apartment businesses in Rock Springs. But he denied any direct link and later voted on the permit decision.

By the second day, the fireworks cooled, or at least were less visible to the public eye. Exxon officials and lawyers took the low profile approach, bargaining out of sight with the holdouts. At times, the public hearing even ground to a halt to accommodate the private discussions.

But the talks did produce results, at least to the satisfaction of Kemmerer and the Game and Fish people. Kemmerer settled for just over \$3 million, about \$250,000 less than they asked for but about \$640,000 more than Exxon had first offered. The following day, Game and Fish settled for \$1.3 million. The lesser figure, agency director Don Dexter said, was based on a more accurate assessment of the actual impacts along with Exxon's plans to drill perhaps only 45 gas wells instead of the 64 projected earlier.

As the hearing ground on, other issues surfaced. WOC pressed the council to adopt standards on acid rain deposition, at times testing the members' patience by lengthy questioning of Exxon experts.

Mayor Martin Tyler of Granger, a

small Sweetwater County community, said his town had not received enough mitigation money. Exxon attorney Brent Kunz grilled Tyler during cross-examination, suggesting the mayor was trying to recruit jobs and get impact assistance at the same time.

As the hearing drew to a close, most of the outstanding money questions had been decided. The council sidestepped or delayed action on the other potentially controversial issues.

On the jurisdiction question, the council decided not to decide, at least specifically. Impacts created by the wellfield and other activity that seemed exempt must be mitigated, they announced, but that didn't mean it was being placed under siting jurisdiction. On acid rain, the council did grant part of WOC's request. Exxon would be required to continue its participation in a monitoring program, and also to check into the feasibility of installing monitors to check for acidic depositions from "cloud water," or fogs and frosts which could potentially have a significant impact in the nearby Wind River Mountains.

The siting permit for Exxon covers both an amendment for work already underway on phase one of the project and for a phase two expansion the company hasn't decided to build yet. The amendment authorizes the phase one workforce to increase from 2,240 to 4,250, a process that has already begun.

--Paul Krza

BARBS

The future brightens.

Fewer and fewer people wish to become lawyers. The number of applications have dropped 20 percent since 1982, and there are only 55,000 applicants for the 40,000 first-year law school positions.

But what about a very, very direct hit?

President Ronald Reagan, responding to charges that the MX is being placed in vulnerable silos, said the silos could now sustain "a very direct hit."

HOTLINE

Drilling Hovenweep

There could be an exploratory oil well drilled just outside Utah's Hovenweep National Monument this summer. Hovenweep, the site of ancient Anasazi Indian dwellings, is southeast of canyon country, bordering on Colorado and attracting 2,000 to 3,000 visitors monthly during its peak summer season. The State Division of Oil, Gas and Mining has granted Transco (TXP Operating Co.) a final permit to start the project, ignoring the recommendation of the Utah Historic and Cultural Sites Review Committee. The committee said the well would diminish the beauty of the site and possibly obstruct further attempts at its preservation. It suggested that the drill site instead be located further away from the National Monument lands, since the drilling and the height of the tourist season will coincide. The Division of Oil, Gas and Mining, in its approval letter, stated that "moving a location back... is not likely to significantly lessen the aesthetic impact of the operation." The state, which owns the lands now set to be drilled, has bound Transco to a strict set of rules intended to limit damage to the area. These rules require berms to prevent any direct viewing of a gas flame from the Monument lands, and devices to limit noise from generators and other equipment.

Montana Power wins a big one

The landmark ruling which denied the Montana Power Company a \$92 million rate increase last year (HCN, 10/1/84) has been overturned by a Montana district judge. Judge Mark Sullivan ruled on July 17 that the Public Service Commission acted in an "unreasonable, arbitrary and clearly erroneous way" when it determined that the Colstrip III power plant should not be paid for by consumers because its power was not needed. The PSC decision thrust the utility into what president Paul Schmechel said in May was "a crisis of major proportions." Sullivan said the PSC had interfered in basic management decisions by telling the utility that it should have bought power from the Hanford Project in Washington rather than build Colstrip III. He also said that the PSC set too exacting a standard when it required the utility to have only a little more reserve power than it needed at any one time. The PSC could appeal the decision to the Montana Supreme Court. Before the decision, the power company had announced plans to possibly sell its share of Colstrip 4 this year in order to raise cash.

Metropolitan Life climbs in the saddle

In a sign of the times, one of Wyoming's largest ranch empires has become the property of the New York City-based Metropolitan Life Insurance Company. Metropolitan received the 250,000 acres of deeded land and another 93,000 of federal grazing leases from former Casper rancher Van Irvine in lieu of foreclosure. Altogether, the deeded and leased property totals 500 square miles, a tract which would be about 22 miles by 22 miles if it were squared up. But the land is spread over four counties, mainly in the northeast quarter of the state.

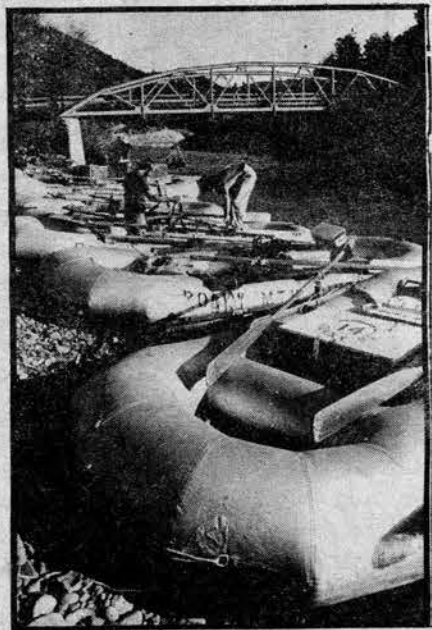
HOTLINE

A map hunt in
Washington, D.C.

Washington, D.C., hearings in June by congressional subcommittees focusing on national forest road-building policies have resulted in a map hunt. Two subcommittee chairmen, Reps. John Seiberling, D-Oh., and James Weaver, D-Ore., have said that they will seek Forest Service maps which may describe extensive future roading plans. The quest was set off by testimony from Tom France, a Montana-based attorney for the National Wildlife Federation, who testified that he had been unable to find such maps by going through Forest Service channels, but had obtained one for Wyoming's Bridger-Teton National Forest by other means.

NOLS to stay in Lander

After months of debate, the National Outdoor Leadership School has decided to keep its international headquarters in Lander, Wyoming. The school's board had debated moving the headquarters to one of their other facilities in Alaska, Mexico or Kenya. Jim Ratz, NOLS executive director, said Lander's main attraction was the nearby Wind River Range, which founder Paul Petzoldt has described as the best site for teaching outdoor skills. Lander city planners also offered NOLS a site at the Lander Technical Park, which they are developing to help new or expanding businesses. Emphasizing minimal-impact camping and leadership skills, the school has been based in Lander since it opened 20 years ago.

A dare to the
Park Service

A group of kayakers and rafters intend to challenge more than the Green River in Dinosaur National Monument this month. They are also daring the National Park Service to stop them from running the river without a permit. The Colorado Springs-based party agrees with the need for an overall limit, but objects to what they see as a too-generous allocation of permits to commercial rafters, resulting in plenty of room on commercial trips, but the need for a lottery for private parties. Their challenge is being publicized by the National Organization of River Sports, also based in Colorado Springs. Party leader Stuart Bray, 27, said, "We'll definitely run it during July. We doubt that the rangers can stop us... just because we aren't paying some private business. We think they'll back down."

The mechanized world of the late 20th century is intruding in an unexpected way in the wilderness of Grand Canyon National Park.

Aircraft touring of the canyon has become so popular that the noise has been "degrading" the experiences of most hikers and backcountry visitors, according to studies cited by the National Park Service. Noise from low-flying planes and helicopters can be heard up to 95 percent of the time in backcountry areas, according to the agency.

At attractive waterfalls and recreation spots, hikers and river-rafters find little solitude as they encounter aircraft every few minutes.

"They are spoiling the best places in the canyon. I've seen the helicopters actually line up in the air so they can swoop in low one by one," says Dennis Brownridge, a Tucsonian who has conducted his own surveys during 20 years of hiking in the park.

"Aircraft is the No. 1 resource issue in the park," says Steve Hodapp, chief of planning and resources management at the park.

About 90 percent of the park is pristine backcountry being managed as a wilderness area -- to provide, by law, a natural experience with "outstanding opportunities for solitude." Machines, even bicycles, generally are prohibited. But Park Service regulations have not been applied to the airspace over the wilderness.

Grand Canyon National Park Airport, just outside the south boundary of the park and a principal base for aircraft using the canyon, is now Arizona's third busiest civilian airport, surpassed only by the airports for Phoenix and Tucson.

Commercial air tours out of the Canyon airport have increased 800 percent in the past 10 years, according to the Park Service. Total flights out of the airport, including private and military ones, have increased fivefold in that period. Nearly 100,000 takeoffs or landings occurred at the airport last year, including 80,000 by air tours.

Delicate negotiations are under way with aircraft operators and environmental groups concerning the impact of aircraft noise. "We are working hard on reducing the noise," says Bob Donaldson, president of Grand Canyon Flight Operators Association, which represents 22 flight companies.

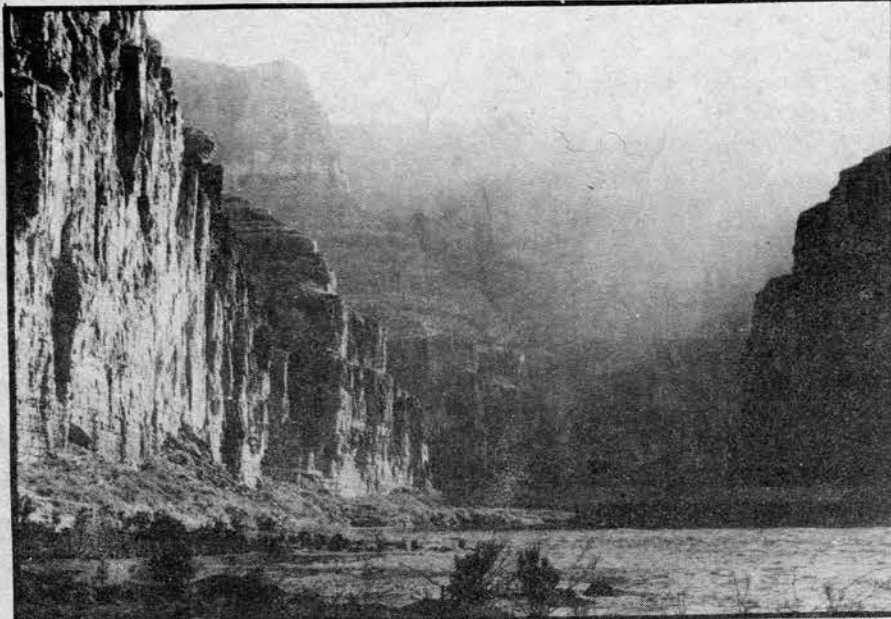
The companies say they serve people who are unwilling or unable to explore the wilderness on foot, or on a river-raft trip. Some air tourists "don't have the time, or are disabled. We take little kids who are too young to go out and stay in the weeds with their folks," Donaldson says.

Air tours of the canyon, a rarity in the 1960s, are now provided by about 50 operators based at the canyon airport and in Las Vegas. Flights through the canyon originate as far away as Phoenix, California and Salt Lake City.

The canyon is also directly beneath several main cross-country commercial flight paths and two military-training flight paths. Military and private aircraft frequently tour the canyon at low altitudes.

The Park Service itself uses a helicopter for administrative tours and other tasks technically allowed by wilderness regulations.

Mary Moran



Grand Canyon at Diamond Creek

"The Park Service helicopter is responsible for a tremendous amount of noise, especially in the river corridor," Donaldson says.

As touring by air has increased, so have problems with noise:

•A 1971 study for the Environmental Protection Agency found that "aircraft... provide an almost continuous intrusion at all sites" where sound readings had been taken.

•The Park Service measured aircraft noise in the backcountry in 1978 and found it could be heard up to 95 percent of the time in some areas. As many as 58 aircraft per hour could be observed -- roughly a sevenfold increase over the university study done just three years earlier.

•In 1982 the Park Service began the most comprehensive noise study ever done in the canyon. The agency has amassed hundreds of hours of sound-level readings and surveys of 1,500 backcountry visitors.

A 600-page summary has been drafted, showing "about the same level of (public) concern we've been seeing in the past," reports park official Hodapp.

Studies also are being conducted of the impact of aircraft noise on sensitive wildlife -- including endangered peregrine falcons, which nest in cliffs in the canyon, and bighorn sheep, which breed in the park. The agency is also probing the effects on ancient Indian ruins from the vibrations of close-hovering helicopters.

