

High Country News

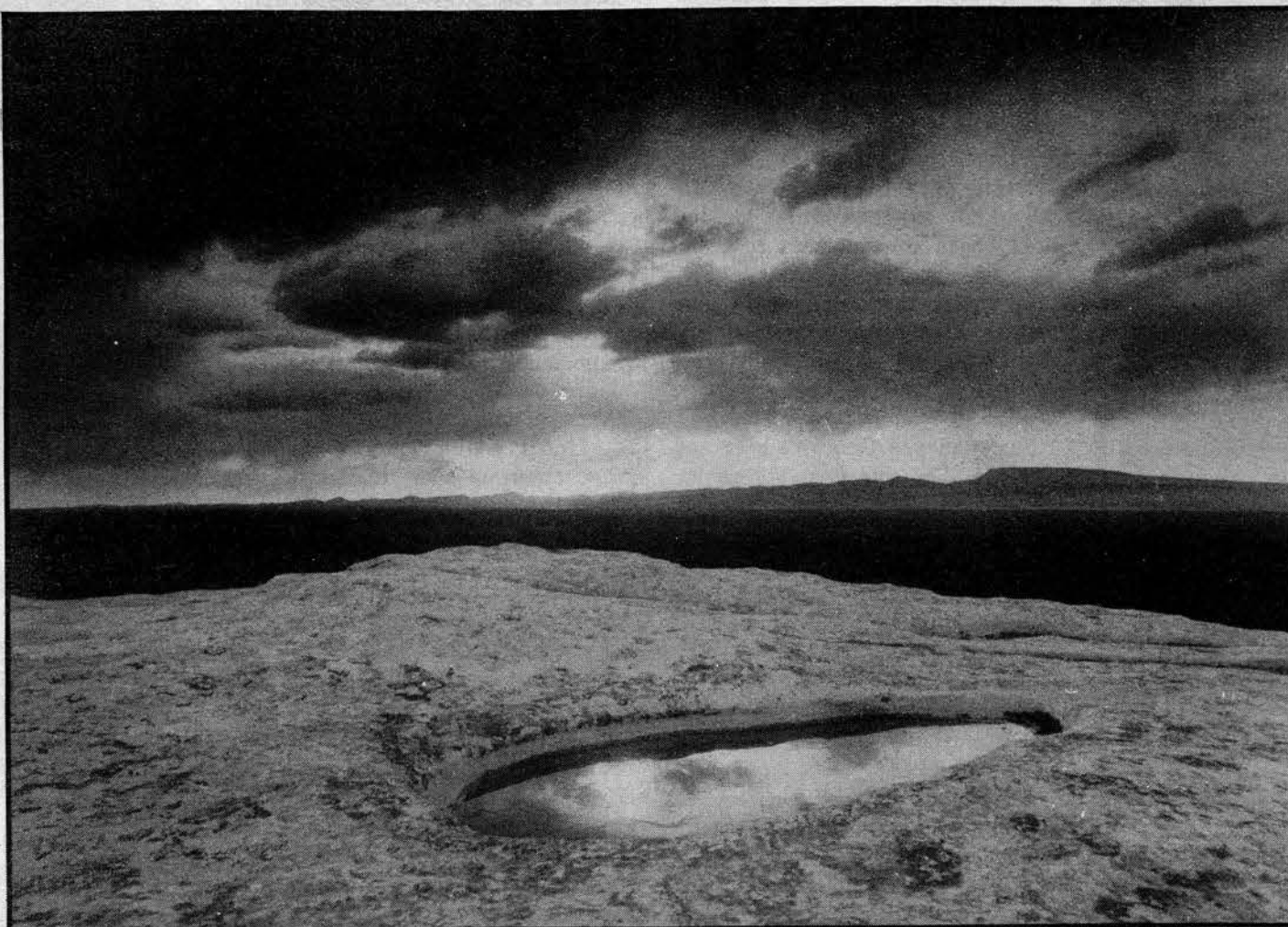
November 9, 1987

Vol. 19 No. 21

A Paper for People who Care about the West

One Dollar

Kenji Kawano



Lava rock in El Malpais

Acoma Indians protest a proposed national monument in New Mexico

by Patricia Guthrie

A swath of volcanic "badlands" in New Mexico is the country's latest candidate for a national monument. Cinder cones, hollow lava tubes, ancient Indian ruins, ice caves and an expanse of craggy volcanic remains make up New Mexico's El Malpais -- called the badlands by Spanish explorers in the 16th century.

Spilling south of Grants, N.M., which calls itself the "uranium capital of the world," 377,000 acres of lava land would be preserved by a bill now pending before the Senate. The bill requires the National Park Service and Bureau of Land Management to share administrative responsibility -- an effort lauded as a first in federal agency cooperation.

Approximately 114,000 acres of the national monument would be administered by the Park Service while 263,000 acres surrounding it would be designated the Grants National Conservation Area under the BLM. Within that

BLM conservation area, 98,000 acres would become wilderness.

A bipartisan effort by Sen. Pete Domenici, R-N.M., and Sen. Jeff Bingaman, D-N.M., the bill would also create the Masau Trail, named after a god-man who welcomed the Indian people to the earth from the underworld. The trail would mark an existing two-lane road linking El Malpais with other historic sites such as El Morro National Monument's Inscription Rock, 15 miles south, and Chaco Culture National Historical Park's Anasazi Ruins, 65 miles north.

The volcanic plain that stretches 30 miles south of Grants is now under the protection of the BLM. Conservationists charge that neglect and not protection better describes the situation, as pot-hunters loot Indian artifacts and damage the area.

Since the 1940's lovers of the unique land have called for the ultimate in protection: an El Malpais National Park. New Mexico's congressional delega-

tion, however, said a national monument and conservation area were more feasible in the 100th Congress.

Introduced in the House last year by Rep. Bill Richardson, D-N.M., and Manuel Lujan, R-N.M., the El Malpais bill was expected to encounter smooth sailing. The bill passed the House this June but then ran full tilt into the Acoma Indian Tribe. The tribe, which numbers 4,000, has continued to protest putting what it calls ancestral land into wilderness within a national monument.

The Acoma village, called Sky City, perches atop a mesa east of El Malpais. Like the Hopi, the Acoma say they live in the oldest continually inhabited village in North America.

Below their pueblo within the frozen fields of lava, there are Indian shrines, scattered pieces of clay pots and sandstone cairns marking footpaths for ancient Indian hunters. Although the proposed bill allows the tribe continued access to Native Amer-

ican sites, the Acomas say they want 13,000 acres in the proposed El Malpais Wilderness withdrawn.

That area is the gateway for rain clouds to come to Acoma, says tribal governor Sanley Paytiamo. Pottery and other artifacts are buried in the land to act as "landing lights" for rain clouds, he says.

"Our land keeps shrinking. Our old people tell me they are getting tired of it. The Acoma people, the Native Americans, were the first landlords, but non-Indian peoples hate to hear that." Paytiamo says his tribe is actively buying back tracts of land they see as their original homestead.

Archaeologists believe the Anasazi people used El Malpais as farmland from 1,200 to 1,400 A.D. Maize, squash and beans were grown in the rich volcanic ash. Generations of Acoma have passed down legends of seeing rivers of fire from eruptive volcanoes that buried their ancestors' farmlands.

(Continued on page 10)

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Dear friends,



High Country News

HIGH COUNTRY NEWS (ISSN 0191-5657) is published biweekly, except for one issue during July and one issue during January, by the High Country News Foundation, 124 Grand Avenue, Paonia, Colorado 81428. Second-class postage paid at Paonia, Colorado.

POSTMASTER: Send address changes to HIGH COUNTRY NEWS, Box 1090, Paonia, CO 81428.

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

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Subscriptions are \$20 per year for individuals. \$28 per year for institutions. Single copies \$1.00 plus \$1.25 postage and handling.

George Kelly

If anyone is entitled to claim historic perspective, it is 93-year-old George Kelly. The horticulturist and author of 12 books on Rocky Mountain plants and trees makes his home in the Four Corners town of Cortez, Colo., from whence he keeps an eye on the news. He told us recently that a major difference between these waning years of the 20th century and his youth is an increase in those who see the world as a place to be conserved rather than dug up.

"Fifty years ago, when Art Carhart (an early wilderness pioneer) and I began to look into conservation, we were considered fanatics opposed to progress and good business." That argument, he continues, has never died, but now there are environmental groups to combat it.

Sue, who was George's wife and colleague, died this year at age 80, but George says he has rallied from the blow. He continues to read, he talks to friends with the help of a telephone amplifier, and he looks forward to a new edition of his book, *Shrubs in the Rocky Mountains*, which he says is second in popularity to his *Rocky Mountain Horticulture*.

The emphasis in all his books is the need to choose plants appropriate to the arid West. For too long, he says, we assumed we could reproduce a humid environment here if we just piled on enough water. That view, he believes, is now fading. George Kelly lives at 15126 Country Rd. G., Cortez, Colo. He can be called at 303/565-9894.

New reading pal

This fall, Jeff Glasscock of Middleton, Idaho, took part in a Writing Pals contest sponsored by *Weekly Reader* and launched a balloon with a message asking the finder to tell the local newspaper. The balloon landed relatively nearby, in the BLM's Snake River Birds of Prey Area. The finder was HCN staffer Judy Moffatt on an outing after the paper's board meeting in Boise. So Jeff lost out on local publicity, but his class now has a new reading pal: HCN.

That subscription was donated by Peter Maier of Salt Lake City. Peter called to offer to pay for a gift subscription to Basalt High School mentioned earlier in this column, but Mark Fuller of Carbondale, Colo., had beaten him to the telephone. Ken Ramsey of Broomfield, Colo., also called, and his offer will be used to donate a subscription to the next school that expresses interest. Thanks to a foundation grant, HCN is in about 200 schools in the region.

New subscriber Marc Kelley, coincidentally also of Basalt, writes to say: "Sure hope I'm the 6,000th subscriber." He may well be, but it's not something we're likely to know. We enter new subscribers and blip non-renewers in batches. The batches aren't as large as those *Newsweek* deals with, but they're large enough to make it hard for us to know just who pushed us past 6,000.

Bad timing

HCN is not only housed in what was once a church, it is also a bit like a church -- observing and meddling in the world but not too

much of it. Nevertheless, the recent adjustment of the stock market -- an adjustment best compared to the San Andreas fault easing its own accumulated tensions -- caught our notice. We have several areas of disagreement with President Reagan, but we are most upset with him for scheduling his stock market crash coincident with our annual Research Fund drive.

Thank you

The uncertainty about how the drive will do (it provides 35 percent of our income) comes as we are struggling with a large decision: when and how to move from our present antiquated typesetting system and ancient circulation computers to something more modern. HCN owns its two second-hand phototypesetters -- they cost us \$250 each. And, thanks to 10 or so years' experience with them and a lot of spare parts, we know how to keep them running.

But they are prone to breakdowns that chew up staff time and, even when running properly, are labor-intensive; each issue of HCN requires the sticking together of hundreds of separate pieces of paper. In addition, proofreading must take place several times, and during production periods the office smells of the chemicals used to process the type.

On the circulation side, our Radio Shack computers were new in 1980, but are now several electronic generations old. Because they store a minimum of information, we can't even print your first name on the address label. But the old Trash 80s have two virtues: like the typesetters, they are owned outright and they get the job done, sort of.

Sooner or later, HCN must modernize, and board and staff saw this period of relative stability as a good time to do it. Our tentative plan is to go to two Apple SEs with hard discs, an Apple Plus Laserwriter, a page-making program, a data base manager program, and a modem so we can keep in touch with our writers electronically, rather than through the mails and Federal Express.

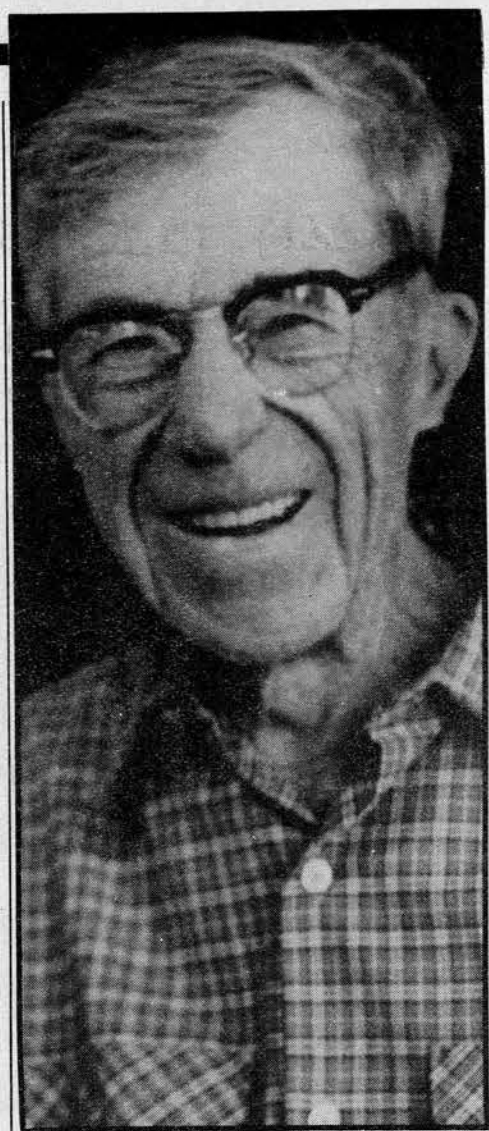
The bill for this modernity will be \$15,000, or roughly \$500 a month on a three-year lease should we go the credit route. The relatively high price, as compared with free-and-clear equipment, has given us pause while we chew our cuds and seek advice. Luckily, there is no lack of help available. Everyone goes at the computer question a little differently, but there is a unifying theme: each advisor knows the best system, the best price, the best place to get the equipment. The only problem is, everyone has a different mix of advice.

Which is not to say that we don't welcome more advice; if you have articles we should read, paths we should explore or any other information, please let us know. Our goal is to eventually develop our own set of unshakable convictions.

Meanwhile, this is in the nature of the publishing of banns: HCN is thinking of investing \$15,000 of its readers' and foundations' money in a new typesetting and circulation system. If any members of the congregation have thoughts on the subject, we want to hear from them.