"There is a fear from archaeologists that continued vibrations could disturb the ruins and eventually destroy them," says Russ Butcher, a staff member of the National Parks and Conservation Association.

Noise problems were addressed as early as 1972, when a voluntary agreement was reached with air-tour companies to steer away from developed areas and the most popular overlooks on the South Rim. The agreement had an unforeseen effect -- the increasing noise was concentrated in the backcountry.

Aircraft operators are supposed to avoid flying below the canyon rim and to stay at least 2,000 feet above the terrain. But the guidelines are non-binding and even the operators concede they are often ignored.

Philosophies vary among the tour operators, and "we haven't been too successful" in convincing private pilots to cooperate, Donaldson says. Some companies "do whatever they deem necessary to attract business."

"We get bombed" by aircraft, says Bob Lippman, who runs river-raft trips through the canyon.

Helicopters "do anything but land. They hover over waterfalls and often they come within 100 feet of the river. You can touch them with your oars at times," says Lippman, who also represents Friends of the River, a conservation group.

Eber Glendening, a Tucsonian who founded the Southern Arizona Hiking Club and has hiked in the Grand Canyon for more than 30 years, says, "I have seen airplanes fly down the river and the landing gear would be touching the water. The water would be splashing on it."

Air operators and conservation groups are making recommendations about how to resolve the conflict over canyon flights. The Park Service expects to present some strategies for public comment by the end of the summer.

The range of possible solutions runs from a prohibition of canyon flights, which some critics are seeking, to doing nothing and letting the problem grow worse.

The Park Service predicts that canyon flights could more than double in the next 15 years. Of the 2.5 million park visitors last year, about 300,000 people toured the canyon by air in trips that lasted from 20 to 90 minutes. About 215,000 people hiked or took mule or raft trips up to several weeks long.

"The park is being taken over by aircraft," says conservationist Brownridge. "You hike for three days to get to the most remote spot, and when you get there it's like when the police come over Tucson in their helicopter -- whop-whop-whop."

Donaldson, director of operations for Grand Canyon Airlines, says the "air operators are a responsible group" trying to adjust their operations to make the canyon "enjoyable for everybody."

"You don't begin to experience the vastness of the canyon until you see it by air. It's a phenomenal experience."

One strategy, Donaldson says, would be for the Park Service to relocate campgrounds and recreation use to avoid aircraft noise. "It's not just a matter of moving the airplanes."

Rob Smith, Southwest representative of the Sierra Club, says it's aircraft that will have to move on. "There's not many places in the world

(Continued on page 7)

A grass-roots fighter for a quiet Canyon

One of the places the grass roots begin is in Tucson, in Dennis Brownridge's study, amid the maps, documents, books and news clippings, the library of photographs and magazines, and the globe propped in the corner.

Brownridge is just your basic environmentalist, to hear him tell it. He says there are thousands, perhaps millions more just like him, who work however they can -- usually without fanfare -- to slow the degradation of the world.

"It's important for people to realize that almost all environmentalists are grass-roots people. They are not elitist. They are not rich. Most of the people I work with are volunteers," Brownridge says.

Brownridge has made himself an expert on aircraft noise in the Grand Canyon. His observations on the problem reach back to the 1960s, when he first hiked -- Brownridge prefers the term "sauntered" -- in the canyon.

He has spent most of the past two months preparing a background report for environmental leaders. "I got involved when I heard this thing was coming to a head," Brownridge says.

His report is 52 typed pages and features historical perspective and quotes from academic studies and naturalist writers. Another 63 pages of appendices include maps and citations from federal laws, regulations and Park Service reports.

Brownridge also has prepared huge maps that show the spaghetti of air-flight patterns over and within the canyon.

His background package is being used by leaders of the Sierra Club, the Audubon Society, the Wilderness Society, the Arizona Wildlife Federation and the National Parks and Conservation Association.

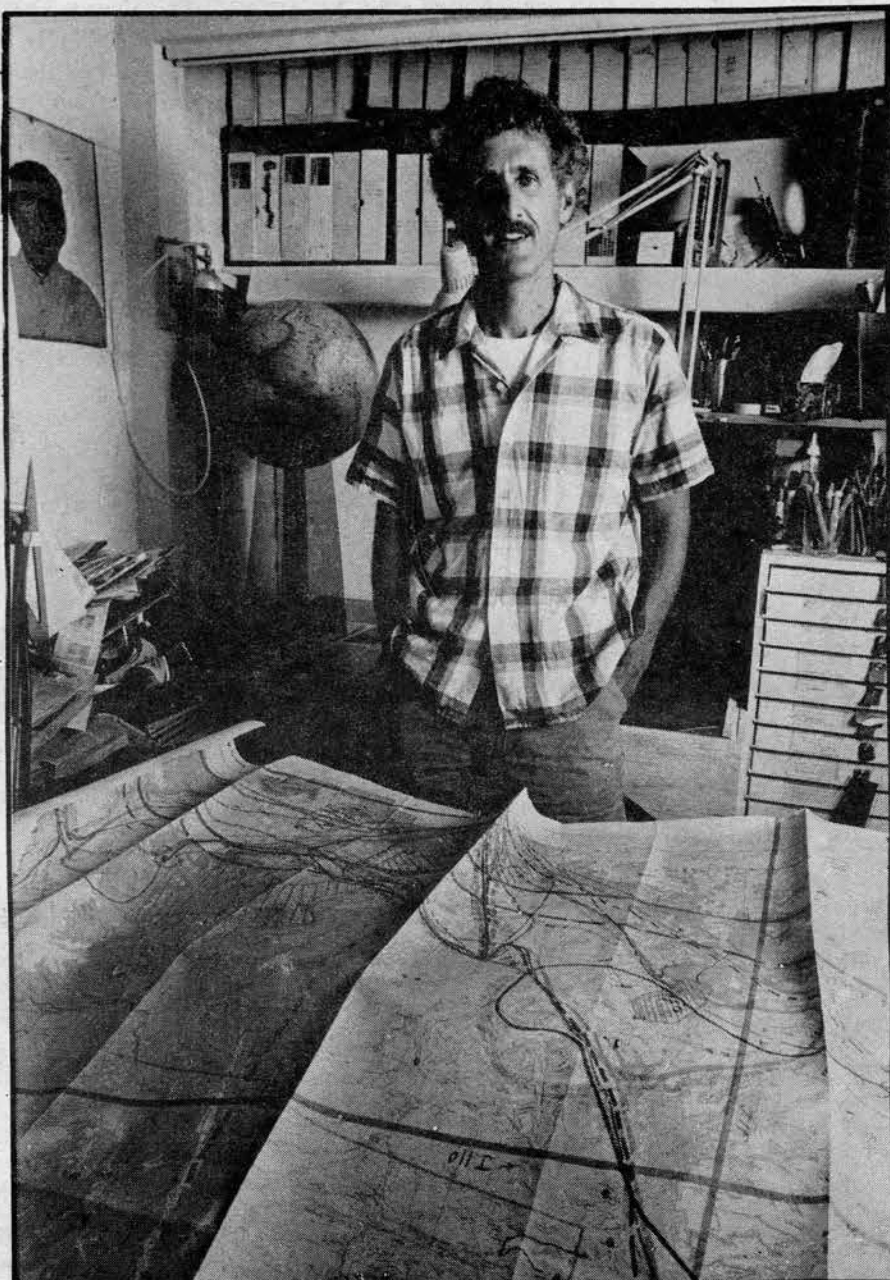
Brownridge joined the Sierra Club and the Wilderness Society in 1963, and he's also a longtime member of the Audubon Society and Friends of the Earth. But he's never been interested in a paid staff position.

"I don't like organizations. I don't like meetings. I don't like politics," Brownridge explains.

Brownridge, 40, made his living teaching geography at the University of California until he had to resign for health reasons. He has a doctorate degree, but he says he never earned more than \$800 a month as a teacher.

Now he is struggling as a freelance

Arizona Daily Star



Dennis Brownridge

writer while his wife, Alyce, studies water and soil sciences at the University of Arizona. The couple owns a 12-year-old truck and some "hand-me-down or handmade furniture."

"There is absolutely no economic gain to being an environmentalist. As a matter of fact, I probably won't be able to make my rent payment today," Brownridge said in the first week of May.

Brownridge reckons he spent more than \$200 in the last two weeks of his project on materials for the reports and related expenses. His total expenses were much higher. So far he's been reimbursed \$30 by the Sierra Club.

"I'm trying to give back something for what I've taken in pleasure," says

Brownridge, a lifelong Western outdoorsman.

As a child in the 1950s, Brownridge traveled the West with his grandparents. Back then, "the West was largely as it always was -- untouched and wild."

By the 1960s, "the West was under attack from all sides as never before," Brownridge says. He refers to energy and mineral developments, sprawling cities and power lines, dammed rivers and logged forests.

"If all these things happened in my lifetime, just think about the next generation," Brownridge says. "There's not going to be anything left."

--R.H. Ring

Noise....

(Continued from page 6)

where you can feel so small and alone as the Grand Canyon. People from around the world go there to experience wilderness and peace and quiet. We have a responsibility not to cheapen the experience.

"We have to decide if the Grand Canyon has an intrinsic value as it exists naturally, or if it is another glorified Disneyland that will be viewed in air-conditioned comfort from several thousand feet in the air," Smith says.

How aircraft noise is handled over the Grand Canyon could have far-reaching effects on other parks where air touring is catching on.

One basic question that must be resolved is whether the Park Service

can regulate the air over its parks.

Existing laws and regulations require the agency to make recommendations to the Federal Aviation Administration when park resources are threatened from the air.

A "parks protection" bill requiring all federal agencies to cooperate in preserving park resources died last year in Congress.

Critics believe the Park Service should have taken action long ago. Park sources say the agency was close to acting on several occasions, but backed down because of the sensitivity of the issue.

Hodapp would not comment on why the agency has taken no direct action yet, but cautioned against "politicizing the issue." He recounted the park's attempt to ban motorized boat traffic on the Colorado River. An outcry from companies offering motorized trips, and their customers,

brought an intervention from Congress. Now motorboats are allowed on the river nine months of the year.

"I don't go to the canyon much any more," Glendening says, complaining that people have ruined it already. "When the rest of the world gets like the Grand Canyon, that's when I'll really be depressed."

--R.H. Ring

This article was originally printed in the *Arizona Daily Star*.

BARBS

Something to hope for.

The Park Service reports that without \$112 million in reconstruction, Yellowstone National Park's roads may deteriorate into impassability.

HOTLINE

An Olympic score:

Alaska 1, Utah 0

Utah didn't come close to gaining designation as this nation's choice as winter site for the 1992 winter games. The Salt Lake City *Deseret News* said "Utah Olympic boosters could have taken the Mormon Tabernacle Choir with them to Indianapolis" in mid June and not gained the nod from the U.S. Olympic Committee. Instead, Anchorage, Alaska, was chosen, and will compete with other cities from around the world for the 1992 games. The Utah boosters did say they learned that the choice was based more on politics than mountains, and that next time they would take their U.S. senators with them. The key to Anchorage's victory, they said, was Sen. Ted Stevens, who has done favors in the past for the Olympics.