Thanks

The recent mailing of 80,000



George Kelly

letters seeking new subscribers and the mailing of 6,000 Research Fund letters all took place in the HCN annex: an office the paper recently rented to relieve overcrowding. In past years, we've had to beg space from other main street businesses to handle our mailings. This time all we had to beg were tables to do the mailing on. They came from the Sacred Heart Catholic Church of Paonia, thanks to Father Syl Schoening.

The direct mail campaign, by the way, was done with the help of the Beldon Fund, which is based in Washington, D.C. Beldon, which has a great interest in the rural West, felt it could strengthen the grassroots environmental movement in the West by increasing HCN's circulation.

Green chili

HCN was one of 40 entrants in Paonia's annual Chili Cookoff, a street celebration and contest that commandeered the town's main street. Our exhibit consisted of a tent, lightly staked to the asphalt, and backpack toting cooks. Unfortunately, for the second year in a row, we were hidden, this time behind the local utility, which cooked its chili in a transformer "pot" and whose display consisted of a short power pole topped by a plastic owl used to scare off rodents that like to nest in transformers.

Nevertheless, HCN sold all its chili and even won two prizes: the best Newspaper Chili and the best Vegetarian Chili. In large part, the awards were due to the quality chili staffer Steve Hinchman and intern Diane Hackl brewed. But some credit must go to the paper's clever strategy: we were the only entries in our two categories.

Steve, perhaps because he didn't feel right accepting such easy victories, threw his prize money (25 one-dollar bills) into the air, delighting little children and even a few quick-handed adults, who snagged the fluttering bills before they reached child-level. But one rancher said later: "No one ever sees me throw my money away."

--the staff

WESTERN ROUNDUP

Grizzly is executed despite legal moves

YELLOWSTONE NATIONAL PARK -- Rangers trapped and arranged the electrocution of a grizzly bear considered dangerous before a Jackson attorney could obtain a court order forbidding the bear's destruction.

The bear, known to park wildlife managers as Number 83, was electrocuted in a Bozeman, Mont., lab on Oct. 22 after rangers found it in one of three traps set for it in the Canyon Village area.

At the request of the Wyoming Outdoor Council, Jackson attorney Robert Schuster had launched an attempt to obtain a restraining order forbidding the Park Service from destroying the bear.

Schuster said that he informed Dick Knight, head of the Interagency Grizzly Bear Study Team, of his intention to seek a restraining order after the bear had been trapped, but before it was destroyed.

He sharply criticized the Park Service for refusing to delay the "execution" until he could obtain a court ruling on the matter.

"I think the Park Service did a terrible thing," Schuster said. "They knew we were in the process of preparing that case and they went ahead and executed (the bear)."

Schuster said that after he spoke to Knight, he also contacted Assistant Superintendent Ben Clary and asked him for time to complete his case.

"Clary told me he would not commit himself to asking the Bozeman lab to delay the bear's execution," Schuster said.

Park spokeswoman Amy Vanderbilt said that after Schuster spoke to Clary, the assistant superintendent did call the Bozeman lab, only to learn that the bear had already been killed.

Attorney Hank Phibbs, president of the Greater Yellowstone Coalition, was to act as co-counsel with Schuster in seeking the injunction against the Park Service. He characterized the destruction of the bear as "murder."

"The outdoor council viewed this case as an opportunity to take a real hard look at bear management in the park," according to outdoor council Chairman John Perry Barlow. The bears are presently viewed by the Park Service as "natural when they're not in contact with humans and unnatural when they are," said Barlow.

"We're sorry that the bear died and unhappy with the haste with which (the Park Service) proceeded with the execution when they knew a temporary restraining order was on the way," he said.

There was no hard evidence that the bear had ever harmed a human, said Barlow. "It seems like it at least deserved a fair trial."

Number 83's destruction ended a six-year record of encounters between the old sow and humans in the park. According to Vanderbilt, Number 83 has been considered a "problem bear" since 1981, when it broke into a garbage storage area at Lake Lodge.

The bear broke into the lodge's garbage room again in 1982. It was also a prime suspect in a 1983 incident in which a man was injured after he surprised a bear near Fishing Bridge. Although park bear-management specialist Gary Brown said the bear can't be faulted for that attack, three incidents last November forced officials to reclassify the bear as an "habitual offender" and to target her for removal from the park.

In those incidents the bear charged several people. One charge ended only when the person involved got inside a building and slammed a door in the bear's face, Brown said. People working the Lake and Fishing Bridge areas had to move around under armed escort, he added.

The bear was trapped and relocated after the incidents. Brown said the bear was about 20 years old and produced numerous cubs, which have also been problems.

In October, Number 83 and her year-old male cub were spotted near Canyon Village. Traps were set and both bears were captured Oct. 16. Although already targeted for removal, Brown said officials "softened a little" and decided to try relocating Number 83.

But by Oct. 18, Number 83 was back at Canyon Village. After it charged a ranger, park officials decided that they had no choices remaining.

"This bear has a history of aggressive behavior," Vanderbilt said. "There are six known incidents where she has charged people or attacked cars." Vanderbilt said bear managers attempted at least four times to relocate Number 83 and subjected her to several episodes of "aversive conditioning."

Nothing worked, Vanderbilt said, and after one final option -- moving the bear to a zoo -- fell through, Number 83's fate was sealed.

--Joseph Piccoli
Casper Star-Tribune



Home brew hits bears hard

Black bears and grizzlies are gathering at railroad tracks in northwest Montana where a Burlington Northern train derailed in 1985. The lure is 17 carloads of fermenting corn; the result is a lot of intoxicated bears.

In their haste to salvage corn and repair the track two years ago, railroad crews left about 400 tons of corn. Although it was covered with topsoil to block the odor, a failing huckleberry crop this year forced bears to look elsewhere. "The corn is sending out a pungent, sweet odor," says wildlife biologist Lorin Hicks. The spill occurred in an area with the highest density of grizzlies in the lower 48 states. Blotto bears, acting a lot like drunk humans, have become a popular attraction to passersby on U.S. Highway 2.

"Up to 100 people at a time have gathered to watch the bears," says Hicks.

The reputation of bears for unpredictability coupled with intoxication is making officials anxious about the possibility of someone getting hurt. Not wanting to encour-

age contact between the bears and people, the Flathead National Forest closed the area to public use. Although the area has been off limits for a month, two black bears have been killed by poachers, and four were hit by trains.

Hicks, who works for a Burlington Northern subsidiary, says he recommended that Burlington Northern treat the buried corn like a toxic spill, thoroughly cleaning up the accident. Bears are picking up bad habits, he says, and becoming conditioned to an abundant source of food and the presence of people.

Since many bears go into Glacier National Park, they may not survive long. Problem bears within the park are either relocated or shot.

Quick lime, a powdery substance used to break down organic compounds and reduce their odors, has been mixed into the corn-laden soil in an effort to make it less attractive to the bears. The problem may temporarily solve itself, however. With winter coming, the bears will soon be denning.

--Diane Hackl

HOTLINE



Fire sale

Because of this fall's devastating forest fires, the Senate has authorized increased timber harvests on national forests. At the same time, it has cut the Forest Service's road budget, which will mean reduced access and logging in unburned forests. More than 2 billion board-feet of salvage timber would be put up for sale under the Senate Interior Appropriations Bill, while \$20 million would be cut from the roads budget. The timber industry and environmentalists generally agree on the plan. But Rindy O'Brien of The Wilderness Society says the bill should require environmental impact statements wherever the Forest Service intends on building roads in roadless areas. O'Brien cautions that the timber industry may expect this year's inflated timber harvests to become the norm. She adds that if timber sales are increased, the Senate should also increase funding to restore fish and wildlife habitat impacted by the fires.

Fire bust

This summer's disastrous fires in southern Oregon's Siskiyou National Forest took a heavy toll in timber. AP reports the fires burned more than 500 million board-feet of timber valued at \$300 million. Another loss, reports *Sinsemilla Tips*, an Oregon magazine, was the marijuana crop of 1,000 growers estimated at more than \$100 million. Meanwhile, plants and surviving trees are sprouting and wildlife is returning to the forests.

BARBS

Talk about 'hair of the dog that bit you.'

The Great Falls, Mont., City Council recently passed a resolution urging residents to watch a television special on illiteracy as a way to combat inability to read.

HOTLINE



Free market solution

Two California supermarket chains have alarmed the state's agricultural community. The chains routinely test fresh fruits and vegetables for pesticide residues and post the results in their produce section. Raley's Superstores, a 52-store chain in northern California, and the gourmet, 12-store Irving Ranch Farm Markets in southern California spend \$7,000 a week on tests to guarantee the food they sell is free of harmful residues. Since the project started in May, produce sales at Raley's stores are up 5 percent, but there have also been accusations of "negative, fear-mongering tactics" from the Western Growers Association, reports the *New York Times*. California conducts its own pesticide tests and says the state's produce does not contain unsafe levels of pesticide residues. The state's pesticide control agency says before private tests can be trusted, the state needs to establish uniform testing standards. But the operator of NutriClean, the private lab that tests for the supermarkets, told AP that the state practices "horrible science," testing at most two percent of California's produce. California farmers spray 600 million pounds of pesticides yearly on 200 different crops.

The Sioux against South Dakota

Sen. Bill Bradley, D-N.J., has removed all land in Wyoming from his proposed Black Hills Act, including Devils Tower National Monument. The act would return 1.3 million acres of public land in South Dakota's Black Hills to the Sioux Indians, who contend the land was given to the Indians under the Fort Laramie Treaty of 1868. A Bradley staffer said inclusion of Wyoming land in the original bill was unintended. Supporters of the bill say the change will ease opposition, especially from Wyoming's three-man congressional delegation. South Dakota's congressional delegation, however, opposes the bill. Currently, the bill has 17 co-sponsors in the House and three in the Senate.

BARBS

I love Paris in the spring time.

Parisian taxi drivers are equipping their cabs with hot seats to thwart robberies. With the push of a discreetly placed pedal, a driver can send 52,000 volts of electricity coursing for one second through the back seat.

Miners overwhelm foes in South Dakota

Opponents to strip mining for gold in South Dakota's Black Hills have suffered a setback. A county initiative calling for a moratorium was soundly defeated Oct. 20.

A moratorium would have prevented any new gold mines using surface-mining technologies from beginning operations during the next 14 months in Lawrence County, where all Black Hills gold mining is currently taking place. A heavy turnout defeated the initiative 79 percent to 21 percent.

Advocates of the initiative said a moratorium was necessary because too little is known about the cumulative impacts of large-scale surface gold mining on water, land, recreation areas, wildlife and local communities. Mining companies using surface-mining methods also use heap leaching, an open-air process in which cyanide solution separates gold from raw ore. There is concern

this process could contaminate surface and underground water supplies.

Moratorium opponents claimed the measure would create mine layoffs and a multi-million-dollar decline in the county's economy. Just before the election, mine workers attached gold stickers to their cash and checks to remind residents "where local money comes from."

Nick Meinhardt is director of the Citizens Law Center, the group that helped coordinate the campaign for a moratorium. He says his side was heavily out-spent. His group's opponents included Homestake, Inc., which operates the nation's largest gold mine and is the largest employer in Lawrence County.

Of the county's 18,000 residents, more than 1,200 work for Homestake. Two other gold mining firms are currently surface-mining, and three more have permits to begin.

Altogether, mining provides nearly 2,000 jobs in the county. Interest in gold mining -- and that means the Black Hills -- is expected to continue as long as the price of the metal remains high.

Despite the defeat, Meinhardt says the Citizens Law Center will pursue a statewide initiative. Whether that initiative bans surface and heap leach mining or imposes strict regulations has not yet been decided. Meinhardt says the initiative would not close existing mines.

Mining officials don't take a state initiative lightly. The economic issues that caused a lopsided county vote would probably not be as important outside the local area. For many South Dakotans, the Black Hills may be more important for recreation and scenic beauty than large-scale mining.

--Peter Carrels

Push comes to shove over an L-P plant



Louisiana-Pacific

He brands environmentalists elitist types with trust funds and says that given western Colorado's depressed economy, "we need jobs and L-P is a good corporate employer. You have to understand the context here."

Former Montrose councilwoman Sue Merret agrees. She says the unemployment has been as high as 17 percent in the area, and that L-P accounts for some 300 jobs if you count private loggers, too.

Would the Forest Service have allowed L-P more aspen to cut without WCC? Dennis Hovel says, "WCC slowed us down, but the forest plan was the limiting factor." In 1985, he adds, the assistant secretary of agriculture, Douglas MacCleery, ordered the national forests to make sure all timber cuts and road-building plans were economic. That meant re-evaluating aspen cuts even more stringently.

Ballantyne says it is unfortunate that some Montrose public officials and residents blame environmentalists for L-P's problems. Those problems include numerous violations of state air pollution standards and a recent lawsuit against the company from its close neighbors in Olathe.

"L-P oversimplifies, draws a hard line and accuses us of trying to shut them down," says Ballantyne. "They'd rather do that than trying to do things right."

--Betsy Marston

Changing that harvest level is not simple. It requires a public process spelled out by the 1976 National Forest Management Act. Other uses such as wildlife, watershed and recreation must also be considered along with timber.

Ballantyne says, "A lot of mess could have been avoided if L-P's foresters had gotten involved in the plan before they built their plants." In 1983-84, L-P built two \$20 million waferboard factories, in Olathe and Kremmling. According to a 1987 Merrill Lynch investment report, L-P's waferboard, a low-cost alternative to plywood, is now the corporation's biggest moneymaker from a total of 10 plants nationwide.

Mayor Roushar, an attorney in Montrose, is angry that WCC blocked timber sales by legal means. He insists the Forest Service has "absolute discretion to make more timber available." Historically, he says, the agency has allowed its public lands to be used by a "broad cross-section; not just people who like to be in the forest undisturbed."

Marv Ballantyne, the head of the environmental-consumer coalition, Western Colorado Congress, doesn't intimidate easily.

That resolve was tested recently at a public meeting in Montrose, Colo., a town 10 miles away from Louisiana-Pacific Corp.'s waferboard factory. The meeting was called by an industrial development group, and close to 300 people showed up.

They booed and yelled catcalls at members and staff of WCC, which has appealed -- and delayed -- four aspen sales on national forest land in three years.