Congress wants a

\$7.4 billion SFC 'grant'

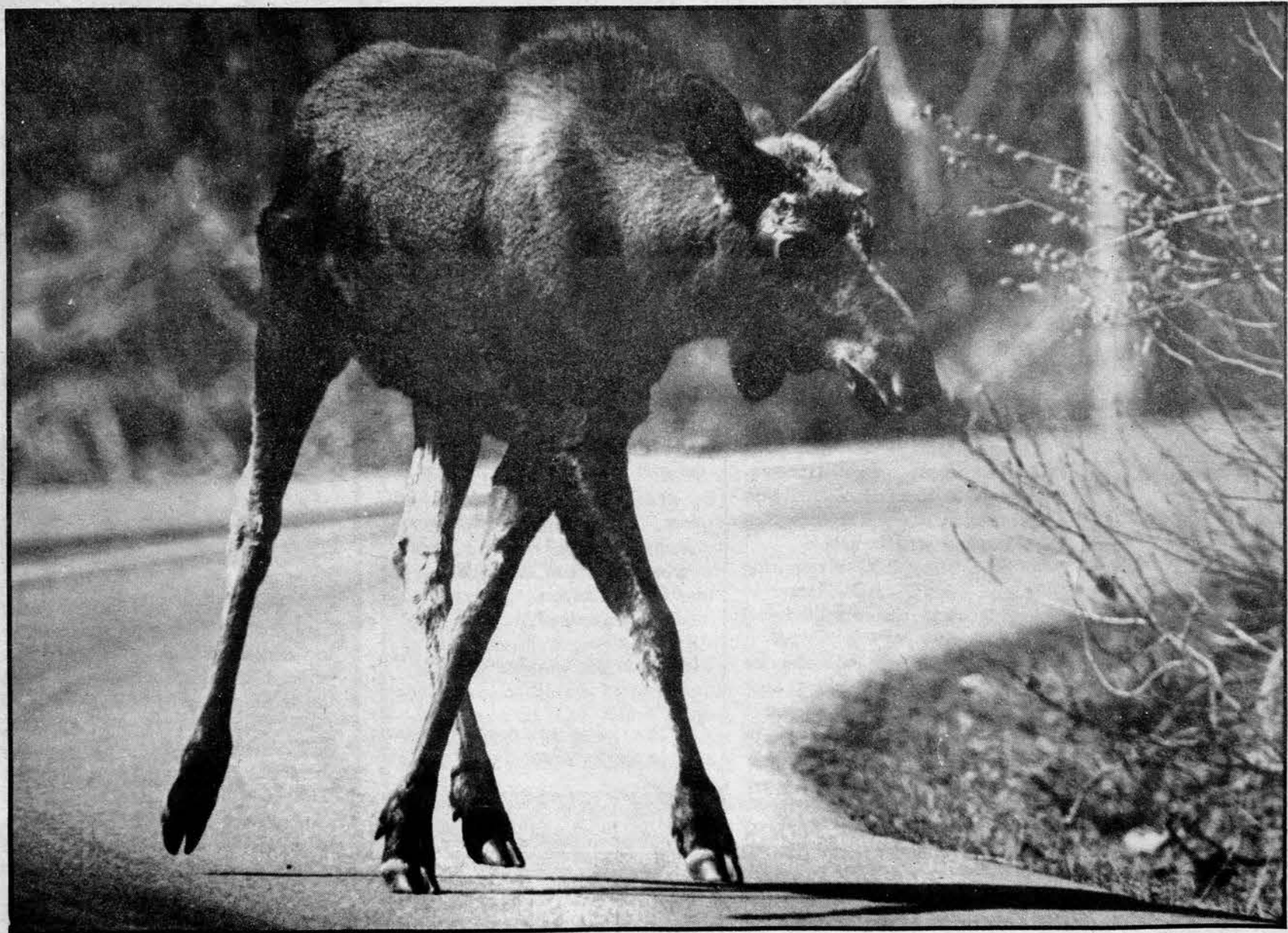
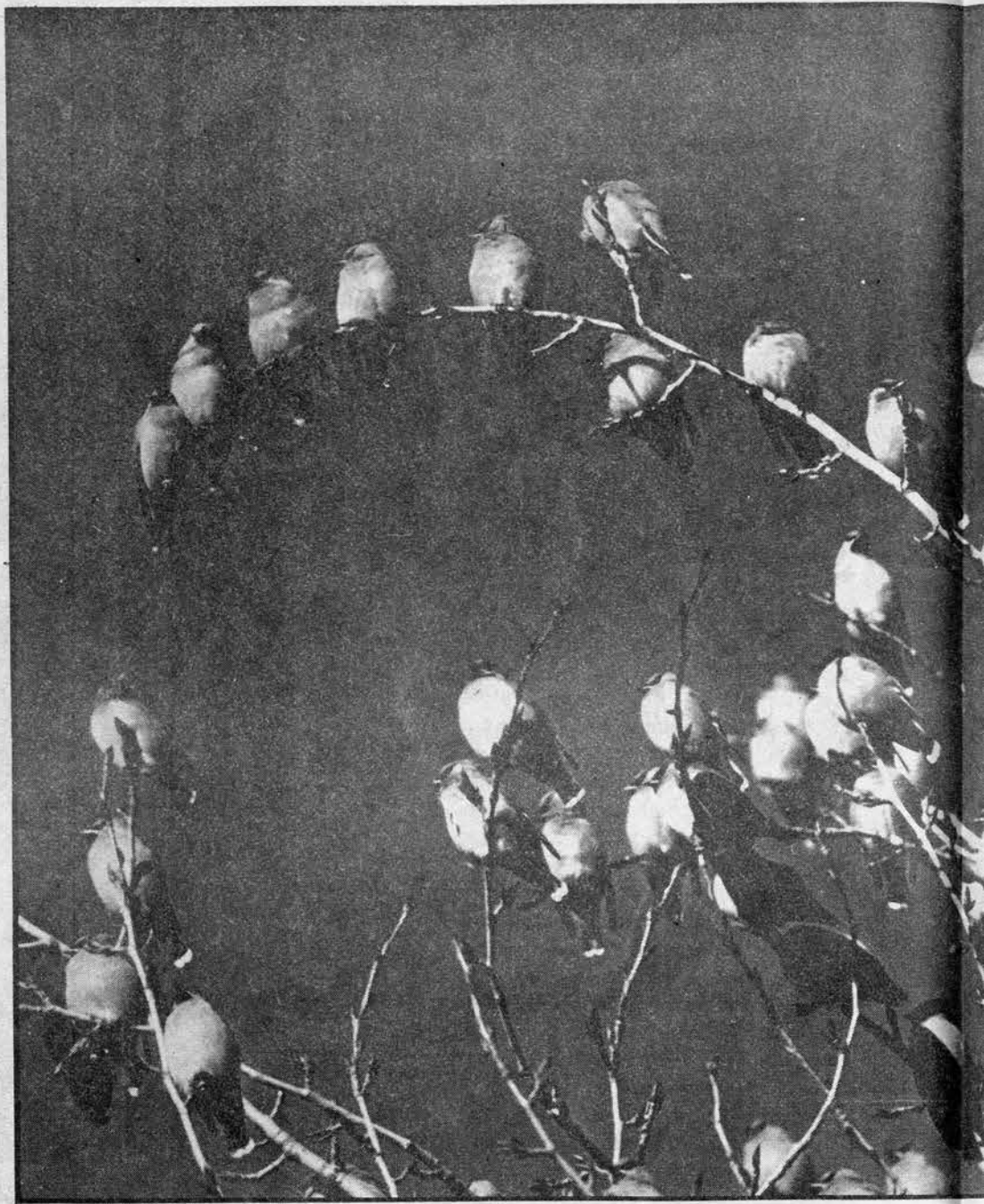
The Synthetic Fuels Corporation and two billion-dollar projects proposed by major oil companies for western Colorado are again facing uncertain futures. The latest attack came from the House Energy and Commerce Committee, which voted in late June to abolish the SFC and retrieve \$7.4 billion, leaving the Department of Energy \$500 million for a demonstration program. The SFC now faces the U.S. Senate, where it is much stronger. Among the projects at risk are Unocal's proposed second phase project, for which it is seeking \$2.7 billion. The SFC's problems are partly due to Unocal's inability to get its \$650-million first phase to function after almost two years in startup. Western Colorado Congressman Mike Strang, R, and Denver area Congressman Tim Wirth, D, expressed disappointment with the decision.

Kennecott's closure causes problems

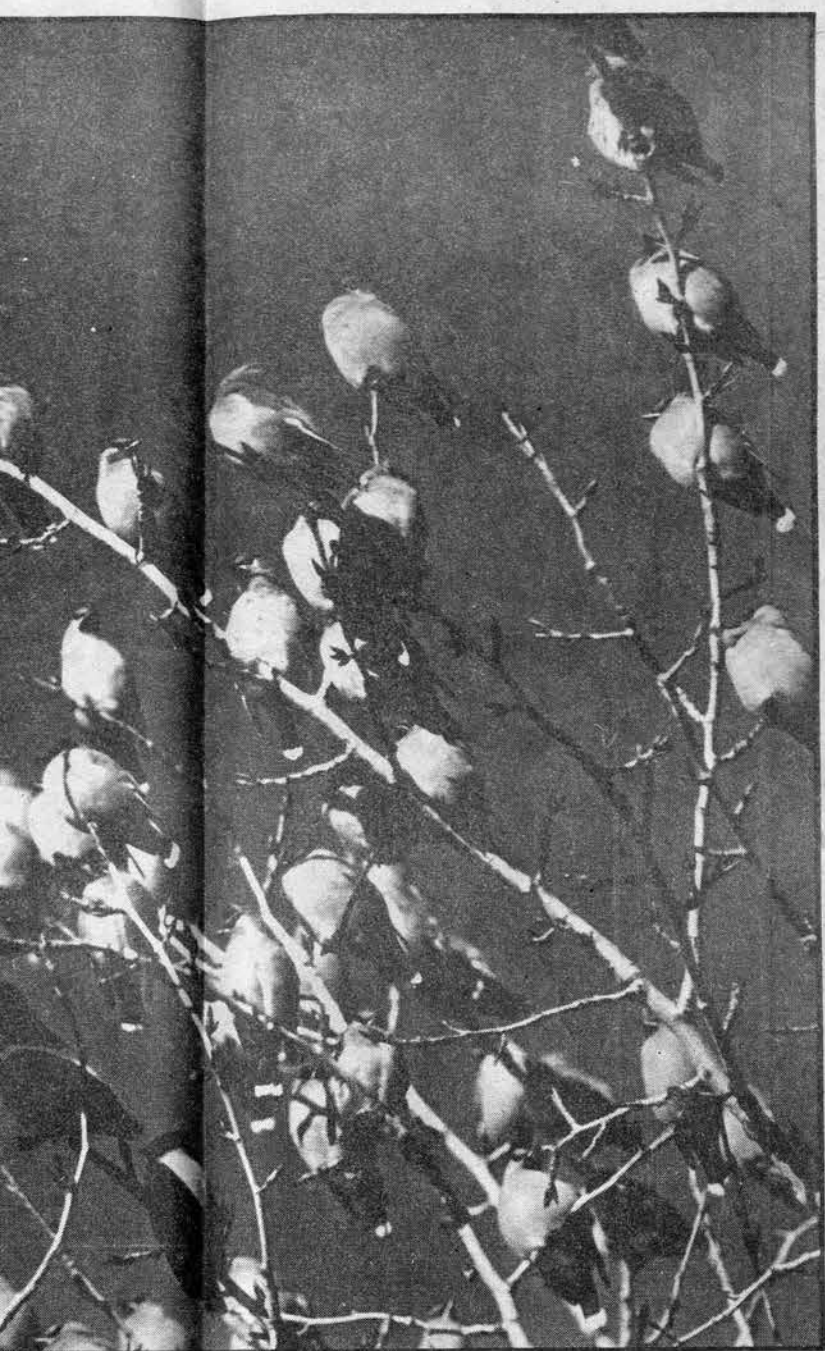


Don Green, Kennecott Minerals

The closing of the huge Kennecott copper operation outside Salt Lake City, Utah, is leading to environmental problems. Without a constant flow of fresh tailings, eight square miles containing decades-worth of old tailings has begun to dry up and blow. A windstorm in late May filled the air in Magna and western Salt Lake City with dust, according to the *Deseret News*. On a broader scale, 90 years of copper mining has left thousands of acres of land in a scarred and denuded condition. Kennecott has proposed leaving its open pit unreclaimed as an historic site, but has no reclamation plans for most of the other land.



On
a



On wing and hoof



Mountain goat and cedar waxwing photos are by Scott Crandell; bald eagle, calf moose and mallard ducks are by Bob Kennedy. The animals were found in and around Montana's Glacier National Park. Crandell and Bob

Kennedy, along with Brian Kennedy, are photographers and editors of Columbia Falls' *Hungry Horse News*. These photographs appeared previously in the newspaper's 1984 holiday pictorial.

Pesticides...

(Continued from page 1)

death last summer, Carolyn Chism has made an effort to educate herself on the effects of pesticides and the symptoms of poisoning. "When you have pesticides in your body, your immune system is weakened, and any allergies will become magnified," she told the Grand Junction audience. "You are more susceptible to diseases of all kinds. Since our pesticides come from the development of nerve gas, it is logical that they can and do affect us."

Carolyn Chism shared a clinical description of her husband's case with the other fruitgrowers in the hope, she said, of helping them avoid the nightmare she went through. Spraying season each year would leave Dorsey listless, breathless, swollen and irritable, she related, and two doctors whom the Chisms consulted confirmed the diagnosis of emphysema, but shook their heads at Dorsey's other symptoms. "I could see that I was losing my husband right before my eyes," reported Carolyn, her voice shaking.

On the advice of a friend, Carolyn called Dr. Harold Whitcomb of Aspen, who specializes in allergies and environmental sensitivities. After hearing Dorsey's symptoms, Dr. Whitcomb asked: "What does your husband do for a living?" When he heard he was a fruitgrower, Dr. Whitcomb replied that it sounded like spray poisoning.

By the time she finally got her husband to Aspen, he was irrational and showed signs of acute poisoning. Whitcomb treated him around the clock with atropine and protopam, the antidotes for organophosphates, and with massive doses of ascorbic acid, an antioxidant.

Carolyn Chism described to the other fruitgrowers the 14 days Dorsey spent in the Intensive Care Unit at Aspen Valley Hospital: "Red's body swelled to grotesque proportions. Because of the neurological effect of the pesticide on his body, even under restraints, hand and foot, he sometimes jumped off the bed. There's a lot more, but that's enough to give you the general horrendous picture."

"Over the years you've been spraying more and more to do away with the pests that infest the apples," Dr. Whitcomb told the fruitgrowers, "and unfortunately, a byproduct of that is pesticide exposure not only for you who grow the apples but also for people like myself who are chemically sensitive to pesticide residue on the apples I eat -- that's why I'm in this field."

Dr. Eldon Savage specializes in environmental health at Colorado State University. "If I could get you to let me biopsy five grams of fat material," he challenged the fruitgrowers, "I'd bet I'd find DDT in most of you and probably some other materials."

Chlorinated hydrocarbons such as DDT and Chlordane are stored in the body's fatty tissue and can be detected by spectography. Although one would expect to find some pesticide residues in fruitgrowers and farmers whose livelihoods depend on the use of chemical sprays, Dr. Savage reported that almost 100 percent of Americans tested have shown some body burden of pesticides, most notably DDT.

Mothers who nurse pass these residues on to their babies at a time when their livers are least able to cleanse their bodies of the toxins they are ingesting, Savage continued, but most pediatricians will tell mothers to go ahead and nurse their children because the advantage of breast-feeding outweighs the disadvantages.

Most chlorinated hydrocarbons like DDT and Chlordane were banned or their use severely restricted during the 1970s, when it became evident that they persisted in both the environment and body fats. The problem, said Savage, is that in most cases we have replaced chlorinated hydrocarbons with more toxic compounds such as organophosphates, about which we know even less.

"The reason you substitute one chemical for another," Savage said, "is often because you know more about the one you're taking off the market than about the one you're introducing. We know from animal tests and sometimes from human experience that certain pesticides can clearly cause cancer," Savage continued, "but with other chemicals the links cannot be so clearly drawn because the cancer may not show up for 30 to 40 years after exposure."

Two distinct dangers face pesticide users. One is acute poisoning from exposure to an extremely toxic compound. A mere pinch is lethal for some of the organophosphate pesticides used by the orchard industry. The second danger is long term exposure resulting in the symptoms Dorsey Chism evidenced, or in cancer.

To demonstrate just how toxic organophosphate compounds such as Guthion are, Dr. Savage told of a man who went hunting in a pair of jeans he had worn while spraying. He died by nightfall on the first day of his hunting trip.

Dramatic poisoning cases among airplane pilots who sprayed and among agricultural workers exposed to the pesticides in fields used to be the major concern. Chronic poisoning is the new concern.

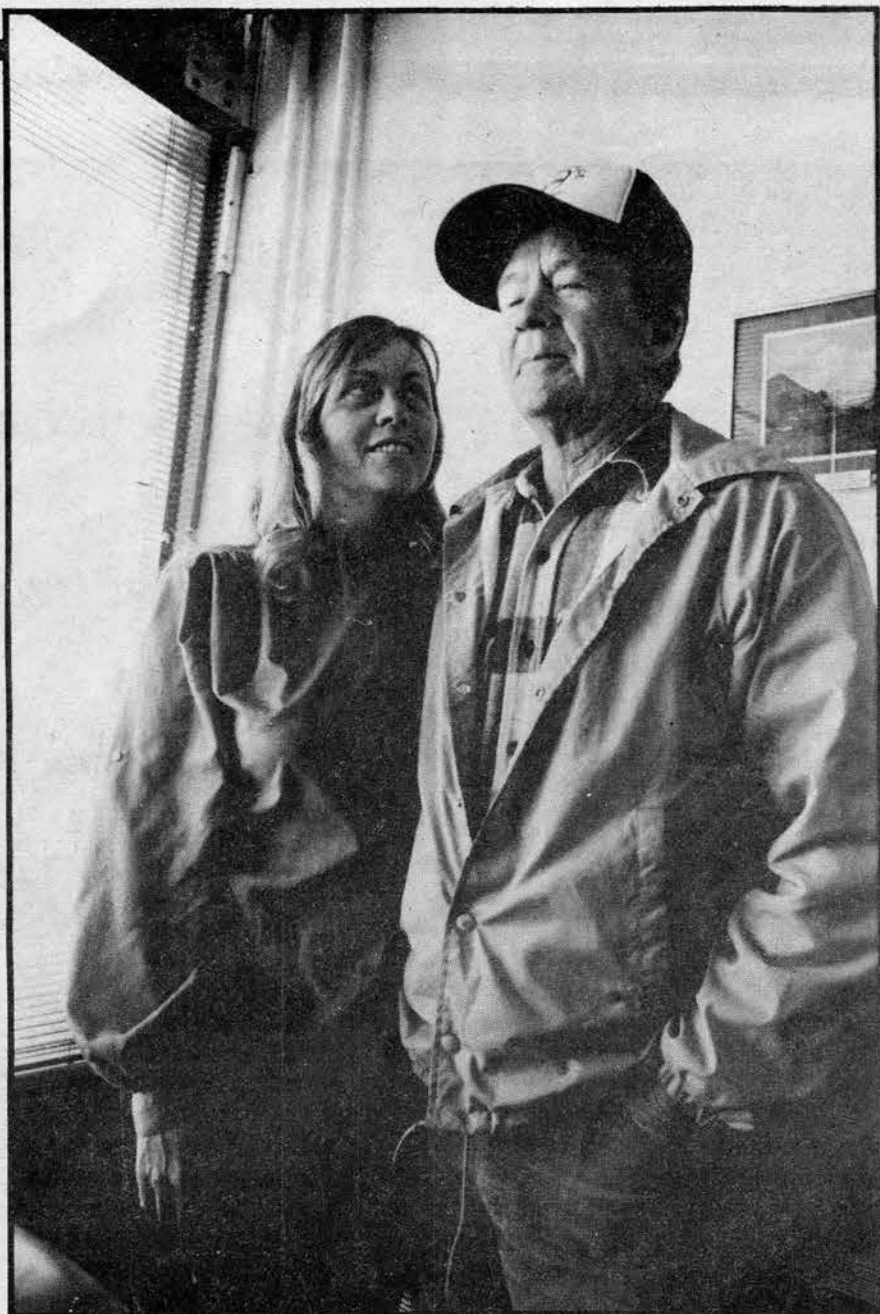
"We are looking at the development of a new and insidious syndrome," warned Dr. Whitcomb. "We are seeing symptoms which vary from person to person -- people just don't feel good, they'll complain of being puffy or bloated, they get depressed easily or angry and irascible. The symptoms are mistaken for a variety of other illnesses."

"Fifteen years ago we all believed that agricultural chemicals were safe," added Carolyn Chism. "No one protected himself. But they are not safe. They are killing us, inch by inch."

After the panel discussion, Dr. Whitcomb wheeled out an electromagnetic diagnostic machine which he uses to test patients' sensitivities to all kinds of substances from common foods to pesticides. He offered to test some of the orchardists present.

While the growers lined up to be tested, a young Front Range orchardist, who sprays commercially for his neighbors and who asked that his name not be used, said that the glands in his throat were almost always swollen. When he was a child, he said, he and his grandfather rode around on the tractor spraying with no protection whatsoever. They would come in drenched. So sure was he as a

Katie Kawamura, DCI



Carolyn and the late Dorsey Chism

child of the harmlessness of the chemicals, that he rode his bicycle behind the municipal truck that sprayed DDT for mosquitoes. He believed that if he were saturated in the spray, no mosquito would ever bite him again.

Dr. Whitcomb's testing at the meeting of the Horticultural Society showed a not surprising correlation between the pesticides the growers sprayed and sensitivities they were developing. But many of the growers also evidenced high burdens of DDT and other chlorinated hydrocarbons which they hadn't used in years.

"The Chisms' horrible tragedy" taught growers a great deal, said Ben Eastman, Dorsey's Rogers Mesa neighbor, weeks after the conference. "Dorsey kept saying at that meeting, 'You're not Ironmen, this could happen to you,' and I think all of us are being much more careful. Every grower I know is talking about or has purchased new protective gear."

Eastman remembers lots of times when growers he has known have been careless around pesticides. "I saw one guy reach into a tank of Guthion and stir it with his bare arms," he said. "We have to be careful and take all the precautions we can, because we can't stay in business without the sprays."

Some of the growers have been aware of the hazards for a long time. Danny Williams of Cedar-edge, who sprays Supracide from his brand new \$2500 enclosed tractor cab -- the envy of all his fellow growers -- recalls his father's pesticide poisoning in the 1940s. Williams' dad was spraying with parathion, a highly toxic organophosphate pesticide that was used extensively at that time. Too much exposure with too little protection left him first paralyzed and then later with trouble controlling his limbs. Even after he regained control of his body, any exposure to sprays,

even just riding in the car by an orchard that had been sprayed, would make him sick again. Now a robust man of 65, he diligently avoids sprays although he can go back into the orchard to prune or pick.

The childhood memory of his father not being able to get out of bed left Danny Williams with a healthy respect for chemical pesticides, and he has always protected himself as best he could and showered immediately after spraying. Nonetheless, the Williams' family doctor told him last year that his constant sinus headaches during the spraying season were probably related to pesticides.

Walter Lund of Paonia has long been known among his friends as careful and cautious. But Lund said he once wrapped some used malathion bags around pipes under his neighbor's house to keep them from freezing. His arms broke out in a prickly rash, and for years afterward when he sprayed or exposed his arms to the sun, the rash would reappear.

Lund also observed that most of the commercial sprayers who applied parathion with little or no protection were dying young. Twenty-five years ago, Lund and his brother built a cab for their tractor to protect themselves from the sprays. The rusty old cab, now retired, was replaced a few years ago by a second homemade model.

"I think the awareness among fruitgrowers is pretty high," said Tom Alvey, neighbor to the Chisms. "We are using the chemicals in as safe a fashion as possible." Alvey bought himself a 3M helmeted suit because he would sometimes feel speedy and excitable after spraying. He has consulted Dr. Whitcomb and now participates in a program sponsored by the Western Horticultural Society and administered by the Delta County Memorial Hospital and St. Mary's Hospital in Grand Junction. The program does three blood tests to test

for pesticide buildup in orchardists. A blood sample taken in April determined the baseline cholinesterase and pseudocholinesterase levels in the blood, and tests in July and September will indicate whether or not the growers participating in the testing program are being overexposed.

Pathologist Dr. Thomas Canfield of the Delta Hospital said the test has been available for a long time, but it was usually used on victims of suspected pesticide poisonings. "People came in with symptoms of toxicity such as blurred vision, myosis, muscle weakness or twitching, slow heart rate, vomiting, nausea, diarrhea, excessive salivation or sweating or cardiac arrhythmias, and if the diagnosis was presumptive organophosphate poisoning, we'd run this test on them. But this is the first time we've ever run a study like this one." About one quarter of the growers in the North Fork Valley went in for the first of the series of tests in April.

Only one of the growers interviewed brushed off what had happened to Dorsey Chism: "He was reckless and that's all there is to it." The others agreed that if they had not at times been careless themselves, they had certainly seen carelessness among their friends and neighbors.

"If you want to grow apples commercially, you have to use pesticides," said Harvey Baer of Paonia, "but they are expensive and dangerous, so you use as little as possible." Baer reported that most of the growers were spraying less now than they used to thanks to Integrated Pest Management programs that have been conducted in the area. A computerized temperature chart enables the growers to hold off spraying until there is good reason to believe that the codling moth will become active. Cold weather means a postponement in the spray schedule. The growers also use pheromone traps in their orchards, which entice male moths with the female scent. There is no need to spray until there are actually insects present. Tom Alvey estimates that these techniques have enabled him to cut his chemical use by a third.

The amount growers spend on chemicals varies greatly. Chism estimated that his annual chemical bill is \$11,000 for 100 acres, a little more than \$100 an acre. Most growers estimate spending \$70 to \$80 an acre. Bob Kokes of Paonia, however, says he spends only \$700 to \$800 a year to keep his 33 acres of peaches, pears, plums, cherries and apples pest free -- only about \$25 an acre. "I only use the chemicals half-strength," he said. "I tried it less than half, but it doesn't work. I use as little as I can get away with."