Saying the supply of private aspen was not enough, an L-P manager told the group bluntly:

"We firmly believe it's over unless WCC and the Forest Service, with the help of God, can come up with some timber. When May comes you can't say you haven't been told," warned L-P operations manager Dan Dilworth.

To Ballantyne, a real estate appraiser in the area since 1979, the threat reminded him of L-P's public relations campaign in Dubois, Wyo. The company took out full-page newspaper ads last year attacking environmentalists there who criticized L-P's proposed timber cuts on public lands. The ads also told the community the choice was L-P or unemployment.

"L-P manipulates its supporters and instills fear," Ballantyne says. "They've relied here on the old corporate policy of pushing people around."

Vic Roushar, the elected mayor of Montrose, says the manipulator is not L-P but Western Colorado Congress. After that turbulent meeting in September, Roushar wrote to WCC, L-P and the Forest Service proposing negotiations and the formation of an advisory group to solve the problem of inadequate federal timber for L-P. That made both the Forest Service and WCC uneasy.

Dennis Hovel, a land management planner for the Forest Service, says, "We can talk but we can't negotiate."

In its letter to Roushar, WCC agreed, pointing out that under the forest plan adopted in 1983, the Grand Mesa, Uncompahgre and Gunnison National Forests can only allow cuts of about 1,000 acres of aspen each year.

Forest Service wins water rights

The Colorado Supreme Court Oct. 13 upheld the federal government's right to claim water rights on national forests in Colorado.

Justice Department attorney John Hill says the government will use its standing to claim title to water needed to flush stream beds clean of sediment and overgrowth each spring, so that stream channels and water flows are maintained.

If the Forest Service goes on to win its case in Colorado water court, Hill says, federal water rights would gain priority dates from the creation of each national forest. That means the newly created federal reserved water rights would have priority over water rights now held by various

river districts and Front Range cities in Colorado.

Hill maintains that would not affect existing water diversion projects, since the contested water will remain in the stream. But it could block future diversions planned to divert spring flows or upstream water.

Colorado water lawyers say the ruling, which deals with reserved rights on federal non-wilderness lands, may also advance the cause of federal reserved rights for wilderness, wildlife and recreation purposes. Laurie Potter, Sierra Club Legal Defense Fund attorney, says, "The incidental effect of having instream flow for forest purposes is having instream flow for conservation purposes."

HOTLINE

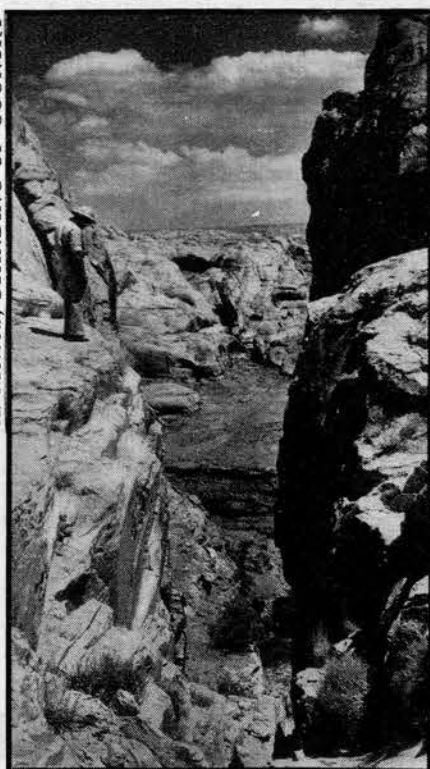
An immune government

The U.S. Supreme Court has killed the last hope of uranium miners suffering from job-related cancers. Last month the high court, without comment, left intact an appeals court ruling that says the federal government is immune from being sued by uranium miners who suffered death and illnesses as a result of radiation exposure while working under government contract. The miners worked in uranium mines in Marysville, Utah, in the 1950s and were exposed to radiation levels 1,000 times greater than allowable levels. The miners charge that although the federal government understood the danger, no attempt was made to protect them. Rep. Wayne Owens, D-Utah, a former lawyer in the case, told AP, "Their deaths, everyone agrees, is attributed to radon gas found in the mines. The government admits its fault but says you can't sue us." Owens has pledged to write legislation to amend the Federal Tort Claims Act to make it possible for radiation victims to sue the U.S. government. Such legislation could also benefit victims of fallout from nuclear tests in Nevada in the 1950s and 1960s (HCN, 7/6/87).

Agreement is close

Idaho Gov. Cecil Andrus says he and Idaho Sen. James McClure are near an agreement on a wilderness proposal for the state. Andrus said his staff and McClure's have been working on a proposal since the two leaders met Oct. 2 to discuss the future of 9 million acres of roadless lands in Idaho's national forests. Andrus said he and McClure have kept the negotiating process closed, soliciting comment privately from interest groups such as timber companies and conservationists. He said the process will open when he and the Republican senator are finished. Earlier this year, Pennsylvania Rep. Peter Kostmayer introduced a bill that would set aside 3.9 million acres of wilderness. State conservation groups supported that bill; the timber industry has said it could support 1.2 million acres in wilderness.

Al Morton, STANDING UP COUNTRY



Hole-In-the-Rock

Just in time

A dozen volunteers in Utah have begun erecting stone cairns to mark the 130 miles of the pioneer Hole-In-The-Rock trail. The crew is led by Lynn Lyman, 81, the only person living who knows where the trail goes. Lyman's uncle, Platte D. Lyman, led the Hole-In-The-Rock trek in 1879-80, when Mormon pioneers settled along the San Juan River. The section of the trail in southeastern Utah, from Escalante to the rim of the Colorado River, is well known and can be traveled by car. But the route from the "hole" above Lake Powell, which was blasted from the canyon rim to the river, is obscure. The trail goes east to Bluff and is seldom traveled. Lyman told the *Deseret News* recently: "When I'm gone, there will be no one who knows just where the trail went. We've got to find some way to mark it so it won't be forgotten. And we haven't got a lot of time before I won't be able to come out here anymore." Temporary stone cairns will eventually be replaced with permanent markers by the Utah National Parks Council, Boy Scouts of America.

Risk and wildness

Tolerance was the theme when Gilbert Lusk, superintendent of Glacier National Park in Montana, spoke to the Kalispell Chamber of Commerce recently. "We can say we have no room in our system for wolves because cattle are more important," Lusk said in the *Great Falls Tribune*. "But where does it end? Does it end when there are only blondes left in the world, or redheads?" Noting that two park visitors had died this summer from maulings by grizzlies, Lusk said, "We are not going to be able to keep people from dying in Glacier National Park." He urged those present to accept risk as part of wildness and concluded: "I know it's hard -- it's hard for me."

Marble mining stalled

A question of jurisdiction has temporarily halted miners from hauling 30 tons of black marble out of the Snowmass/Maroon Bells Wilderness area in western Colorado. After a state district court established Pitkin County's right to exert regulatory power and directed miners Stefan Albouy and Ed Smart to obtain a county permit in addition to their Forest Service permit, the men balked. Albouy argued that federal laws overrule county regulations, and although the county is willing to issue a permit, Albouy won't accept it. Albouy told the *Aspen Daily News*, "They don't have jurisdiction. And if I have to go to the Supreme Court to prove it I will." Reclamation conditions attached to a county permit are more stringent than those of the Forest Service permit. Albouy's decision to appeal puts off removal of the marble until next year. He and Smart own mineral rights on 472 acres within the popular wilderness (HCN, 7/7/86).

Cutting an Idaho deal

Republican Sen. James McClure and Idaho environmentalists are fighting over timber harvests again, this time over harvest levels projected for the late 1990s. Six Idaho national forests have released management plans that set direction, including timber harvests, for the

next 10 to 15 years. Some of those plans also set harvest goals for a second decade which are much higher than the first decade's harvests. Idaho environmentalists have warned the Forest Service that the second decade goals are not legally binding and would require new environmental impact studies to become legal. Forest Service Associate Chief George Leonard has agreed the figures are not binding, but McClure says they are. Craig Gehrke, a planning specialist with The Wilderness Society, told AP, "If the Forest Service tried to use those second-decade targets, they'd find themselves in court so fast it'll make their heads spin."



Fed up

The Republican Party in Colorado just lost another prominent member. Attorney General Duane Woodard switched to the Democrats after saying the state GOP had harassed him after he issued an opinion that 20 different budget cuts passed by the Republican-controlled legislature were unconstitutional. The Supreme Court agreed with Woodard's opinion, saying the bill was conceived in a secret meeting with no chance for public comment, and it was not even printed before Republican caucuses voted on it. After Woodard issued his opinion, the Legislature cut his budget and he lost 34 staff members. Funding for 174 other state jobs was also axed, including the entire staff for Colorado's Mined Land Reclamation Board (HCN, 8/31/87). Another Republican to defect recently was Martha Ezzard, a former state legislator.



A mammoth find

The discovery 13 years ago of ancient mammoth bones in Hot Springs, S.D., has led to a continuing excavation of the 26,000-year-old remains and a growing tourist attraction. Bones of 41 mammoths, a North American species a little larger than an elephant, have been unearthed and displayed just as they were found. The latest discovery this summer was the lower jaw and tibia of a giant short-faced bear, estimated to have weighed 1,430 pounds. "When standing on all fours, its back end would have stood over five feet tall," says principal investigator Larry Agenbroad. It is believed the mammoths somehow became trapped while drinking at a sinkhole and then became prey to the huge bear. So far, only 15 percent of the site in southwestern South Dakota has been explored, much of it by volunteers from Earthwatch, a non-profit group in Massachusetts that matches volunteers to scientific research projects. The site near the Black Hills is the largest known primary accumulation of mammoths in the world. The mammoth site is at Box 606, Hot Springs, SD 57747.

6-High Country News -- November 9, 1987

BULLETIN BOARD

GRASSROOTS STRENGTH

"Grassroots Strength for a Change" is the theme of the Northern Plains Resource Council's 16th annual meeting, Nov. 20-21, in Billings, Mont. Panels will take up the issues of food industry concentration and its effect on Montana; international implications of the U.S. farm policy, and the Clean Air Act after 10 years. The meeting promises workshops, a silent auction, two meals, comedy and poetry. All this takes place at the Billings Plaza Holiday Inn where registration is \$25 in advance or \$30 at the door. For more information, contact the Northern Plains Resource Council, 419 Stapleton Building, Billings MT 59101 (406/248-1154).

HRM -- COLORADO BRANCH

The annual meeting of the Colorado branch of Allan Savory's Holistic Resource Management will be held at noon, Dec. 2, at the Andlers Hotel in Colorado Springs. The program will feature Greg Simonds, who manages the huge Deseret Ranch in Woodruff, Utah, according to Savory's theories of cattle grazing and wildlife management. For information about the organization, its newsletter or the annual meeting, contact Betsy Brown, Three R Ranch, Beulah, CO 81023.



Road runner

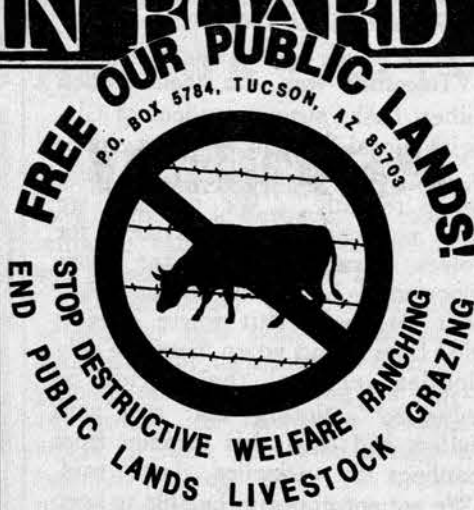
ROAD KILL ROADMAP

You've heard of keeping a life list of bird species. Biologist Roger M. Knutson suggests keeping a death list of animals that have lost their lives and third dimension as well. In *Flattened Fauna: A Field Guide to Common Animals of Roads, Streets and Highways*, Knutson, who teaches at Luther College in Indiana, says, "Why an animal is on the road and what it was doing there a few hours or days earlier are recorded in its flat remains as surely as the history of a tree is recorded in its annual rings." This guide is a wealth of information on the eating, mating and locomotion habits of more than three dozen roadside animals in North America. It also includes discussions on the road as habitat. After all, most travelers seldom see a wild animal that has not been "flattened by the dozens of vehicles ahead of them and baked by the sun to an indistinct fur-scale, or feather-covered patty."

Ten Speed Press, P.O. Box 7123, Berkeley, CA 94707. Paper: \$4.95. 88 pages. Illustrated with sketches of flattened animals.



Jack rabbit



THE WRONG HERO

Americans may worship the cowboy as a national hero, but livestock grazing has caused more damage to public lands than any other land use, says an Arizona group. Called Free Our Public Lands, the group plans a nationwide campaign to challenge the beef industry's grazing rights on Western public lands. The campaign is timed to coincide with bills in Congress that could increase grazing fees. A free information packet contains mission statements, background on ranching in the West and subsidized grazing fees, documentation of damages to public lands due to grazing, petitions asking Congress to eliminate grazing on Western public lands and bumper and window stickers. The packet is available from Lynn Jacobs at P.O. Box 5784, Tucson, AZ 85703 (602/578-3173).

TOWARD ORGANIC FARMING IN COLORADO

The Colorado Department of Agriculture and an organic farm in Loveland will sponsor a workshop on "Developing the Organic Food Market," Nov. 21, at the Sunrise Ranch in Loveland. Thomas Harding, founding member of the Organic Foods Production Association of North America, and Delmar Akerlund, an organic farmer from Nebraska, will talk about how to develop standards and certification programs for organic farming. Peter Decker, Colorado's Agricultural Commissioner, will welcome conferees. Registration for the one-day workshop is \$35, including lunch. For more information, contact Stewardship Farms, 5569 North County Rd. 29, Loveland CO 80537 (303/667-4675).

BUFFALO FOR 50

The Wyoming Outdoor Council is offering hungry environmentalists the chance to contribute to a good cause and to solve their protein procurement problem for several years. The first prize for WOC's 1988 drawing is a buffalo, cut, wrapped and frozen, and including the head, hide and hooves, from the Table Mountain Ranch at Lander. Second prize is a week for two at the 7-D Guest Ranch in Sunlight Basin, Wyo. during June or September. The purchase of a \$25 raffle ticket gives you a one-year membership in WOC. The organization can be contacted at P.O. Box 1449, Lander, Wyo. 82520. (307/332-7031).