Bernie Heideman, who grows apples on five acres in Hotchkiss without chemical sprays, estimates that he spends several hundred dollars an acre on ryania, a plant-derived, naturally-occurring insecticide. Because of its low mammalian toxicity, ryania is not regulated by the EPA. But it is only partially effective against the codling moth and must be applied every few days. Heideman also releases wasps that parasitize the codling moth eggs. Even with his natural controls, Heideman expects to lose anywhere from 5 to 50 percent of his crop each year. The apples that are only cosmetically damaged are turned into juice which is sold in health food stores throughout the state, but the

So sure was he as a child of the harmlessness of the chemicals, that he rode his bicycle behind the municipal truck that sprayed DDT for mosquitoes.

wormy apples have to be dumped. The natural foods market in the United States is now a multibillion dollar industry, and Heideman says he can sell all the apples he produces. But raising apples organically on a large scale is not commercially feasible, Heideman admits.

Wayne Talmage, a Paonia distributor of insecticides, agrees with Heideman that there is not yet a commercially viable alternative to chemical sprays for the large growers, but he believes that the home and garden market will continue to grow. "There is absolutely no reason whatsoever," he maintains, "for a person to use deadly chemicals around his house which may give him and his children cancer in 10 or 15 years."

Talmage says the field of microbiology may soon offer commercial growers an alternative to combating the codling moth with highly toxic chemicals. He points to the commercial use of *Bacillus thuringiensis*, or Bt, which is a microbiological spray developed from a naturally occurring enemy of the Japanese silkworm. Bt, according to Talmage, is now used commercially to control cabbage loopers and is as effective as the widely used Sevin against the gypsy moth. Monsanto, a large manufacturer of chemical pesticides, is pioneering experimentation with the granulosis virus, a natural enemy of the codling moth.

Although Talmage admits there is a danger that these bacterial and viral agents might mutate in the environment and prey upon something other than the target insect, in his mind that danger is small compared to the trouble the country is in as a result

of the chemical bombardment and pollution caused by commercial agriculture's heavy reliance on pesticides, herbicides, insecticides and fertilizers. "The only sector of the agricultural industry which is making money right now," he contends, "is the agrichemical companies; obviously, the more they convince growers to use chemicals, the more money they make."

Until there is an alternative, the large commercial growers of the North Fork Valley are stuck with their reliance on highly poisonous organophosphate insecticides. All the growers interviewed said they are conscientious about stopping spraying three to four weeks before their fruit is picked, according to Environmental Protection Agency guidelines. However, growers must trust that following the EPA guidelines ensures that customers are not eating unhealthy pesticide residues with the apples. Less than one percent of the food produced in this country is actually tested to see that residue standards are being met.

Jay Feldman of the Washington, D.C., based National Coalition Against Misuse of Pesticides warns growers against confidence that pesticide residue on their apples will not hurt consumers. "There are residues left on the food," said Feldman, "and the EPA is over a decade behind in completing tests on the long-term health effects of pesticides. The jury is still out on the safety of all the organophosphate insecticides."

Although most fruitgrowers now cover themselves completely in protective gear while they are

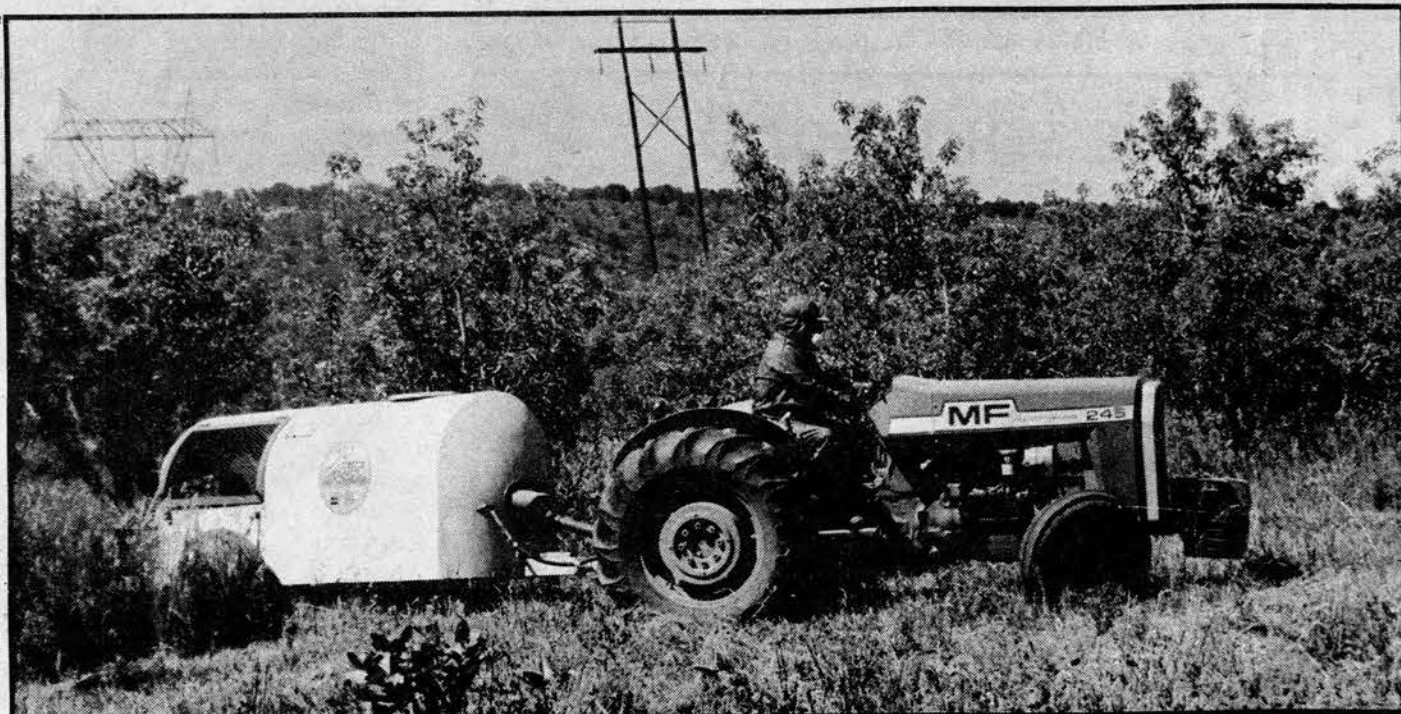
spraying, they often re-enter the orchard soon after spraying without protecting themselves. Bob Phillips of Eckert said he believed the pesticides on the trees were harmless once they had dried. But Texas will not allow farmworkers to go back into a field sprayed with Guthion for seven days. California, which has the strictest worker protection laws in the country, forbids re-entry for anywhere from 14 to 30 days, depending on the crop.

All of the growers admit that they are spraying against more pests now than 10 or 14 years ago. Some believe that insects like parasilla have been introduced by people travelling into the region, but there is some evidence that certain insects develop immunities to pesticides. One grower said he believed that aphids were developing resistance to the pesticides he used. The growers of the North Fork Valley live in fear that soon the apple maggot, already a problem in Utah, will invade their orchards. "Then we'll have to spray even more, I guess," lamented Danny Williams.

During the Horticultural Society meeting, Carolyn Chism said it will take something horrible, such as a Bhopal in this country or a generation of children born without arms, before chemical companies come up with a better way of growing apples. "But as long as the American public will not accept an apple with a worm sting or a hole," she concluded, "the grower cannot avoid spraying."

□

Candi Harper is producer/reporter for *Colorado Speaks*, a public affairs series heard on 20 radio stations in Colorado and Wyoming.



Pesticide sprayer in a Paonia orchard

12-High Country News -- July 8, 1985

The 1985 Colorado Legislature

The session could have been worse

—by Ed Marston and Jeanne Englert

One of Denver's favorite jokes about the Colorado Legislature is that no one's property is safe while the lawmakers are in town.

For part of the 1985 session, the 100 legislators appeared intent on putting that joke permanently to rest. Critics charged that the Legislature, which was so heavily Republican that divisions within the party were more important than the Republican-Democrat split, concentrated on embedding some property rights in concrete.

Most spectacularly, the lawmakers tried to pass a bill which would have given developers a super property right. They were stopped only by a public outcry. One lawmaker, Sen. Jim Lee, R-Lakewood, fresh from picking up his latest batch of telephone message slips from constituents, told colleagues, "You better vote fast or we'll run out of pink slips." (See accompanying story.)

The Legislature also tried to take away from cities the power to regulate their watersheds -- a piece of special-interest legislation pushed by AMAX against the ski town of Crested Butte. The bill passed, but Democratic Gov. Richard Lamm's veto held.

Two legislators urged the privatization of some state-owned open space. Colorado Springs Representative Ray Powers, R, urged the selling of the Mueller Ranch in El Paso County. The ranch, which provides wildlife habitat in a rapidly developing area, has been closed to the public for five years because the Legislature has not appropriated money to accommodate visitors. Sen. Steve Durham, R-Colorado Springs and former EPA regional administrator, urged the state to sell the Staunton Ranch, which is near Conifer and which was just given to the state.

The Legislature didn't require the sale of these ranches. But neither did it take positive steps to fund open space. David Getches, head of the Colorado Department of Natural Resources, said that the Legislature had not confronted "the need for recreation and open-space land on the Front Range. If we don't act soon, we will find suitable land all gone."

Privatization was also found in the area of water. There, the Legislature passed a groundwater bill to allow

landowners to develop so-called nontributary groundwater in the vast Denver basin. Critics said the groundwater should not be mined for new development but held for protection against drought and other problems. Supporters said the law strikes a reasonable balance between growth and conservation.

The Legislature was not always statesmanlike in its lawmaking. It chose, for example, to become a lawbreaker by refusing to pay the American Civil Liberties Union legal fees awarded against the state by a federal district judge in a prisoners' rights suit. Finally Judge John Kane had to order the garnishing of a state bank account to pay the ACLU.

The Legislature came within one vote of passing a resolution ordering Lamm to remove a display of stenciled blue barrels he set up near his Capitol building office memorializing hazardous waste transport accidents. The lawmakers were annoyed at the governor's attempt to pressure them into passing laws to control the shipment of hazardous and nuclear wastes in the state.

In a way, everyone won the hazardous waste battle surrounding the array of five bills introduced on the subject. Lamm's victory was that the barrels remained on display. The railroad and truck lobbies succeeded in blocking tough bills that would have regulated their hazardous waste shipments by allowing local governments to establish permitted routes and "safe havens," or truck stops. And the Colorado Environmental Lobby's Toni Worcester, who used a personal computer to monitor 95 bills out of the roughly 600 introduced during the session, said the environmentalists helped kill weak bills that would have only given the appearance of action.

Worcester also said the Legislature produced its best bill in this area. SB109 sets a surcharge on the disposal of trash at landfills to pay Colorado's ten percent share of cleanup done under the federal Superfund law. But even this action is bittersweet. She said Colorado is the last state in the nation to pass a law to fund its share of the Superfund cleanup, and its sites will be low on any federal cleanup list.

This 55th session of the Legislature had its share of vituperation. In response to its criticism of the

groundwater bill, SB5, the League of Women Voters was characterized on the record as the Plague of Women Vipers.

But on this bill, at least, the Legislature's bark was worse than its bite. The bill was much improved during a legislative process commonly compared to sausage making. Initially, a Lamm aide said, SB5 would have given away about 50,000 acre-feet of Platte River water that flows to the river as "tributary" groundwater. It would also have allowed the easy "vesting" of the nontributary, or deep and perhaps unreplaceable, groundwater in the hands of the landowners above it.

But in its final form, Sen. Tilman Bishop, R-Grand Junction, said, the bill was written so that government will be able to step back in if a need develops for the groundwater. SB5 also provides for protection of surface water users if the pumping of supposedly deep and nontributary aquifers depletes surface water. Supporters also said the bill clarifies an earlier law on the subject, ensuring that the Denver basin, which almost reaches to the rapidly declining Ogallala aquifer on the Eastern Plains, won't be depleted in less than a century.

Worcester, who characterized it as a "special interest law for developers," is not sure the Legislature will be able to step back in in case of drought or a rapidly dropping water table. "There will be pockets of (private) water ownership. That will make it hard to reserve it for emergency or for a local government to turn to."

The battle over Crested Butte's watershed came when AMAX lobbyists urged the Legislature to change an 1877 state law which allows Colorado municipalities to control watersheds outside their boundaries. Many communities have such laws, but Crested Butte's was controversial because of its fight with AMAX several years ago over a proposed molybdenum mine outside the town.

AMAX saw Crested Butte's use of the state watershed law to set up a permitting process as an attempt to stop the mine. Although AMAX has cancelled its plans for the mine, it may feel the town permitting process will discourage potential buyers of the ore body. So it challenged Crested Butte in the courts, where it lost, and then took the issue to the Legislature. The lawmakers passed HB1271 to amend the 1877 law, but they did not attempt to override the Lamm veto.

The fight against the bill was led by the Colorado Municipal League, but the bill was supported by Colorado Counties, Inc., which wishes to keep towns from extending their influence into the counties.

Myles Rademan, Crested Butte's Development Director, said the struggle was symbolic of the backward-looking tendency of the Legislature. According to Rademan, AMAX is a failing company with a deteriorating balance sheet in a mining industry which is also suffering badly.

On the other hand, he said, the ski and recreation industry is a major and growing economic force in Colorado.



Myles Rademan

But, continued Rademan, instead of supporting recreation and protecting the state's environmental quality, the Legislature attempted to prop up AMAX by undermining communities' ability to protect their water supplies.

But critics, including environmentalists, also saw some forward motion in the Legislature. Worcester said the environmental community supported HB1070, introduced by water attorney and Rep. Chris Paulson, R-Englewood, to set up a process by which the Legislature would look at the state's capital needs.

She said, "Usually the environmental community is hesitant to support infrastructure -- we fight highways, dams and so on. But the state has so neglected its roads and state buildings and other needs that we have to have a method of looking at priorities." The alternative to such an overview, she said, is a tendency to spend money in an unplanned way on water projects.

The Legislature did spend much time struggling with the water development question. In the past, the building of dams in Colorado has been between local water conservancy districts and the federal government. But federal funds will be available in the future only when a state or local entity is willing to pay a share of any project.

To provide these funds, the Legislature considered HB1229. As introduced, it called for a 0.4 cents sales tax, later reduced to a quarter of a cent. It emerged unscathed from the House Finance Committee, startling folks who had predicted that Colorado would never use its own money to build dams.

But the tax was killed in the Republican caucus by one vote after Grand Junction Representative Vickie Armstrong walked out of the caucus. Although her western Colorado area favors dams, she said it also had another priority. "My district is economically depressed right now and what we're talking about is survival."

The defeat left two proposed federal projects -- the Narrows on the Front Range and Animas-LaPlata on the Western Slope near Durango -- high and dry.

Even more difficult than the

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High Country News

The paper for people who care about the West.

financing issue is the perennial competition between the east and west halves of Colorado. It is difficult because the rapidly growing Front Range, from Fort Collins to the north through the Denver area down to Colorado Springs to the south, has most of the state's population and all of its present growth. The Front Range has been meeting its water needs from a series of transmountain diversions (the Colorado-Big Thompson, Lake Dillon, the Frying Pan-Arkansas, et al), which take water out of the Colorado River, whose headwaters are in western Colorado, through tunnels under the Continental Divide to the Front Range.

Western Colorado's anger over past diversions and dried up streams, ranches and even communities is heightened by planned future diversions. Colorado Springs intends to build its Homestake II diversion in the Holy Cross Wilderness area near Vail; Denver and 47 surrounding water districts and cities want to build the massive Two Forks Reservoir on the South Platte. It would allow the metropolitan area to divert even more water out of the Colorado River basin.

To finance Two Forks, a bill was introduced to bring the thirsty Front Range entities together into a metropolitan water authority which could issue bonds. The West Slope saw this as a potential Super Denver Water Board which would reach out and grasp even more Colorado River water.

As counter-attack, freshman Rep. Danny Williams, R-Edwards, introduced HB1305. It would have required that every transmountain diversion provide 'compensatory storage,' i.e., water diverters would have to build reservoirs on the Western Slope to store an amount of water equal to what they divert each year.

The two bills cancelled each other. The West didn't like one; the East didn't like the other. So there is no Super Water Board, and no compensatory storage.

But there is HB1088, a compromise between the slopes that passed easily, and then was repassed over Lamm's veto. The bill directs the independent Colorado Water Resources and Power Authority to consider building three projects -- two dams on the South Platte (one

presumably Two Forks) and one in western Colorado.

Western Slope Rep. Scott McInnis, R-Glenwood Springs, said the law is a victory because it requires that a start on one of the dams triggers a start on, or the funding of, the other two.

Grand Junction's Sen. Bishop said the law is the first sign of "a spirit of cooperation. They (the Denver area) know that without it, they have long court and budget fights ahead of them."

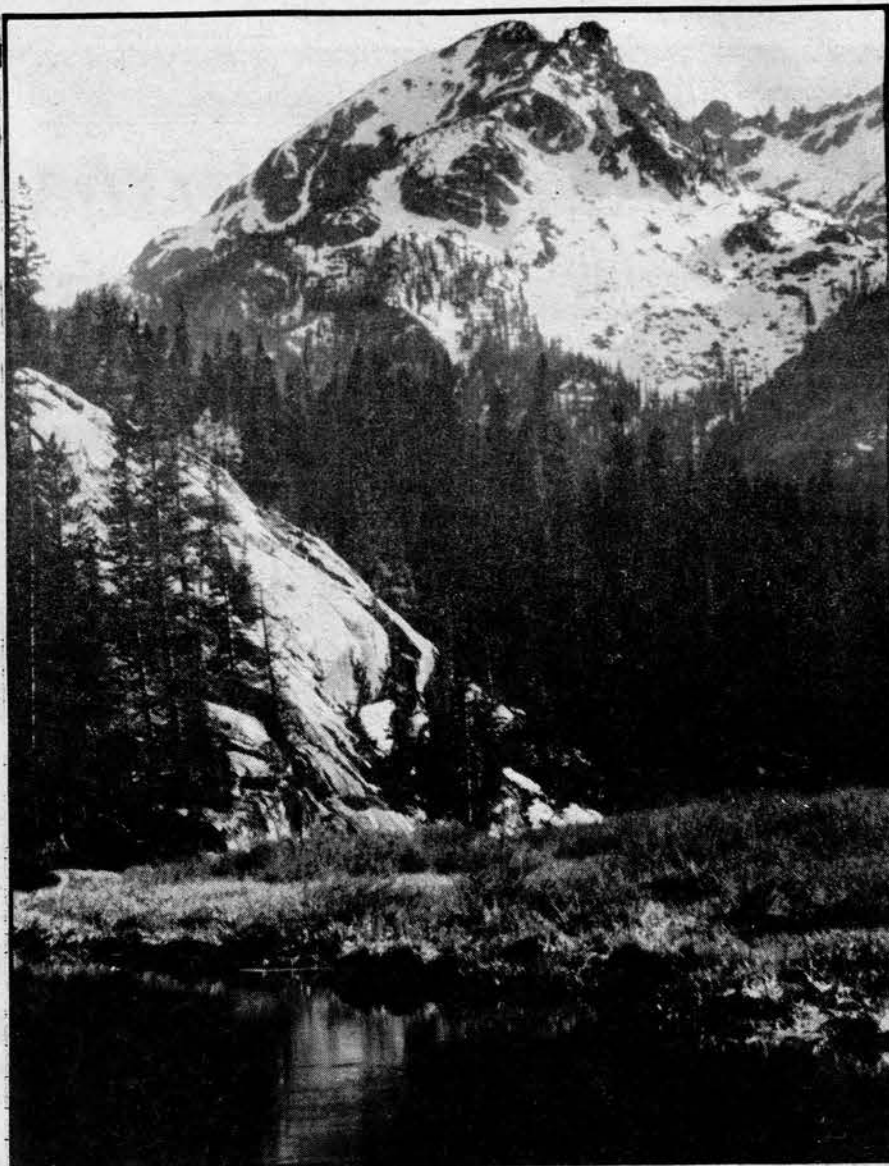
Thus far, the new law is mysterious in its implications. HB1088 can be looked at as backdoor compensatory storage, since it ties together construction of reservoirs on both sides of the Divide. But it can also be seen as implicit West Slope endorsement of Two Forks, thus setting the stage for large new diversions from the West to East.

The governor vetoed the bill at the behest of Ival Goslin, the director of the Water Resources and Power Authority. Goslin said that building or even funding three simultaneous projects is impracticable and undoable by his agency.

The bill had practical problems. But there may also be some turf fighting involved. Until recently, the governor has been the leader in the statewide negotiating efforts to provide a long-term solution to the Denver metropolitan area's desire for more water. Lately, the governor's Metropolitan Water Roundtable has also been the site for negotiations over a West Slope "contribution" of water to solve Denver's "tap gap" -- starting in 1986 it will strictly ration the sale of water taps outside the city limits. It may be that HB1088 is the Legislature's attempt to get into the game by creating its own East-West compromise and starting work on some long-term projects.

One of the most interesting issues in the Legislature linked environmental and good government concerns. Dams and irrigation projects are almost always built by water conservancy districts, which are taxing bodies whose board members are appointed by district court judges with a minimum of public input. Appointees are almost always proponents of dam building and under current law elections are extremely difficult to call.

Warren Martin Herm



Holy Cross Wilderness, site of the planned Homestake II water diversion

This year a grass-roots movement developed to push for elected boards. Under the banner of "no taxation without representation," the group got attention in the western Colorado press and resolutions of support from Pitkin County (Aspen), the town of Carbondale and the city of Fort Collins. All said their residents were being taxed by unelected water district boards.

The Colorado Water Congress, fearful of the effect on the status quo, had its SB141 introduced. In theory, it was to broaden the kind of people who served on boards. But nothing in SB141 applied to existing conservancy districts unless ten percent of the "qualified taxpaying electors" petitioned the district court. That was later amended to ten percent "of the registered electors who own property and who have resided in the district for one year."

In pushing the one-year require-

ment, Sen. Harold McCormick, R-Canon City, said, "I don't like the idea of those thirty-two day wonders having anything to say about it."

The bill was amended radically in the House by Majority Leader Ron Strahle, R-Fort Collins, and Ruth Wright, D-Boulder. They substituted a straight 300 electors for the one-year, property-owning requirements. The amended bill passed 55 to 5 in the House, but ultimately the House withdrew its bill in favor of the Senate version. Strahle and Wright said they would introduce a reform bill in 1986. Leaders of the grass-roots group said that, poor as they thought it was, SB141 represented the first reform of that part of the statute in 40 years. In general, it takes several years of effort before issues such as this one or hazardous waste transport control are acted on by the Legislature.

A group of 'neighbors' defeat a special interest bill

They refuse to be labelled "environmentalists," but in the purest sense of the word they are, the hundred organizations in United Colorado Neighbors which combined forces to defeat HB1360.

A congeries of neighborhood and landowner associations along the Front Range, United Colorado Neighbors was formed a year ago in response to SB194, a bill introduced in the 54th General Assembly which would have stripped citizens of their recourse to referendum to protest planning and zoning decisions which adversely affect them.

SB194 died, but a related bill appeared this legislative session. HB1360 would grant developers a super property right if, after property is zoned, a developer makes a minimal improvement on it. This improvement could be nothing more than curbs and gutters, but the bill would preserve the owner's right to develop for 15 years, stripping both citizens and

local governments of the power to make zoning and planning decisions.

"1360 is a concerted effort to shut out Coloradoans. We must protect the integrity and quality of our neighborhoods," said the neighborhood coalition's president, Ralph Ballmer, a resident of Colorado Springs.

HB1360 looked like a juggernaut. Gov. Lamm, D, was working behind the scenes for the bill, CoPIRG lobbyist Briggs Gamblin told coalition members at a March strategy meeting. In addition, the developers were appealing for sympathy, saying that these planning and zoning referenda were causing them hardships. But the League of Women Voters, which opposed the bill, said only four such referenda had been held and only one went against a developer.

United Colorado Neighbors had a powerful ally, the Colorado

Municipal League. The Neighbors also had warm bodies. Lots of them.

So by the time HB1360 came before the Senate State Affairs Committee, the organization had linked up with several other groups, including the Intermountain Rural Electric Co-op reform group in Woodland Park, which had its own bill pending, and, through a fluke, two citizen organizations in Douglas County battling expansion of Highway E470 and the Douglas County airport.

The Douglas County folks, excited to find cohorts in Colorado Springs, Lakewood, Longmont and Fort Collins, said they'd make a few calls to Sen. Joe Winkler, R-Castle Rock, an avid proponent of the bill. On the day of the hearing, some 200 weekend phone calls to Winkler later, the senator told the packed hearing room. "Don't get me wrong. I'm in favor of this bill. But I have too many constituents opposed to it."

The bill was killed by a vote of five to four.