RURAL PARITY

John Stencel, president of the Rocky Mountain Farmers Union, says livestock prices have improved and the harvest is generally good in the three states the group serves: Colorado, New Mexico and Wyoming. But asked if the farm crisis is over, Stencel says, "The answer is a resounding no!" That is why the theme of the group's 79th annual convention in Denver, Nov. 19-21, is "Parity for Rural America". Invited speakers include Sen. Tim Wirth, D-Colo., Rep. Ben Nighthorse Campbell, D-Colo., Rep. Bill Richardson, D-N.M., and agricultural commissioners from Colorado and Wyoming. For more information, contact Rocky Mountain Farmers Union, P.O. Box 39628, Denver, CO 80239 (303/371-9090).

GRAZING FEES

A recent decision by the U.S. District Court for eastern California directed the Forest Service to go through proper procedures in rewriting the grazing fee formula for livestock operators on public lands. The court said public comment had been bypassed before. The new formula, not much different from the old one, establishes a base value of grazing on public lands that is adjusted to reflect the cost of leasing public land, production costs and beef cattle prices. The fee will not be lower than this year's rate of \$1.35 per animal month, says the agency, and the proposal is not expected to substantially alter the current rate. However, District Judge Edward Garcia said the number of livestock permitted to graze on public lands is damaging the environment, and current fees encourage ranchers to "increase the number of livestock even further." Send comments by Nov. 21, and ask for copies of the proposed changes from F. Dale Robertson, Chief, Forest Service, USDA, P.O. Box 96090, Washington, D.C. 20090.



PROTECTING THE PAST

The National Park Service is seeking comments on a proposal for the care and management of federally-owned archeological collections. The proposal establishes standards and guidelines for all federal agencies preserving artifacts discovered in the course of a federal project. Although both the National Historic Preservation Act of 1966 and Archeological Resources Protection Act of 1979 stated the need to define these regulations, until now archeological collections have been subject to a potpourri of different standards. This proposal is designed to insure that collections go only to museums or other repositories with long-term curatorial capabilities. Review copies are available from the Interior Department's consulting archeologist, National Park Service, Box 37127, Washington, D.C. 20013.

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WORK

LOBBYIST FOR GRASSROOTS ENVIRONMENTAL ORGANIZATION. 6-month, full-time, beginning Dec. 1987; \$1,100/month. Must have experience with nonprofit groups, general knowledge of issues and leg. process. Need good communication skills. To apply, send resume with three references to: ICL, Box 844, Boise, ID 83701 by November 10. (1xp)

PUBLIC LANDS COORDINATOR for statewide environmental organization. Full-time, permanent, \$1,100/month. Must have experience with grassroots group, knowledge of land management issues, and excellent communication skills, both written and oral. To apply, send resume with three references to: ICL, Box 844, Boise, ID 83701 by December 1. Position starts in early 1988. (1xp)

THE COLORADO ENVIRONMENTAL COALITION hosts the 1987 Wilderness and Wild Rivers Fall Leaders Conference Nov. 14-15 at the Friendship Hall in Montrose, Colo. There will be speakers on federal reserved water rights in wilderness areas, wild and scenic river protection, Forest Service and BLM wilderness proposals, timber sales and much more. Registration is \$18 and includes lodging Friday and Saturday (bring sleeping bag) and five meals. Friendship Hall is located at the Montrose County Fairgrounds, 1001 N. 2nd St. For more information contact the Colorado Environmental Coalition, 2239 E. Colfax Ave. Denver, CO 80206 (303/393-0466).

NEAT STUFF

Lightning bugs, 4th generation Ozark farm, deauthorized Meramec Park Dam in *HAY JOURNAL*, by Sandy Primm. Pawpaw Press, Rt. 6, Box 456, Rolla, MO 65401. (2x21p)

HOT SPRINGS ENTHUSIASTS! 48 pages of news, info, maps, stories, fun. Issue #8 features desert hot springs. \$4 plus 75 cents postage. Subscription \$14.95. Published quarterly, The Hot Springs Gazette, 12 S. Benton, Helena, MT 59601. (1x21p)

CLASSIFIED ADS cost 20 cents per word, pre-paid, \$5 minimum. General rates for display are \$6/column inch camera-ready; \$8/column inch if we make up. For ad rate brochure, write HCN, Box 1090, Paonia, CO 81428 or call 303/527-4898.

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Colorado says U S West decision ends 'economic winter'

After six months of competition, Colorado edged 13 other Western states for the \$50 million research laboratory planned by U S West. The firm owns and operates Mountain Bell, Pacific Northwest Bell and Northwest Bell.

While the regional telecommunications company appears to have based its decision on education, transportation facilities, business climate and lifestyle, U S West was accused of attempting to use the facility to pressure competing states into relaxing their control of the telephone industry. The attempt apparently failed.

Jack MacAllister, U S West's chief executive officer, said Colorado was chosen because of compatibility between research programs at the state's two major universities and U S West's mission. Colorado has only very limited deregulation laws on its books.

If built, the research and development station will bring 1,500 high-tech jobs to Colorado. No site has been selected yet, but company officials say it will be between the University of Colorado in Boulder and Colorado State University in Ft. Collins.

Colorado officials are ecstatic. The Denver *Post* hailed the announcement as a sign that the state's "economic winter" is nearly over and proof that Colorado has entered the "highly technical economy of the future."

But the *Post* may have sighted a false spring. U S West is one of seven regional telephone companies, or Baby Bells, formed by the 1984 court-ordered break up of AT&T. The court gave the Baby Bells control of local telephone service, but prohibited them from engaging in research, development or manufacturing. AT&T, which retained long-distance service and the famous Bell Labs in New Jersey, has gone to court to prevent its regional offspring from building their own labs. If AT&T wins, the planned 1,500-person U S West lab will turn into a 400-person administrative center.

The U S West facility is like the proposed Superconducting Super Collider and the Semiconductor Manufacturing Technologies Institute. They are all expensive, high-tech facilities coveted by Western states hurt by declines in traditional economies.

The strong competition for the lab by the 14 states in U S West's operating area shows how politics can enter the process. This summer, public utilities commissioners in the West complained that U S West was using the lab as a \$50 million carrot to pressure their states into easing regulation of the telephone industry. Colorado public utilities commissioner Ron Lehr cites four examples:

In Iowa, commissioners say a high-level Northwest Bell officer privately asked them to rule in Bell's favor in a depreciation case, saying

USWEST



Mountain
Bell

that would put Iowa higher in the running for the lab.

In Arizona, a Mountain Bell officer told the state commissioners that if they wrote a memo to commission staff directing them to work on deregulation, it would increase the state's chances. That came in the face of a deregulation initiative recently voted down by Arizona voters.

In Washington, Pacific Northwest Bell officers told a state commissioner that her negative testimony on a deregulation bill had hurt her state's chances. Next door in Oregon, the state increased its commission from one to three members after U S West started wining and dining its one commissioner.

Lehr says U S West's aggressive pursuit of deregulation sent a chill through the regulators in other states. But Idaho commission president Perry Swisher says U S West's plans backfired as soon as the regulators discovered what it was up to. "U S West behaved as if there is no such thing as a telephone," says Swisher. He says no states gave in to the pressure.

Colorado Gov. Roy Romer told AP that his state did not grant U S West any special concessions to obtain the laboratory. However, just days after U S West announced the selection of Colorado, Romer did ask the state's Attorney General, Duane Woodard, to seek a quick settlement in the state's consumer protection lawsuit against Mountain Bell. The suit asked Mountain Bell to refund millions of dollars to customers for maintenance fees they didn't necessarily have to pay. Romer said the suit, coming so soon after the state won the lab competition, could give Colorado a bad business image.

Whatever the political foreplay, U S West spokesperson Dick MacKnight says the programs at the two Colorado schools were the overriding factor in the company's decision. Colorado University, Boulder, has an optical computer center and a telecommunications center, and offers a graduate degree in telecommunications. Colorado State University in Ft. Collins offers programs in human-computer interface, software engineering and artificial intelligence. MacKnight says research at the two schools meshes with U S West's interests in applied software design, systems design and speech technology, and that the schools will be a primary source of future employees of the lab.

--Steve Hinchman

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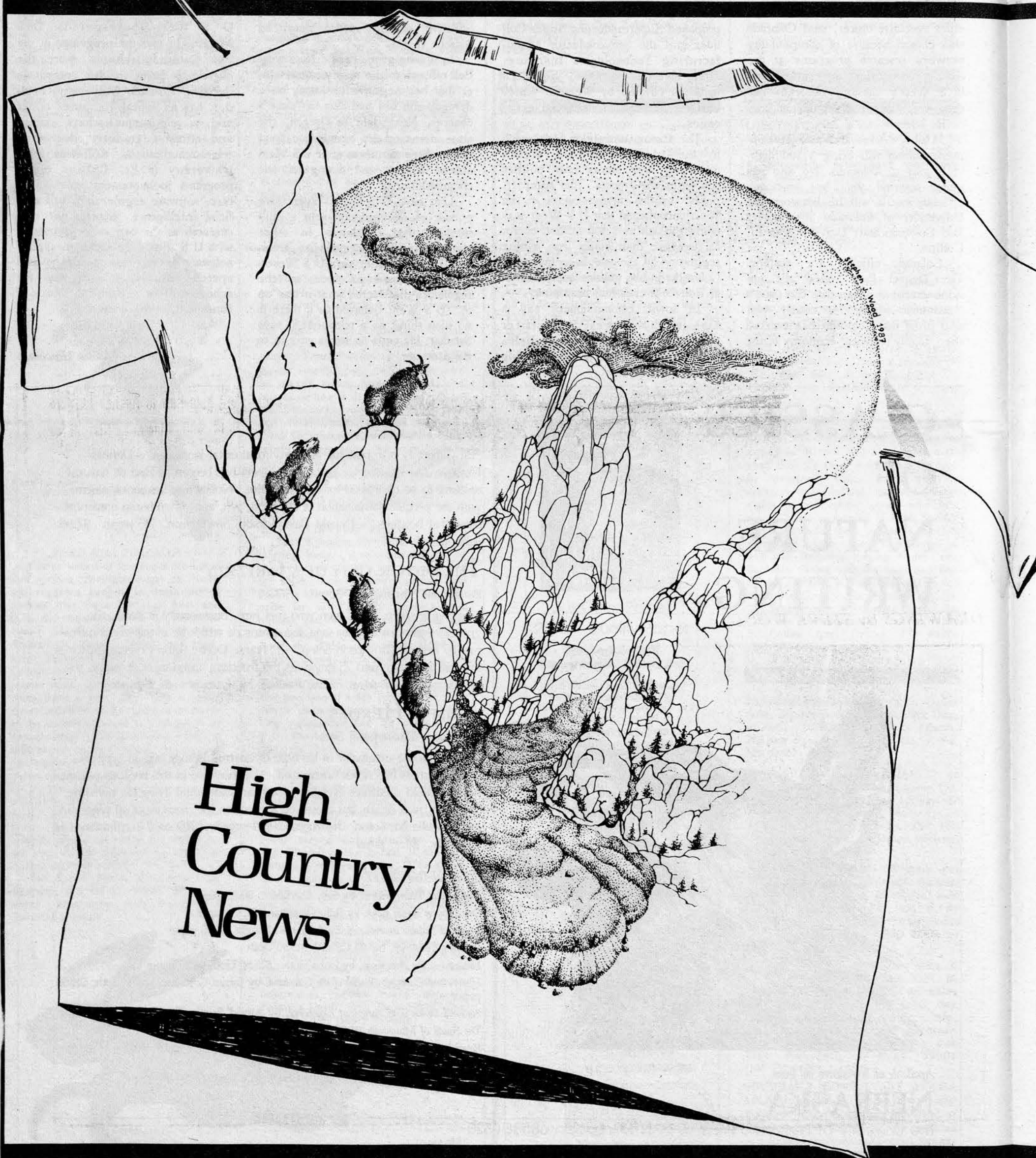
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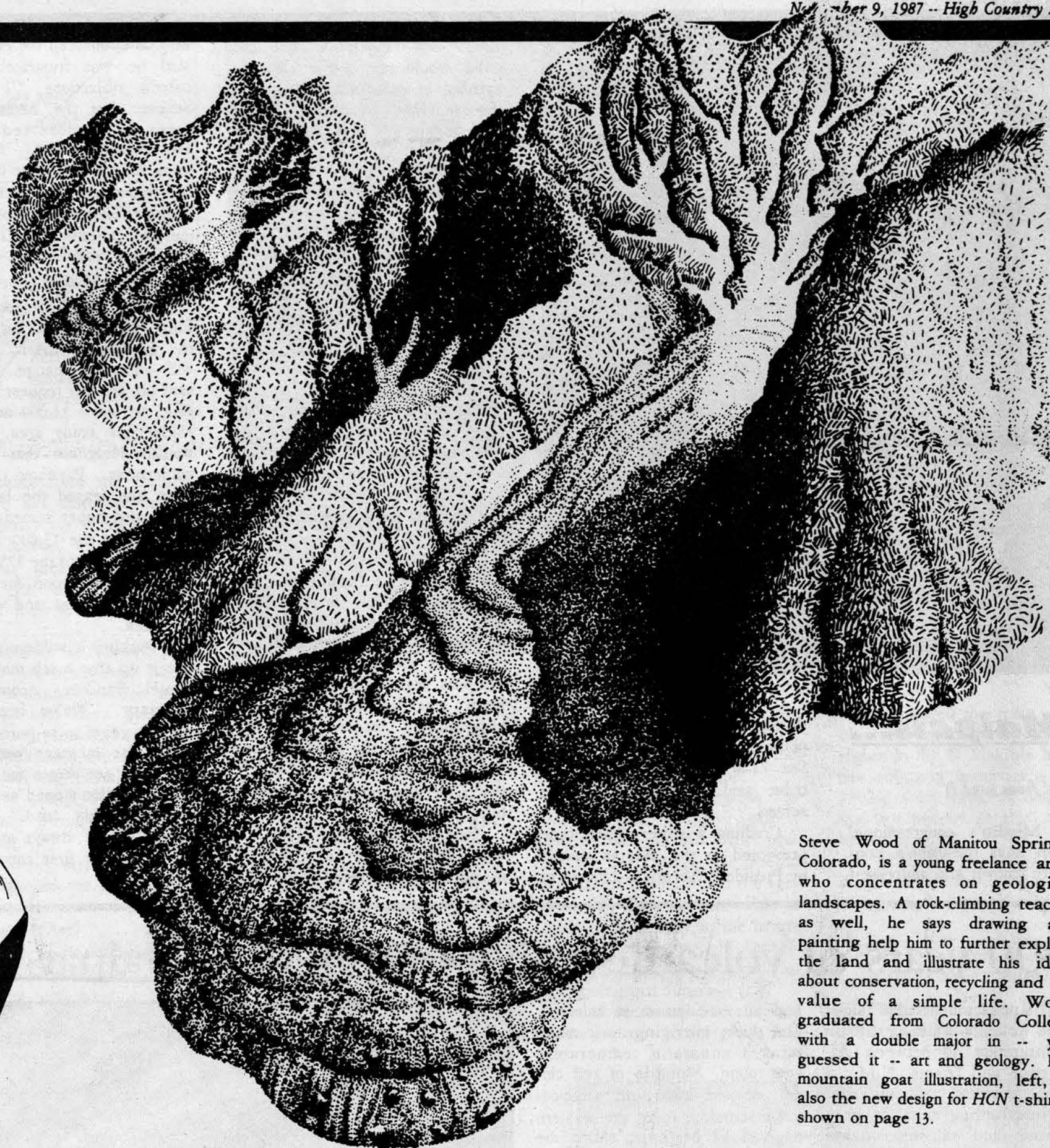
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ART IN HIGH PLACES