Ralph Ballmer had no time to celebrate the victory. He went back to continue working on the Colorado Springs municipal election campaign, along with other members of the Council for Neighborhood Organizations. That campaign had state-wide implications.

Canvassing door-to-door, the council managed to defeat a city charter amendment that would have given city utilities the right to issue bonds backed by general taxes without an election. The amendment was, said Ballmer, an attempt to fund construction of the Homestake II water project, which would divert water out of the Holy Cross Wilderness Area in western Colorado, without ratification by the taxpayers.

"We put a dent in the funding of Homestake II. At least we slowed it down."

--Jeanne Englert

BOOK NOTES

The wrong path to the right goal

ECODEFENSE:

A Field Guide to Monkeywrenching

Edited by Dave Foreman, *Forward!* by Edward Abbey. Tucson, Arizona: Earth First! Books, \$10, cloth.

Review by C. L. Rawlins

I came home to find the doors of my cabin and bunkhouse kicked in and a lot of necessities missing: saddle, horsegear, tools, the blankets and quilt off my bed. It's happened before and I have a good idea who did it. The local sheriff's department has so far been unable to pin the thief, though his guilt is common knowledge and his thefts have worked a lot of hardship in the community.

My place has been violated and I'm bitter and angry, the law seems powerless to prevent it and the thief seems to be the only one who has any control over the situation. The idea of taking revenge is tempting and, given the proper precaution, not impossible. Why don't I do it?

In the forward to *ECODEFENSE*, Ed Abbey poses an analogy:

"If a stranger batters your door down with an axe, threatens your family and yourself with deadly weapons, and proceeds to loot your home of whatever he wants, he is committing what is universally recognized -- by law and morality -- as a crime. In such a situation the householder has both the right and the obligation to defend himself, his family, and his property by whatever means are necessary. This right and this obligation is universally recognized, justified and even praised by all civilized human communities. Self-defense against attack is one of the basic laws not only of human society but of life itself, not only of human life but of all life.

"The American wilderness, what little remains, is now undergoing exactly such an assault."

Sitting here staring at a broken door and the empty space where my saddle was hung, I can take the analogy very much to heart, but despite what I consider extreme provocation for revenge, I won't take it. Why?

First, because I'd feel rotten about it after the initial rush of savage

delight. I'd be confirming his lack of decency with my own. I'd have to act as he did, sneaking around in the dark, which isn't my way. In some twisted manner, he thought he was justified in what he did. Maybe I'd be justified too, but I'd just be putting more links on a cold, hard chain.

Second, because this is a community. In it are ranchers, riggers, trappers, environmentalists, Holy Rollers, teachers and, sadly, thieves. Each has an individual vision of the world complete with heroes and villains. There are alliances and feuds. There is also, for the most part, restraint. Most people refrain from kicking ass, even though their personal conviction may be toward asskicking with spurs on. Without this restraint a community, especially a diverse community, becomes a struggle in which the bad guys, also sadly, often win.

In Abbey's forward there is the sort of wishful thinking that is prevalent among those who cherish the remaining wilderness, which I do. In the act of defining the wilderness as home, whether as a form of comfort or as a way of justifying the kind of action recommended by this book, there is more yearning than truth.

I feel at home in wilderness, partly through having managed to live there for a good part of the last decade. The means included everything from herding dudes through grazing allotments to doing acid rain studies, a job which I start in two days. I've backpacked and thrashed up rock and ice, cussed the bugs, shed tears at the sheer beauty and tried to learn as much as I could of the substance and the spirit of wild country.

The choice has entailed a certain degree of sacrifice in money, love and writing career, but I don't regret any of it. I feel at home in wilderness, but I balk at calling it mine. It's not my home in the sense the cabin is. Despite my yearning or cherishing of that essence and my effort to be there physically as much as possible, I can't accept Abbey's comparison.

Massive resource exploitation is a more complex phenomenon than having a thief kick the door of your house in. Despite counter-examples like deficit timber sales, the motive for resource exploitation is demand. As a

whole culture, we consume more than we should and certainly more than we require.

Think hard about your needs. If the list gets long, what with a VCR, a new car, the latest "outdoor" fashions, a hot tub, ad infinitum, then don't think of it in terms of money. Think of each item as a golden eagle or an ancestral spruce or 10 feet of wild river, because that's what it amounts to. The notion that each of us can satisfy inflated desires and still have wilderness, someplace else to soothe our city-ravaged souls, is an illusion.

The book details various forms of eco-defense with suggestions on equipment, choice of target, avoiding injury or capture and monkeywrenching ethics. Before tackling the nuts and bolts, Dave Foreman devotes the first chapter to defining his terms:

"Monkeywrenching is not something to do cavalierly. Monkeywrenchers are very conscious of the gravity of what they do. They are deliberate about taking such a serious step. They are thoughtful. Monkeywrenchers -- although non-violent -- are warriors. They are exposing themselves to possible arrest or injury. It is not a casual or flippant affair. They keep a pure heart and mind about it. They remember that they are engaged in the most moral of all actions: protecting life, defending the earth."

Words are slippery little critters. About 1964, Barry Goldwater said something like: If moderation in pursuit of justice is no virtue, then extremism in defense of liberty is no vice. Though Goldwater is definitely not the patron saint of monkeywrenchers, the book echoes this sentiment with different meanings of the words "liberty" and "justice."

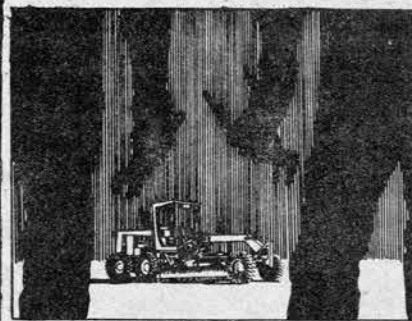
"Protecting life" is also pretty slippery: it has been recently used to justify the bombing of abortion clinics and the harassment of those seeking their services. The words themselves are universally acceptable, while the definitions are open to a lot of wildly divergent interpretations.

The techniques detailed in the book range from mild devilry to heavy trashing. There is a strong emphasis on clandestine activity and concealing personal involvement, which worries me more than anything about the book. Going to a disputed clearcut and linking arms in front of a bulldozer is courageous and has great psychological impact. It's straightforward and shows a willingness to abide by the consequences of one's action. The success of the civil rights demonstrators in changing the law of the land rested on this sort of daylight confrontation.

By contrast, the Klan was notable for hiding behind masks and operating after dark. Counting coup, face-to-face, is the act of a warrior. Masks and darkness make it hard to tell warriors from thieves. Such tactics ought to be, as they were for resistance fighters during WW II, the last resort of persons who have been pushed to the utmost.

The fact that Dave Foreman is, as far as I know, walking around loose after having published this book persuades me that the utmost is not yet. There are places, too many, in the world where he would be dead, the book burned and the land still

ECODEFENSE:



A Field Guide to Monkeywrenching

Edited by Dave Foreman

Forward! by Edward Abbey

despoiled. The debate over means and ends has been raging for quite awhile and, as arguments go, is worthy. It won't end until we do.

I admire Foreman for his courage, despite my reservations about the tactical content of the book. His name and picture are on it. I have a respect and reverence for Ed Abbey that goes beyond logic. I'm not trying to undercut the basic message of *ECODEFENSE*, which is that the situation is critical and each of us must stop daydreaming and do something real to defend it.

I agree with Nagasaki Johnson that, "you have to do more than roll around town with a bicycle seat stuffed up your crotch if you are going to save any life on earth." But, dammit, riding a bicycle instead of equipping a 3/4-ton four-wheel-drive pickup with saddle tanks and a brakelight shutoff switch to drive a thousand miles and spike trees isn't the choice of a wimp.

Recycling, turning off lights, using things until they wear out and getting your cookies in the simplest and least destructive manner isn't glamorous. It's tough to reform your own trashy habits and tougher still to realize that your own resolve won't stop the people down the road from loading up on flashy crap and hauling the dirtbikes out on weekends to waste a few mountain meadows, just for kicks. Personal sacrifice is often unrequited or even unnoticed. It can lead to bitterness, even despair.

Each of us has to hoe his or her own row. Respecting the rights of those who you feel have injured you, your home and your living is tough, especially when you are in deep disagreement with their values and actions, when you feel like strapping on your spurs, hefting your monkeywrench and kicking some rosy, red ass. I've been there before and I'm there right now.

Buy the book and read it through. If the right to keep and bear arms is, as the Constitution insists, a defense against tyranny, then the right to keep and bear this book is, too. Your conclusions and any action you take are your own responsibility, even though we both have to live with the consequences.

As Gandhi said, "In matters of conscience, the law of the majority has no place."

If what you have to say is worth saying and what you have to do is worth doing, then do it out loud, in daylight, face-to-face and in your own name. If it seems tough and tragic, well, then it is.

□

Chip Rawlins is a writer in Boulder, Wyoming.

Earthfirst! founder arrested

Howie Wolke, a founder of Earth First!, was apprehended Sunday, June 23, on the Bridger-Teton National Forest near Jackson, Wyoming, by a surveyor who charged him with pulling up survey stakes. The surveyor, David Spurlock of Lander, captured Wolke at "hatchet point" and took him to the Teton County sheriff's office in Jackson.

Wolke has been charged with felony destruction of property, and faces up to 10 years in prison and a \$10,000 fine. The U.S. Forest Service and Chevron USA are also considering filing charges. Wolke said his lawyer had told him not to comment, but he said that if brought to trial, "I am convinced I'll be acquitted."

According to Gary Marple, a Forest Service employee in charge of law enforcement on the Bridger-Teton, Spurlock was in the area

surveying when he reportedly spotted Wolke. Marple said Spurlock was working on a Sunday because his firm's survey stakes had been pulled up earlier and Chevron wanted to start work Monday widening an old logging road for access to a wildcat drill site in the Cliff Creek area.

Wolke and several other Jackson area environmentalists, Marple said, had met earlier with the Forest Service to oppose the permanent upgrading of three miles of the old logging road. According to Marple, they had asked the Forest Service to order Chevron to return the road to its original, deteriorated condition after it completed the wildcat well. Marple said the Forest Service will gate the upgraded road and remove a bridge across Cliff Creek, but won't require its downgrading. The decision was not appealed, Marple said.

GUEST EDITORIAL

1080 may hasten the sheep industry's death

by Steve Johnson

The Environmental Protection Agency is expected soon to approve the use of Compound 1080 in toxic collars, ending a 13-year ban on the poison used against coyotes and other predators. Toxic collars contain rubber compartments filled with a concentrated solution of compound 1080. The collars are placed around the necks of lambs in an attempt to poison coyotes that bite through the collar while attacking the sheep.

Compound 1080, sodium monofluoroacetate, is an odorless, tasteless poison of enormous toxicity. Resembling powdered sugar, and readily soluble in water, less than 1/500th of an ounce will kill a 150-pound man. It attacks the central nervous system, killing slowly and violently. There is no known antidote.

1080 was developed in Germany during World War II and was originally patented in the United States as a rodenticide. From the 1950s to 1972, it was used as a predicide throughout the West. While it is true that dogs, coyotes and foxes are the most susceptible to low concentrations of 1080, it proved impossible to accurately control the amounts injected into the sheep, horse or beef carcasses that were scattered over the West. As a result, thousands of bears, eagles, raccoons, hawks, owls and other carnivores were killed by the 1080 baits placed by agents of the federal government. By the 1960s, 1080 was no longer under strict control of the U.S. Fish and Wildlife Service, and thousands of ranchers, particularly sheepmen, routinely injected all livestock carcasses they found, varying doses as they wished.

Early in 1972, largely due to the publicity surrounding the poisoning of many eagles by a Wyoming rancher, President Nixon signed Executive Order 11643, halting the use of chemical toxicants as predicides and the use of any chemical toxicant which exhibits secondary poisoning effects. Claiming that the banning of 1080 had resulted in a population explosion of coyotes, the livestock industry began a campaign to have the Executive Order repealed. Despite enormous pressure, President Ford refused, and reaffirmed the Order in 1975, as did President Carter during his term.

Not until the Reagan administration, with James Watt and Anne Gorsuch on the side of the ranchers, was the Order repealed. In January of 1982, President Reagan rescinded E.O. 11643, clearing the way for the Environmental Protection Agency to seek re-registration of 1080.

In March of 1982, formal administrative judicial hearings began, lasting nearly six months. The initial decision was announced by the administrative law judge in November, and recommended the use of toxic collars and small Single Lethal Dose baits. In December of 1982, the final decision was announced by the EPA Administrator to accept the findings of the judge and release the toxic collar. The SLD baits remain under investigation by the EPA.