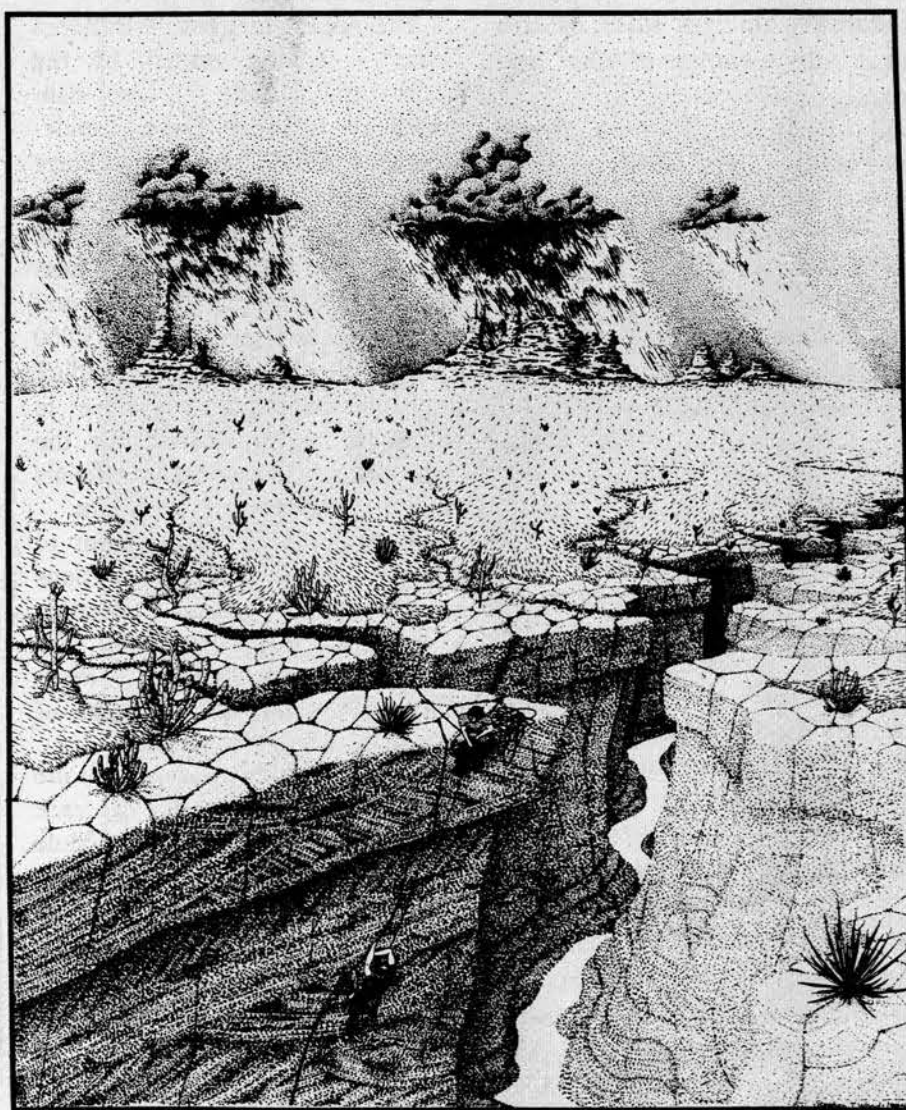
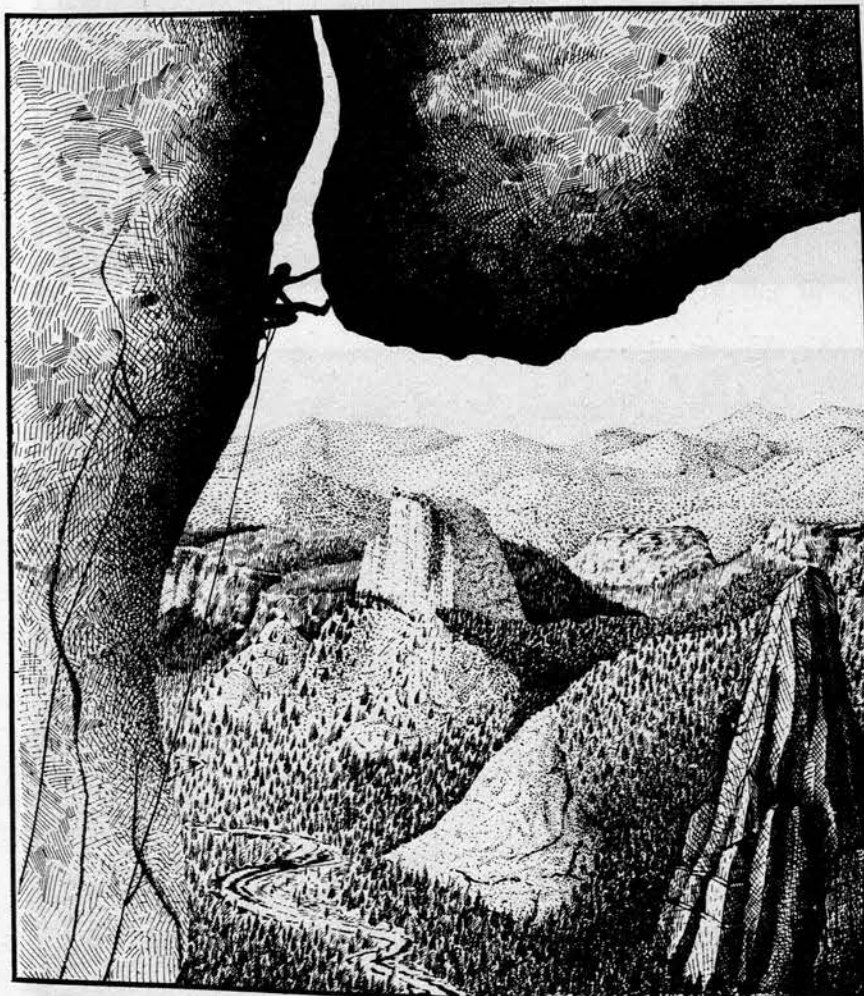


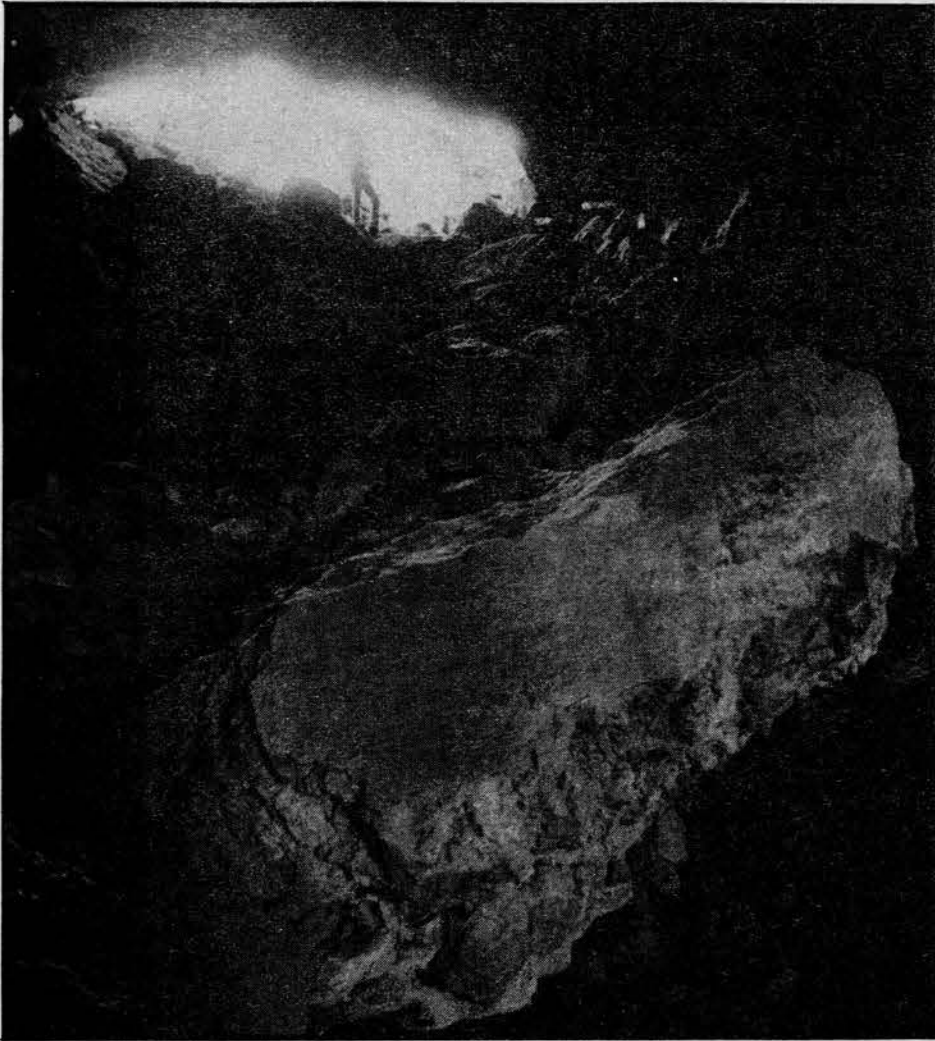
High
Country
News



Steve Wood of Manitou Springs, Colorado, is a young freelance artist who concentrates on geological landscapes. A rock-climbing teacher as well, he says drawing and painting help him to further explore the land and illustrate his ideas about conservation, recycling and the value of a simple life. Wood graduated from Colorado College with a double major in -- you guessed it -- art and geology. His mountain goat illustration, left, is also the new design for HCN t-shirts, shown on page 13.

DRAWINGS by STEVE WOOD





Lava tube

El Malpais...

(Continued from page 1)

New Mexico's congressional delegation says the tribe's concerns were known and addressed

during the two years the bill was pounded out. At a demonstration Oct. 21 at Sky City, however, the tribe said nothing has been solved.

Cradling a silver-tipped cane presented to the Acoma people by President Abraham Lincoln in

1863, Gov. Paytiamo said his tribe would return the cane, a symbol of tribal sovereignty, to the federal government if the tribe's demands were not met.

"Returning the cane is tantamount to state secession or the breaking of a treaty by an Indian tribe," Paytiamo said. He spoke to a small group of reporters in the Acoma's 1,000-year-old village that is normally seen by outsiders only from tour buses.

Pointing down to the lava fields, Paytiamo said he had to speak out because "the land is that important to us. The sacred trust between us and the federal government will be broken."

After this announcement, New Mexico's senators left Washington, D.C., for Albuquerque to talk again with the tribe on Oct. 25. Sen. Domenici told the press afterward that the El Malpais legislation had already been amended nine times to appease the Acoma Tribe. But Domenici said the Senate would try to find a resolution to satisfy the tribe and retain a passable bill.

Rep. Bill Richardson, D-N.M., who lobbied for a national monument for several years and

who co-sponsored the House bill, said he was frustrated by the tribe's objections. "I strongly believe that the Acoma's concerns are addressed in the bill... Their actions, however, jeopardize the passage of legislation that could dramatically benefit the economic development and tourism potential of Cibola and McKinley counties, -- including that of the Acomas."

If the tribal objection is to be fully honored, the language of the El Malpais-Masau Trail bill will have to change. Paytiamo said his current request is for the BLM to leave 13,000 acres as a wilderness study area. The bill would designate that land as wilderness. Paytiamo said his tribe has leased the land since 1979, and hopes someday to buy it. He said the 13,000 acres are only 4 percent of the 375,000 now under consideration for the national monument and conservation area.

"Making it wilderness would lock it up that much more," said Daniel Sanchez, Acoma tribal secretary. "We've been trying for 100 years to re-purchase that land. The message we've been trying to get across for years is that we don't need any written laws for that land," Sanchez said. "We've always maintained we were the first conservationists."

3000 years of volcanic activity formed El Malpais

It appears a peculiar sight to tourists whizzing by on Interstate 40 between Albuquerque and Grants, N.M.: a sudden tumbling of contorted earth interrupting miles of gray sagebrush and yellowed snake-weed. The broken, black earth of El Malpais on both sides of the road is only a sample of what lies beyond.

El Malpais' features were sculpted by four distinct lava flows over a 3,000-year period. The last volcano blew its top some 1,000 years ago.

Mount Taylor, 11,301 feet high, looms above the volcanic plain from the north. Indian myth describes the lava flows as the congealed blood of "Big Monster" who was killed by the "War Twins" on Mount Taylor.

At least eight lava-tube systems can be found in the heart of El Malpais. After a rugged hike over sink holes and spatter cones, where a mile on the piercing lava seems like 10, collapsed channels of lava can be explored. Considered the area's most fascinating geologic phenomenon, the tubes were formed as the outer surface of the lava flow cooled, solidifying over a still-flowing river of molten lava.

Nearby, ice caves drip, gurgle, but never quite melt. Ice develops when the cave mouth is shielded from the summer sun

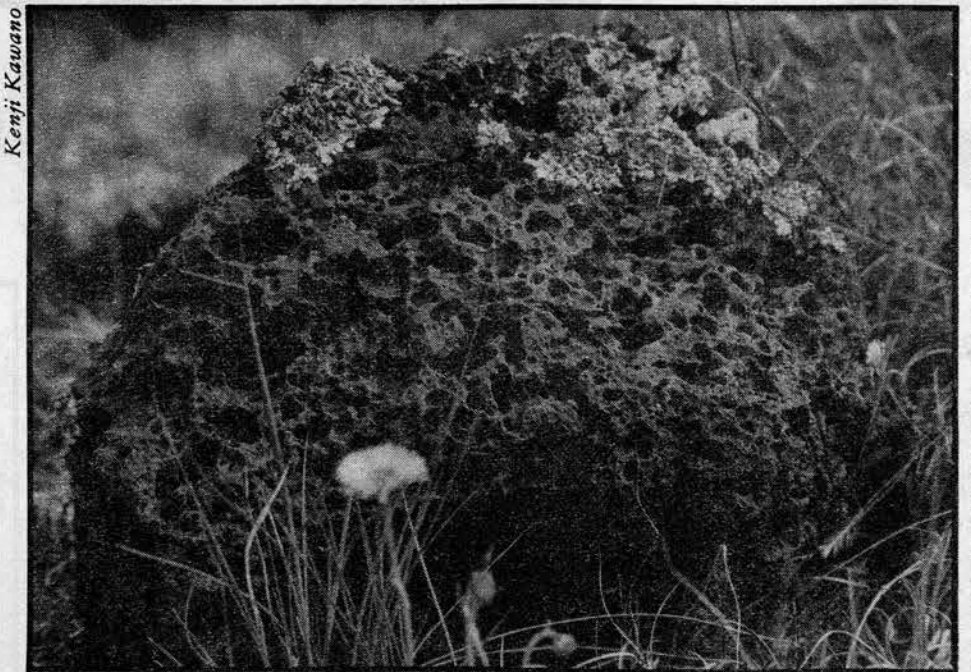
and air circulation is minimal. The thick, overlying rock maintains a constant temperature year-round. Mounds of red cinder, shaped into soft, scooped-out mountains, form the western edge of El Malpais, called the Chain of Craters.

The area's largest -- Bandera Crater -- sitting smack on the Continental Divide -- also happened to fall on Dave Candelaria's family property. Forty years ago, he and his wife, Reddy, took a chance on the forbidding land, making footpaths to the nearby ice cave and crater. After attracting 35,000 tourists a year to his trading post, Candelaria says he is willing to sell his land for the right price. Government officials have yet to negotiate with him.

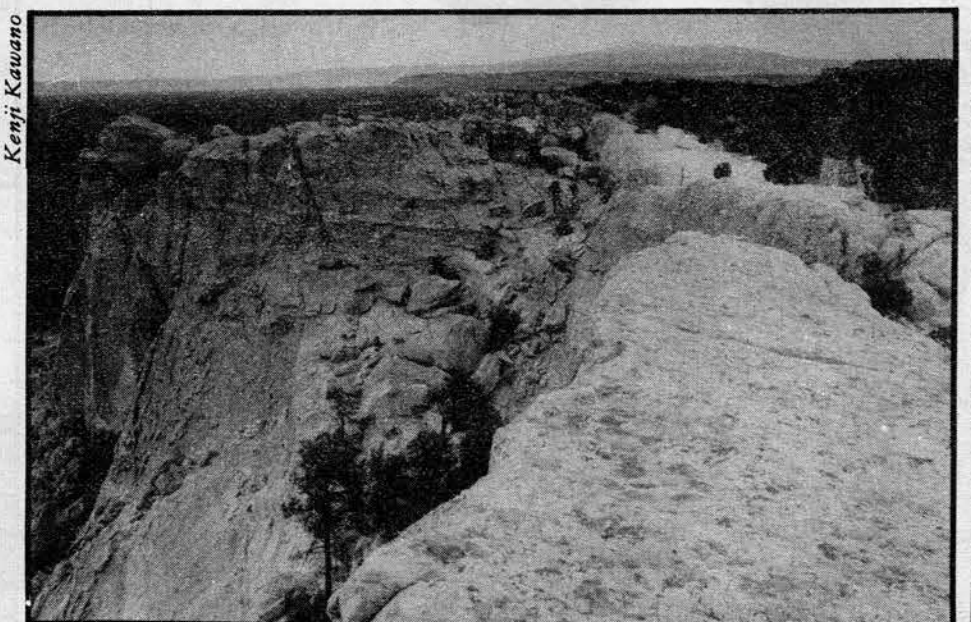
El Malpais is reminiscent of Hawaii since the lava formations bear Hawaiian names: Pahoe-hoe, a smooth, ropy surface, for example, and Kipukas, earth outcroppings left in the wake of hot, flowing lava.

Although it appears a still life in the setting sun, a rare ecosystem thrives here. Mule deer, reptiles, antelope and bobcats roam the stark plains, hawks circle overhead, snakeweed skirts the lava, stunted juniper trees sprout in unlikely places and a forest of pine trees lines its western edge.

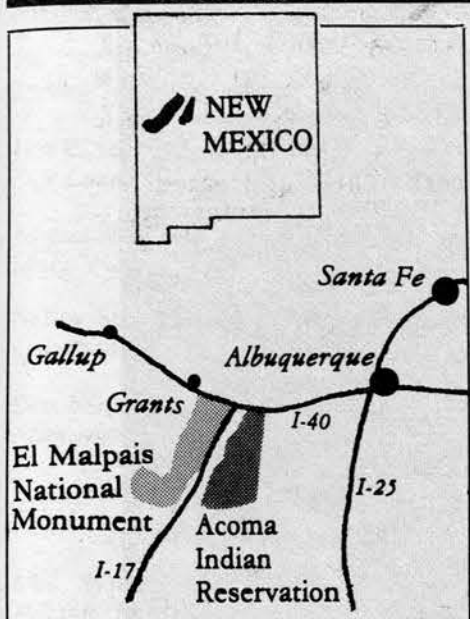
--Patricia Guthrie



Lava rock



Looking toward Mount Taylor from El Malpais



Resistance from the Acoma Tribe has disturbed some observers who point out the tribe relinquished claims to the El Malpais area in 1972, in exchange for a \$6.2 million settlement from the federal government.

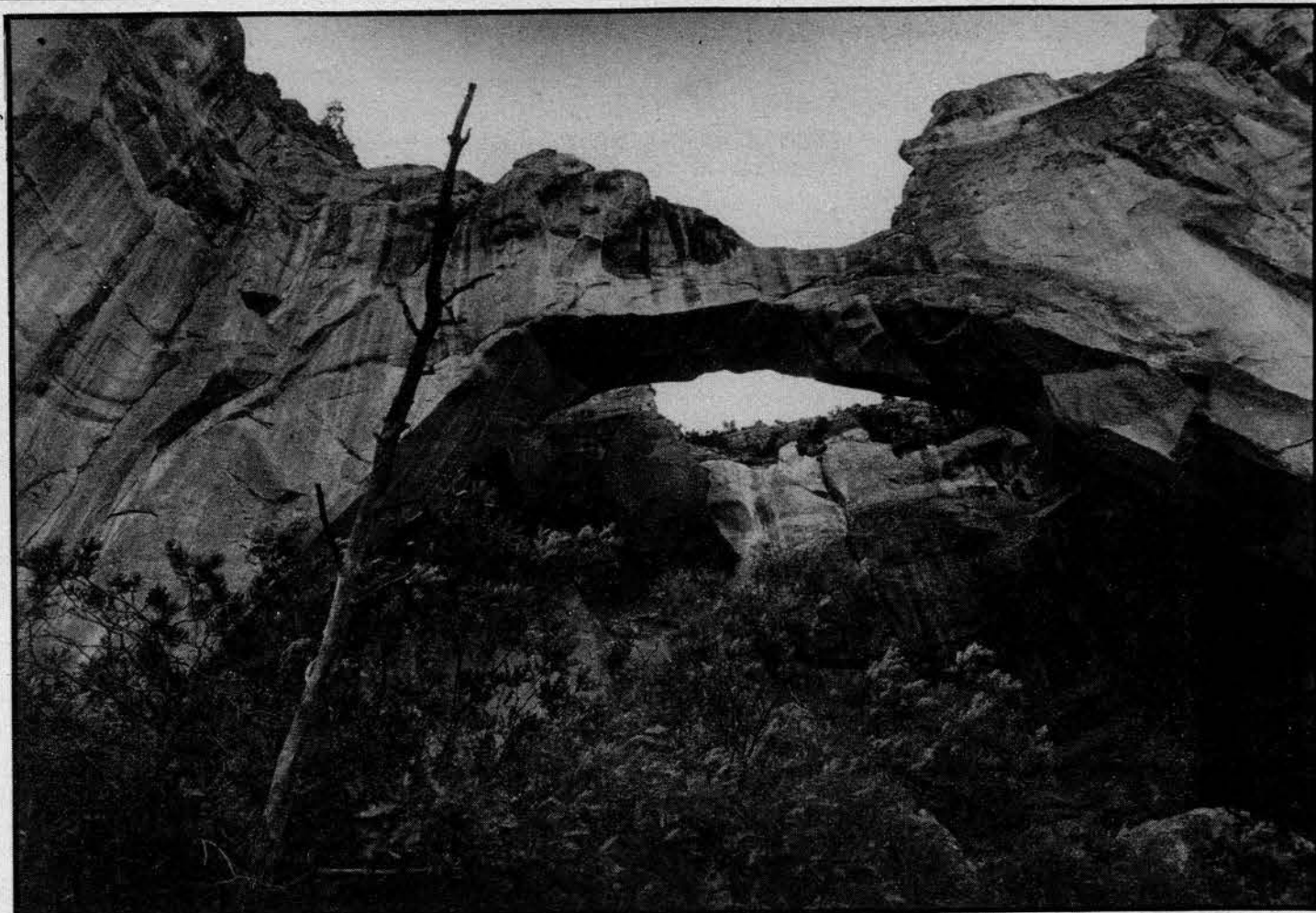
"We believe the New Mexico delegation has bent over backwards to accommodate the Acoma Tribe," said Russ Butcher, southwest representative for the National Parks and Conservation Association, a Washington, D.C.-based group. NPCA supports prompt passage of the El Malpais bill.

"(We were) utterly stunned the tribe blasted the El Malpais bill in the 59th minute of the 11th hour," Butcher said.

"This continual blasting of Domenici and others (by the tribe) saying they are not being heard is just not true. The bill generously addresses their concerns. It seems they want the land and the money," Butcher said.

About 200,000 acres for the Acoma Reservation was originally designated by the federal government in the late 1800s, although the tribe had inhabited a much larger area 40 miles southeast to the Isleta Pueblo and 60 miles west to the Zuni Reservation.

A decision by the U.S. Indian Claims Commission in 1951 recognized the Acoma Tribe had lost 1.5 million acres of land. In 1972, the tribe was paid \$6.2 million for its claim. Although the settlement included giving up



Arch in El Malpais

tribal rights to El Malpais, Paytiamo said many tribal members never accepted that agreement.

"Those lands were legally taken from us, but they are rightfully ours," the tribal leader said. "The federal government paid us \$4.05 an acre in 1972: We now make that same offer for the land."

Tribal secretary Daniel Sanchez said the Oct. 21 protest by the tribe was "a last ditch effort."

Rather than give us back the land, the government paid us off. It is an unjust decision that has been legally accomplished."

Ortiz added: "Congress has every power to give public domain back to ancestral people...We feel these are special lands taken unjustly and it's very reasonable they remain with us physically, not only in the hearts and minds of the people. Ownership and control is crucial for maintaining our future."

Tribal secretary Sanchez said the congressional delegation has

accommodated the tribe when it objected to boundaries and water rights in the El Malpais bill. But the religious importance of the 13,000 acres within El Malpais is the top priority to the Acomas, he said.

"If the bill goes through as it is now, it will desecrate our place of worship," Sanchez said.