Defenders of Wildlife, the organization that had carried the brunt of work involved in preparations for testimony in the lengthy hearings process, appealed the EPA decision. They were joined by 11 other national environmental organizations. As of this writing, the results of that appeal have yet to be released, although EPA is expected to lift the ban on toxic collars this month.

It is the U.S. sheep industry that has led the battle for 1080, even though there is no proof that the toxicant ever helped them. From a national total of 52 million sheep in 1942, numbers have declined steadily to only about 10 million today. And after 1080 was banned in 1972, the decline in total U.S. sheep production continued at the same rate as before.

The problems America's woolgrowers face are serious. From 1941 to 1981, the number of worsted mills in the U.S. declined from 150 to seven; woolen mills dropped from 100 to 20. Fifty years ago, 200 million pounds of wool were used in carpets in this country. In 1977, only 12 million

Dick Randall, Defenders of Wildlife



pounds were used. Per capita wool use has dwindled from four pounds to one pound, and of the wool used domestically, over half is imported despite the high tariffs on imported wool. The presence of black hairs in domestic wool means that all pastel fabrics must use the higher quality imported wools. The U.S. woolgrowers' decision to use the same species of sheep for both wool and meat has produced a compromise animal of inferior quality.

In addition to import duties on foreign wool, which only serve to raise all wool prices and drive away more consumers to synthetic fabrics, the sheepman receives massive wool subsidies, paid for with tariffs on imported wool. In 1983, federal wool-subsidy payments were over \$100 million, which exceeded the total value of wool produced in the United States for that year. The subsidies, called incentive payments, were authorized by Congress in 1954 to help stimulate wool production. If market prices fail to meet a certain level, producers collect payments to make up the difference.

Despite a 1982 General Accounting Office report that the federal wool program "has not been effective in accomplishing its stated objectives" to encourage output and increase quality, the program is still in effect. Unless renewed by Congress, the program will expire in 1986.

Wool growers also face a shortage of people today who want to herd sheep. The result is that many sheep in the West are turned loose on the public lands with no supervision, with no one to help them give birth or to rescue them from mudholes, creeks and the many other hazards faced by an incredibly stupid animal.

Even if one uses the exaggerated loss figures furnished by sheep ranchers looking for more predator control, 50 percent of all losses are due to disease, weather and birth-related mortality -- not the coyote.

With such a banquet of unherded sheep always available, and high levels of coyote control causing large litters in the surviving coyotes, the weaned pups don't need to develop the skills needed to catch a rabbit or a mouse. So the cycle continues. And public subsidies and import tariffs continue to prop up a sick industry that has no incentive to solve its own problems.

Even without the unrestricted use of toxicants, we have not abandoned the sheepman to face the coyote alone. Since 1972, state and federal taxpayers have paid for trapping, shooting, and snaring about one million coyotes in the West. In 1983, the Division of Animal Damage Control of the U.S. Fish and Wildlife Service spent nearly \$10 million to control predators.

But coyotes are density-dependent, which means that they respond to any thinning of their numbers by producing more pups. Some biologists believe that predator control may actually compound the predation problem by killing only

the vulnerable animals, and leaving the experienced, control-wise coyotes -- a sort of man-induced "survival of the fittest."

Many sheepmen oppose the toxic collars, calling them useless. In order for the collars to work, EPA recommends collaring a minimum of 20 to 50 lambs in a single pasture. At \$17 for each collar, this means a start-up cost of \$340 to \$850 for each flock of sheep. The labor costs are also high, since it normally takes two people to collar a sheep. In addition, the collared sheep must be in the pasture where past losses have occurred, and the collared sheep must be monitored weekly. Regulations also require that all lost collars be searched for and found, which can be an impossible task in many large and rugged pastures.

If the collars are punctured, either by a fence, brush or a coyote, the poison leaks onto the sheep and the ground. Field studies in 1984 found that 10 sheep died from eating the poisoned grass from the 1080 contained in one ruptured collar.

The dead sheep, due to the 1080 liquid leaking onto its neck, also becomes a deadly bait for any wildlife that scavenges the remains. This includes such species as foxes, eagles, badgers, ravens and bears, among others. The EPA decided to retain the ban on carcass baits because of the hazards to non-target wildlife, yet it is about to allow the use of a device that creates such baits.

Ironically, the people at greatest risk from accidental poisoning will be the ranchers, their employees, families and neighbors. Users must contend with a toxin that can enter the body through the skin, cuts, and through the mucous membranes of the eyes or mouth. The required warning notices that are to be posted in areas of toxic collar use state that all contaminated leather, such as shoes, boots and gloves, must be buried under three feet of soil "...at least 1/2 mile from human habitations and water supplies." The necessity of frequently adjusting the collar as the lambs grow means additional exposure to the hazards of the highly toxic liquid squirting out through tiny holes in the rubber membrane. Despite the extreme hazards involved, any rancher completing a minimal state training session will be allowed to purchase, use and allow any employee to handle toxic collars.

As was shown by the discovery of dead eagles on the public lands of Wyoming this May, ranchers have a long and continuing history of illegal poisoning. Similar cases have occurred in Utah and Colorado over the past year. The release of a concentrated form of Compound 1080 in toxic collars to ranching interests that already ignore the law is truly a frightening prospect.

Wool is an excellent product, highly useful to man, but it can be produced by methods that don't release highly toxic chemicals onto the public lands. The use of guard dogs and sheepherders alone would solve nearly all sheep predation problems. The money earned by the tariff on imported wool could buy a lot of guard dogs, and pay good salaries for sheepherders. Another source of potential funding for non-lethal control methods and better animal husbandry practices is the enormous amounts spent yearly to kill coyotes on our public lands. In 1983 alone, remember, expenditures for wool tariffs and coyote control were over \$110 million.

Finally, and most importantly, the public is now more aware than ever of the value of their lands and the wildlife that we all enjoy. The carrying capacity of those lands has already been greatly decreased by livestock grazing, as shown by countless studies. Grazing is correctly seen as a privilege, not a right, a privilege that can be withdrawn. If Compound 1080 again comes into wide use, the inevitable abuses that will follow could mean the end of livestock grazing on the public lands.

□

Steve Johnson is Southwest Regional Representative for Defenders of Wildlife in Tucson, Arizona.

16-High Country News -- July 8, 1985

LETTERS

A MANIPULATIVE COURT

Dear HCN,

In Jeanne Englert's story "Congress wasn't thinking of the Earth's humbler creatures when it passed the law" (HCN, 6/10/85), I am quoted as saying "the snail darter case was wrongly decided by the Supreme Court."

Taken out of context, that sounds, if not heretical, at least arrogant. What I said, *en toto* (or at least meant to say) was that -- though the court was right in finding a violation of the Endangered Species Act -- it had and should have used under the peculiar circumstances of the case (*viz.*, the virtual completion of the Tellico Dam at the time the snail darter was discovered) the "equitable discretion" not to enjoin the closing of the dam. As I recall, that was the District Court's position (in denying an injunction) and the position (right, in my opinion) of Justice Rehnquist in dissent.

My view is that the decision of the court was a cynical, and partly successful, effort to entice Congress into an overhaul of the statute. I think what Justice Burger (in writing the opinion) had in mind was a massive legislative reaction, but as it turned out Congress used a manicure file and not a meat axe. My suspicions were reinforced some, or perhaps originated, in seeing and hearing the oral argument. The court, with few exceptions, seemed to view the arguments (beginning with the federal attorney general pulling a mounted specimen of the snail darter out of his pocket and waving it before the court) with some amusement, and the environmentalists' position with a certain incredulity. Though my friend, Zyg Plater, did a masterful job, then and earlier, in advocating a very difficult position, the court (led by Justice Burger, who wound up writing the opinion) certainly didn't seem to

believe that Congress intended for \$100 million worth of work to be jettisoned because of the last-minute discovery of a miniscule minnow.

One other thing. Reference was made to the Mississippi sandhill crane case that we had earlier won. That case (*National Wildlife Federation v. Coleman*) was the first victory that environmentalists enjoyed under the Endangered Species Act. The controversy involved a segment of federal highway running through the last remaining habitat of the last remaining flock (40 birds) of an endangered subspecies of sandhill crane. It was a dead winner, though we had to go to the Court of Appeals to win it since the District Judge in Mississippi refused to believe that Congress wanted any federally funded interstate highway stopped, let alone by a bird. Ultimately, the Federal Highway Administration (not the Mississippi Highway Department, as reported) had to throw \$10,000,000 into the kitty, to purchase land around the highway as a refuge for the crane. Thus, the highway -- like the Tellico Dam -- was ultimately built. The same thing happened in another National Wildlife Federation case involving a collision between the Gray Rocks Dam in Wyoming and the whooping crane in Nebraska. The dam was eventually constructed, but not until a \$7.5 million dollar trust fund was established, by way of mitigation, to protect the downstream habitat of the endangered whooper.

In any event, and to sum up, three things seem clear. First, the Endangered Species Act is a powerful (arguably the most powerful) environmental substantive statute (i.e., an environmental "win" buys something besides more procedure and more paper). Still, Second, the ultimate decision in any environmental case is politically determined -- that is, if the legislature doesn't like the court result, it will by statute (or statutory amendment), change it. See, e.g., Tellico Dam. (Conversely, if the decision is politically OK, the legislature will let it stand.) And finally, given that reality, no environmental litigator wants to bring a lawsuit without taking a long look down the alley at the political fallout likely to result from an environmental victory -- particularly a stunning

victory like the one (however Pyrrhic) Zyg Plater won in *Hill v. TVA*.

Bob Golten
Boulder, Colorado

THRUST FROM GREGG HOBBS ...

Dear HCN,

I enjoyed Jeanne Englert's well written article of June 10 regarding the Endangered Species Act and Western water development.

One factual error needs correction. Although various possible amendments to the act have been discussed over the past several years, the position of the Colorado Water Congress in testimony before the United States Congress this year was that no amendments to the Endangered Species Act are necessary at this time. Rather, the act should be reauthorized for a short period of time, so that the U.S. Congress can review the progress of the Colorado River and Platte River working groups in their effort to identify conservation measures which meet the Endangered Species Act and do not preempt state water law.

It now appears that both the House and the Senate will reauthorize the Endangered Species Act for a period of three years without amendment. This is acceptable to the Colorado Water Congress. Now is the time to see whether accommodation between federal endangered species programs and state water allocations can occur. Contrary to Jeanne Englert's article, the Colorado Water Congress did not seek an exemption in the Act for the Upper Colorado River Basin.

Gregory J. Hobbs, Jr.
Denver, Colorado

(Mr. Hobbs is an attorney with the firm of Davis, Graham and Stubbs. He specializes in water matters and represents the Colorado Water Congress.)

... AND COUNTERTHRUST FROM JEANNE ENGLERT

Greg Hobbs is technically correct that when it finally came to actual hearings on reauthorization of the Endangered Species Act, the Colorado

Water Congress did not push for amendments to it.

However, I will continue to maintain that they had plans to do so. A Feb. 27, 1985, story in the *Washington Post* stated, "The water groups have asked Westerners in Congress to sponsor their amendments when the reauthorization bill comes up. Aides to Sen. Malcolm Wallop, R-Wy., say he is likely to push for some such amendments in the Senate."

The story then quotes one of Wallop's aides as saying that "the Senator feels strongly that something has to be done about the Western water rights issue." In addition, an internal memorandum from Tom Pitts, the consultant to the Colorado Water Congress' Special Project, states that should the Upper Basin Coordinating Committee "fail to come up with a plan, the Colorado Water Congress will be in need of legislative options and, in fact, may need those options in any case." Pitts then asks the CWC Legislative Committee to define legislative options, including amendments to the Endangered Species Act, Clean Water Act, and the Federal Fish and Wildlife Coordination Act.

I also have on file a meeting notice from Tom Pitts for the December 18, 1984, meeting of the Political and Legal Committee of CWC Special Project. One of the items which was to have been discussed was described as follows: "Draft legislative proposals for modification of the Endangered Species Act developed by CWC's Legal Committee."

What happened? Why were the plans to amend the act abandoned by the time of the April hearing? It proved politically unpalatable to attempt it because the environmentalists were prepared to fight them, in part because of documents from the files of public water districts. Also, the "endangered plant" people had a host of amendments of their own, thus opening a Pandora's box of amendments to the act.

Whether the CWC had "plans" to amend the act or merely held discussions about amending it is a matter of personal judgment. The material I have on file would argue that they had plans -- plans preempted by timely action by the environmental community.

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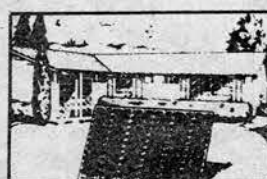
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