□

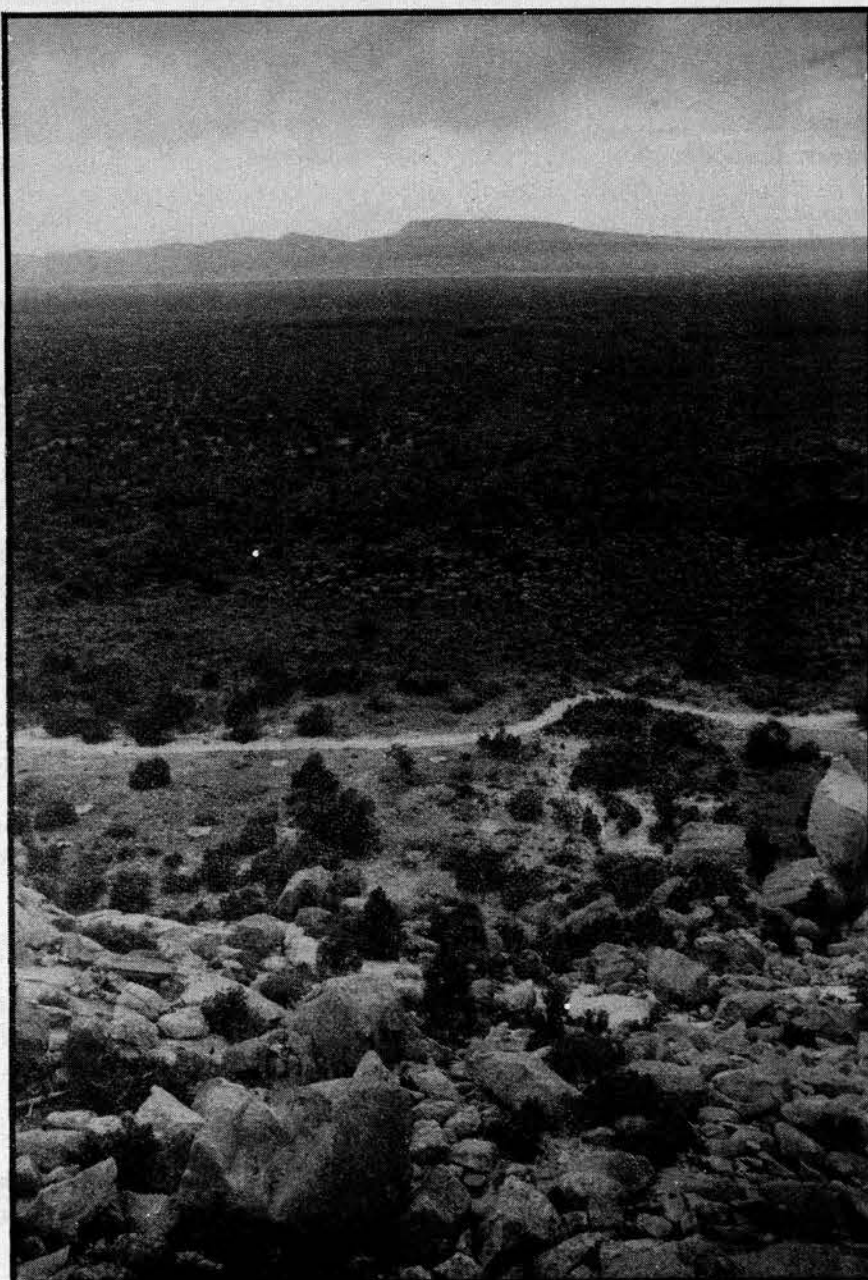
Patricia Guthrie is a freelance reporter in Gallup, New Mexico.

Gilbert Ortiz, land coordinator for the Acoma Tribe, said the El Malpais issue must be understood in its historical context. Ortiz contends that El Malpais was mistakenly omitted when the area was surveyed in 1876, and then again in 1877 by the U.S. Survey General Office when determining the Pueblo Acoma grant.

"It is a well documented error, but it was never corrected," he said. "And when we were compensated in 1979, the error was still not investigated."



Lava Tube



Guijo Peak from El Malpais



Elk moves out from the morning mist at Yellowstone National Park

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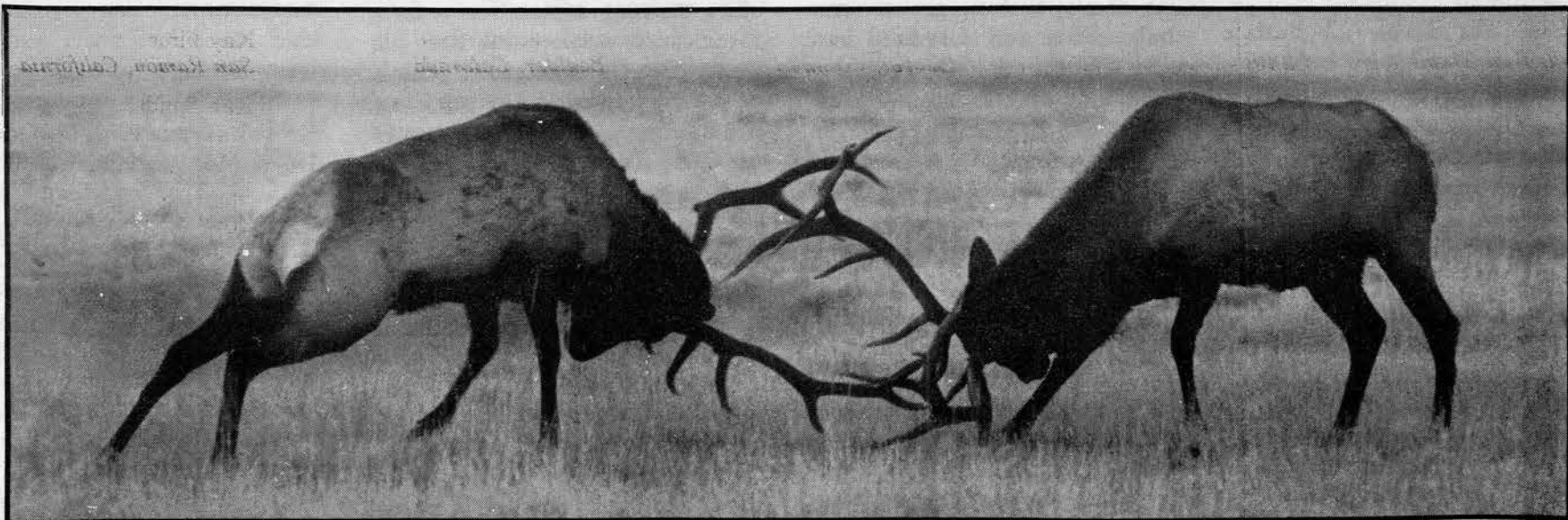
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'Big Open' proposal arouses strong emotion and hostility in Montana

—by Patrick Dawson

MILES CITY, Mont. -- Robert Scott admits that his hide is growing as tough as an old bull buffalo's. At a meeting here in October, he took a few more shots from some farmers and ranchers who are, to put it politely, skeptical of his idea.

Scott is proposing that the ranchers consider turning about 15,000 square miles of east-central Montana into a wildlife range -- just as it was 120 years ago before the last great herds of bison were erased from the landscape. His "Big Open" proposal, he says, could be a viable way of preserving both the land and the survival of its small and scattered population.

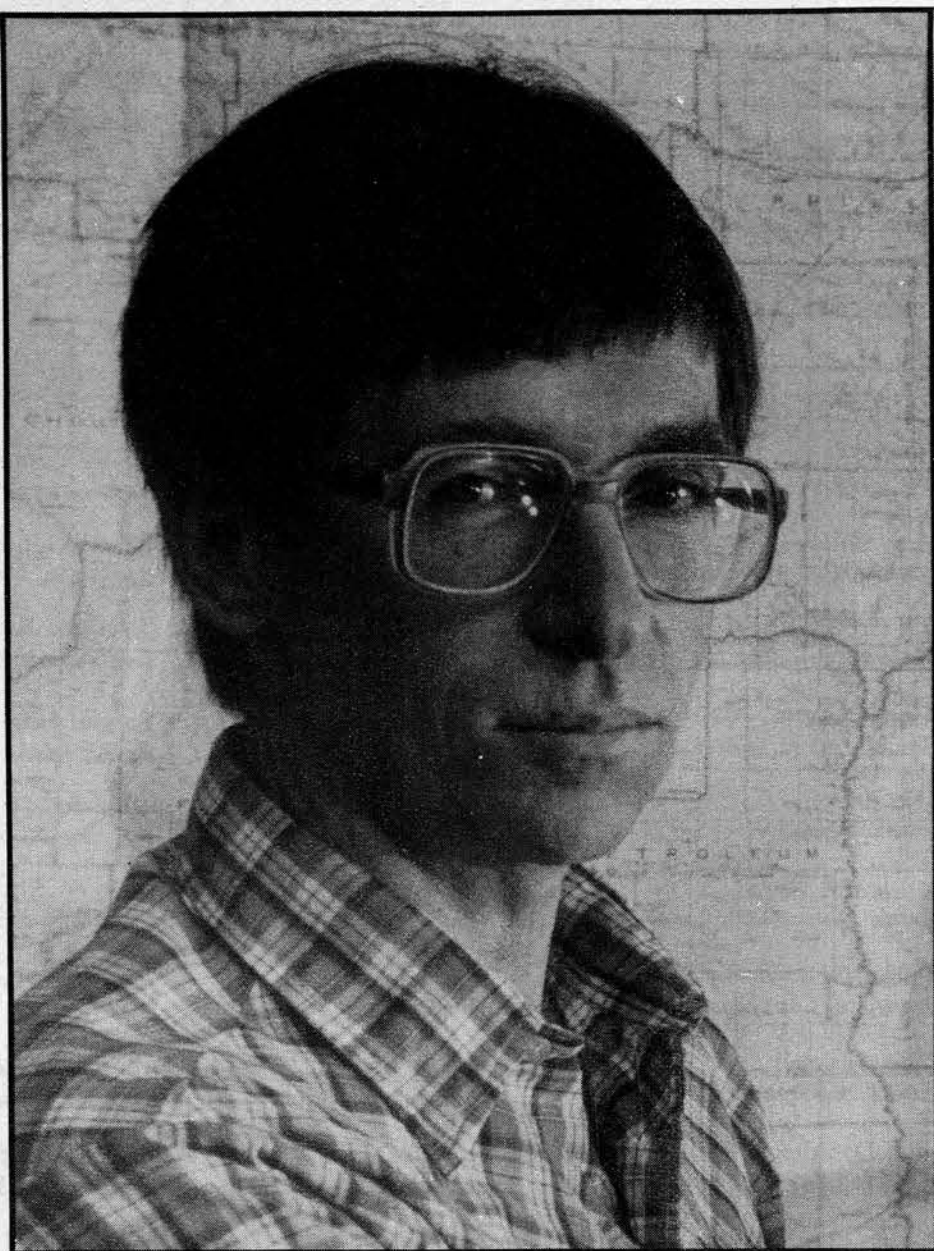
A good portion of that population needs to be sold on the proposal. Scott's latest grilling came at the annual meeting of the Montana Association of Grazing Districts. The Hamilton, Mont., man was invited to give his Big Open slide show and talk and to answer questions from the delegates.

As the lights went out in the basement hall of the Elks Club, Scott's tape of mildly meditative guitar, piano and flute murmurings kicked in to accompany his images of rugged, pine-dotted Missouri River breaks, green prairies, watercolor skies, creek bottoms, eroded arroyos, sagebrush, blooming prickly pear, scoria-encrusted bald buttes and weather-sculpted sandstone outcroppings.

The music melded into conga drums and choral humming as more pictures clicked on the

screen of Big Open mule deer, buck antelope, fox, grouse, wet gumbo roads and fossilized bird tracks imprinted in sandstone. All images of the natural treasures of the Big Open. Then the music stopped.

Michael Edward Gause



Bob Scott

On the screen appeared a slide showing a sign for a farm foreclosure auction in the Big Open. Scott also showed a slide of a Hereford-cross cow and told the gathering that the area's economy is now based "on an

animal developed in Eurasia in a wet climate." Native animals, he said, need less water and cause less damage to the soil and plantlife.

To continue using the Big Open for farming and cattle

Failed ranch leads to new land use idea

When you ask Bob Scott where he is from, he makes it a point to say, "Hamilton, Montana, where I was born and grew up. It's always been my home town."

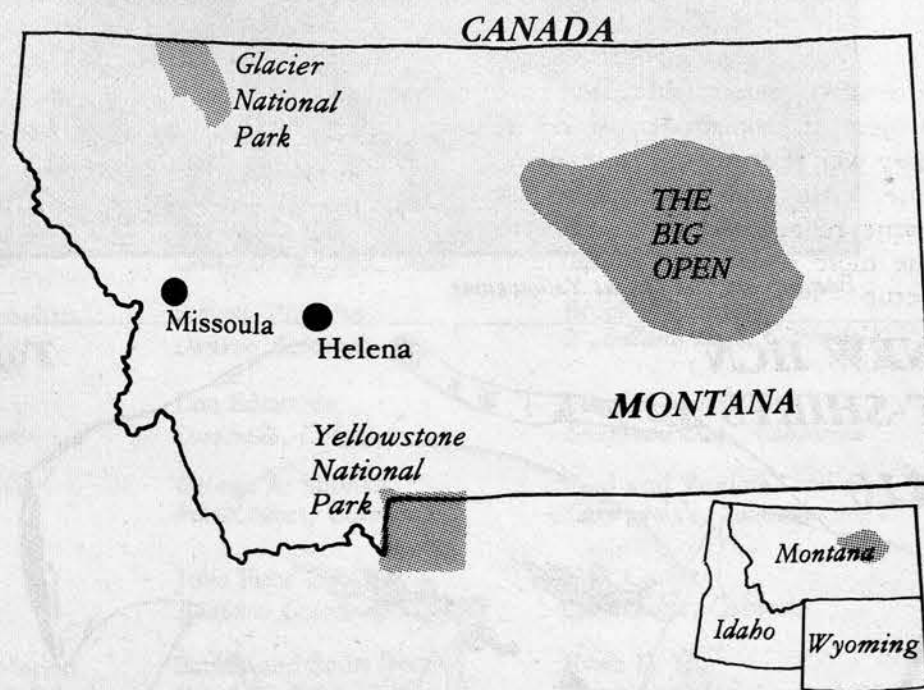
Since 1984, Scott has been back in Hamilton, a town of 2,500 that is 50 miles south of Missoula, the state's cultural and educational center. Hamilton has small ranches and farms and a lot of new subdivisions.

A former civil and structural engineer with a master's degree from Caltech, Scott, 44, worked most recently for the petroleum industry. A need to be independent led him back to Hamilton with his wife and three children "to work on my own projects."

One proved disastrous: a large investment in a western Montana ranch went sour.

But the financial blow propelled Scott to begin a study of land use and helped him find one answer in the concept of a "Big Open" for arid central Montana. This radical plan could turn 10 percent of the state's area into a co-op.

"The landowner would be paid for allowing wildlife to feed on his land with hunting and



guiding fees collected by the co-op," he says. Instead of 363,000 cows or sheep, there would be 320,000 wild animals -- up from the 80,000 present now. And he estimates an average household income would rise to \$28,000 from the co-op rather than the current \$15,000 a year.

How will he get attention to his proposal? Scott says he and his slides will go everywhere -- to small towns such as Malta,

Glasgow, Circle, Miles City and Lewistown, which surround the 15,000 square-mile area -- to Washington, D.C. "I believe the Big Open is a national issue due to the 40 percent public ownership of the area," he says.

Associated with the small Institute of the Rockies, a non-profit group based in Missoula, Scott says he'll also keep talking to people who find his idea outrageous. "I haven't given up."

--Betsy Marston

ranching, Scott said, is to flirt with the hazards of desertification and, ultimately, climate modification.

The Big Open wildlife range concept, he told them, is an economic and biologic alternative to the present regime of marginal agriculture. He said the area's permanent agricultural problems include a market oversupplied with the products grown there, pressure from outside competition, lack of a competitive advantage because of transportation and marginal growing conditions, recurring droughts and public resistance to farm subsidies.

If the people in the Big Open could exploit the vast landscape and its wildlife, Scott said, they would be free to capitalize on a demand from hunters, photographers and sightseers; they would not need permanent subsidies; their overhead expense would be lower and their industry would be much more drought resistant than agriculture.

A handful of enterprising Big Open ranchers already are guiding hunters in the fall and running old-time wagon train trips in the summer for tourists. The ventures have helped to supplement their erratic agricultural income and offer them a little fun, to boot. But they are in the minority.

Scott is saying: Bring back elk and buffalo, and even bighorn sheep to the Big Open and Missouri Breaks. Restocking the area with large numbers of such native ungulates, Scott said, would revive the original meandering herd patterns. "They used the range the way it was meant to be used."

Doing his best to ignore a few snickering comments, Scott told the group, "This is a made-in-Montana project. It's not my project. If people want to kill it, they will. If they want to study it, fine." He said he considers a game range concept superior to the more regimented game farm setup for both economic and environmental reasons. Game farms foster restrictive grazing patterns and the "aristocratization of hunting," selling targets rather than access to the land.

He suggested forming cooperatives, much like the state grazing districts, first on a small basis with a few ranches, and then expanding from there if the experiment makes better money than agriculture. The whole project would take 50 years to complete.

Scott said he's looking at resident access fees of \$50, plus hunting license and guide fees, and \$200 for non-residents. He estimates a \$40 million annual income by the cooperative in its final operating phase. Ranchers and other residents of the Big Open would derive their income from access fees, tourism, guiding, lodging, meat and hide processing and patrolling.

Scott sees the Big Open as

Patrick Dawson



Wagon train crosses "Big Open" this summer

The Big Open idea might be worth a try, the rancher said.

"They've done worse things out there - like farmin'!"

the North American version of East Africa's Serengeti Plain: "We're talking about making an international destination out of a part of Montana."

The people affected by the plan are mostly ranchers and dryland grain farmers, but, he noted, the public has interest in the area because 40 percent of it is public land. Still, Scott tries to convince people that he's not trying to shove it down their throats. Scott said the 15,000 square-mile territory contains 3,000 people "all with rights and aspirations and expectations."

Those at the meeting were skeptical. They told Scott the weather might periodically decimate their bread-and-butter, the wildlife. Then what? Would they go broke? He was also reminded that the drought-ravaged range is coming back this year, and cattle prices are up. What about the disease problems of mixing wildlife and domestic animals?

Scott was asked if he plans to reintroduce bears and wolves to the Big Open. "At no time," he answered, "have we suggested introducing predators. The predator we have in mind is man. As time goes on, the natural system will cause less need for predator control." One delegate rose to his feet, pointed to Scott and told the group that if man is the predator then, "We're gonna have to raise funds to fight people like this!"

The spirit of the crowd was further reflected by another man who protested changing the name of the Ft. Peck Game Range to the Charles M. Russell National Wildlife Range: It's still the Ft. Peck Game Range to me. I think

it was an insult to name it CMR, because he was a cowboy!"

When asked about compensating ranchers now holding state and federal grazing permits, Scott admitted, "That has been the thorniest issue yet." There was a burst of scattered applause when he was accused of dreaming up the Big Open idea to hustle grants to help employ himself and a few others. Scott said there has been no grant money yet, but that he wouldn't turn down help from any source. He said his reasons for campaigning for the idea were not economic.

"My grandfather came to Montana in 1886. I feel that the older generation screwed it up. I decided I was going to do what I could to make the world a better place for my kids."

Later, as he loosened his necktie over a beer in the calm of the Log Cabin Bar, Scott recalled the hornet's nest he encountered at a Big Open meeting at Brusett, west of Jordan in Garfield County in August. "It wasn't a meeting, it was a shouting match. It got pretty hostile."

Some residents charged that the Big Open concept was a government plot to take away their land. Outside the Brusett meeting hall that night, windows were broken on the only car with out-of-the-county license plates. But the car didn't belong to Scott or his fellow speaker, Charles Jonkel, acting president of the Institute of the Rockies and Missoula grizzly-bear expert. Two juveniles were later arrested for the crime and admitted that they thought the car belonged to the Big Open crusaders.

Strong neighbor pressure, Scott said, has kept many people silent who might otherwise support studying the idea. "I'm living under the stigma of being from western Montana with an idea for eastern Montana."

Scott said he has film footage of the Big Open shot last summer and hopes to assemble a more complete presentation. There has been an encouraging amount of interest in the idea from elsewhere, he said.

"Ideally, the best thing that could happen would be for the Big Open residents to grab it and run with it." But the locals remain stirred up, with the loudest opponents prevailing at public forums.

Scott said defending his idea gets rough at times, though he admires the stubbornness and skepticism displayed by the locals because it reflects the rugged character of the landscape and its people. "But I hope I don't wear out, first," he added.

Later that evening, down the street at the Bison Bar, a 64-year-old cowboy with weathered face and huge hands said he has been following the Big Open discussion with interest. As a longtime cattle rancher in the Missouri River breaks, he said he couldn't be quoted by name, but his opinion was that maybe Scott wasn't so far off at that. "I think it might be worth a try," he said. "They've done worse things out there - like farmin'!"

□

Pat Dawson lives and freelances in Billings, Montana. His book, *Mr. Rodeo: The Big Bronco Years of Leo Cremer*, was published last year.

16-Fish Country News -- November 9, 1987



CAPITOL HILL

BuRec's move West meets some lively opposition

by Andrew Melnykovich

WASHINGTON -- Following a long-overdue confrontation with political, economic, and ecological reality, the Bureau of Reclamation, one of the arch-villains of the environmental wars of the 1960s and 1970s, has announced it is reforming itself.

But like former Supreme Court nominee Robert Bork, BuRec is having a hard time convincing people that it has changed.

The agency's foes in Congress don't believe it, and are moving to block BuRec's reorganization plan. The agency's friends in Congress are skeptical. And some of the agency's own employees are screaming bloody murder.

BuRec's credibility problem should come as no surprise. After all, these are the people who tried to dam the Grand Canyon, who poisoned Kesterson Wildlife Refuge, who built the collapsing Teton Dam and the leaking Fontenelle Dam, and whose Garrison Diversion Project is the paradigm of boondoggles.

But BuRec is also proof positive that the road to hell can be paved with good works as well as good intentions. All but a few latter-day Luddites would concede that many of the BuRec projects that transformed so much of the West did more good than harm.

By the late 1950s, however, most of the "good" projects had been built or were nearing completion. Propelled by both a sense of mission and bureaucratic inertia, and protected by congressional pork barreling, BuRec pressed on, seeking out rivers to dam and deserts to irrigate.

Resistance from environmentalists slowed the runaway pace of BuRec's "progress," but it took the inexorable pressure of the federal budget deficit to finally bring it under control.

In this decade, BuRec has been largely restricted to completing projects already underway and repairing its past mistakes. The few new projects are generally small and financed in large part by local entities rather than the federal government.

However, formal recognition of BuRec's changing role did not come until this year. In March, Interior Secretary Donald Hodel ordered the agency to take a long look at where it has been and where it is going. The results of that self-examination were revealed Oct. 1. They are the product of Reaganism, common sense, and the desire of every bureaucracy to perpetuate itself.

BuRec is proposing to move its headquarters to Denver, where it already employs more than 1,500 people. The Washington staff of about 270 employees would be reduced to a handful working in a "congressional liaison" office. Six regional offices would be consolidated into five. Construction operations would be wound down, and the bureau's workforce would eventually be cut in half.

In keeping with Reagan administration philosophy, the plan also calls for significant "privatization" of BuRec facilities. A number of power plants would be turned over to "non-federal entities" for operation and maintenance.

More than 50 projects are listed as candidates for complete transfer into non-federal hands. They include major facilities such as the Big Thompson and Animas-La Plata projects in Colorado and the Central Valley Project in California.

BuRec and Interior Department officials deny that they want to sell off or transfer any major facilities such as the mainstem Colorado River and North Platte River dams. They also deny any linkage between the BuRec privatization plans and the Reagan administration's long-standing and often-rejected proposal to sell off the Western Area Power Administration, which generates hydroelectric power at many BuRec dams.

While envisioning a vastly diminished role for itself as a purveyor of water and power, BuRec sees itself as taking on new responsibilities as a custodian of the environment. The reorganization plan calls for the agency to take a more active role in water conservation, groundwater development, and environmental protection as part of reorientation toward "resource management."

In announcing the reorganization plan, officials said they want to reflect the public's changing values and greater emphasis on "recreational and environmental concerns." Hearing them map out this new vision, one would have thought that Assistant Interior Secretary James Ziglar and Commissioner of Reclamation Dale Duvall themselves had become environmentalists.

Initial reaction to the new BuRec was generally favorable. Unlike past Reagan administration reorganization schemes -- the ill-fated Forest Service-Bureau of Land Management swap comes to mind -- the plan for the bureau was not met with

immediate opposition from Congress or the public. All signs pointed toward smooth sailing, and the Interior Department moved ahead with the reorganization under its assumption that congressional approval would not be needed. Which brings us to Oct. 29, when the BuRec's plans began to come a cropper. In a hearing before the House water and power subcommittee, Ziglar, Duvall, and other BuRec officials ran into a barrage of hostile questioning.

Subcommittee chairman George Miller, D-Calif., said he wanted to see the details of BuRec's bright new future before he approved of any reorganization plan. "For the moment, we only have half the picture," he told Ziglar.

Miller also produced a sheaf of anonymous letters from BuRec employees. Many charge that the reorganization is designed to move the agency away from congressional scrutiny and to give more power to the major water users in the West.

Miller and other subcommittee members expressed doubts about how well BuRec could work with Congress and other federal agencies if it is headquartered in Denver. Rep. John Rhodes, R-Ariz., although more approving of the idea than most, wondered about the motives behind the reorganization:

"They're just not behaving like you'd expect a self-respecting bureaucracy to behave," he said.

The biggest surprise was the skepticism of Rep. Larry Craig, R-Idaho, who often sounds as if he would like to privatize the entire Interior and Agriculture departments. "Did you ever consider you might not be needed anymore?" he asked.

Ziglar responded that there is

much that BuRec can contribute. Citing the agency's expertise in construction management, he said BuRec could play a role in helping the Environmental Protection Agency oversee the building of hazardous waste dumps. BuRec's hydrologists could also help EPA in dealing with groundwater contamination, Ziglar said.

Predictably, Craig replied that he would not countenance any change in the BuRec that would establish the agency as a competitor to the "private sector" consulting firms now employed by the EPA.

As he listened to this exchange, Miller could barely contain himself. When his turn came, Miller blasted Ziglar for having the gall to suggest that BuRec could advise anyone on construction management or hazardous waste cleanup.

"We just passed a bill in the House to deal with cost overruns ... due to poor design work on some of your projects," he said. "Under your management, you created one of the biggest hazardous waste sites in my state (Kesterson) and your solution was to drain it into the (San Joaquin) River."

"Now you've captured my attention," Miller said.

The BuRec plan also captured the attention of the House Appropriations Committee. Just before Miller's subcommittee met, the appropriations panel quietly moved to block the BuRec reorganization until at least late next year. The ban was added to the massive federal spending bill which is now before Congress.

If, as seems likely, the reorganization ban becomes law, Congress will have several more opportunities to examine the sincerity of BuRec's self-proclaimed reformation.

Fishing Bridge decision pleases Cody, politicians

The long-awaited Fishing Bridge Environmental Impact Statement was released Oct. 26 and the debate over its anticipated recommendations continues.

The Park Service's recommendation to move 310 campsites at Yellowstone National Park's Fishing Bridge is a good compromise, said Sen. Alan Simpson, D-Wyo. "It's a very tough, emotional issue for them," Simpson said. "I think it's a pretty good compromise." But environmentalists said the agency has not lived up to an earlier commitment.

"Years ago a deal was made that Grant Village could be built in grizzly habitat as long as grizzly habitat at Fishing Bridge was restored to grizzly bear use," said Tom McNamee, who recently took over as president of the Greater Yellowstone Coalition. "This conclusion reneges on the deal."

U.S. Sens. Simpson, Malcolm Wallop and U.S. Rep. Dick Cheney, in a letter to park Superintendent Robert Barbee, praised the recommendation in an environmental impact statement that also calls for a recreational vehicle park and other facilities to remain at Fishing Bridge as a "sound compromise."

"We commend the National Park Service for its work in preparing the environmental impact statement and express our satisfaction with the process that has produced it," the letter said.

The EIS drafted by the National Park Service called for the moving of 310 campsites to Gull Point, although it also recommended that a 360-unit recreational vehicle park remain in the area.

"Spreading out the development like that goes against the mandate of preserving the park, the grizzly bear issue aside," said Tony Povilitis, Boulder, Colo., director of the Campaign for Yellowstone's Bears. "They built Grant Village and now they're putting another development in the park." Povilitis said the agency had given in to political pressure at the expense of the bear and Yellowstone's scenic resources. "Those folks apparently have a lot more to say about the park when it comes to grizzlies and wolves," he said. "They apparently have political clout that goes far beyond what's reasonable."

The National Park Service is not operating in a political vacuum and the compromise is not something

park officials would have chosen, said Barbee.

"The political bottom line was underestimated," Barbee said. "It's as simple as that. The parks are very much the children of politics. It is naive to think that politics doesn't have an influence on policy."

Barbee said the latest proposal from the Park Service makes sense for grizzly bears because most of the conflicts between humans and bears occurred at the campground, which will be closed.

Simpson said environmentalists have used the EIS process "as a club" in the past. Now that it is used to protect economic interests, those groups cry foul, he said.

Closure of Fishing Bridge had been opposed by area businesses, particularly those in Cody, near the park's east entrance, because of the impact the move would have on traffic through the town. The impact statement was done at the urging of the delegation, which consistently opposed plans to remove all facilities in the area.

Fishing Bridge, situated at a crossroads for natural bear travel routes, has been the site of dozens of bear incidents.

--Rocky Barker