

High Country News

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A Paper for People who Care about the West

One Dollar

South Dakota Sioux demand the Black Hills



✓ See page 10

Dear friends,



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Compelling Salt Lake

Every few years, High Country News surveys its readers. We ask what you like about the paper, what you dislike, and whether you pass it on to friends. Last month, we did a very different kind of survey of our Utah readers, and by means of a potluck discovered the following:

•Utah readers of HCN are excellent cooks. Staff and board bought cold cuts, cheese and supermarket-cooked chicken as our contribution (it's hard to bring a covered dish 400 miles). We got to haul most of it home because everyone preferred the homecooked meals readers brought.

•Utah readers are gregarious. People visited intensely -- the noise level and general animation made an L.A. cocktail party seem hushed.

•Utah readers don't eat and run. A majority of the 60 people who came to Pioneer Trail State Park's social hall were still there at the 10 p.m. closing.

•Utah readers are involved in their state's issues. We learned about highways through Logan and Provo canyons, about the fishes of the Great Basin, about possible startling population shifts within Utah, and -- of course -- about the Burr Trail.

•Utah readers don't all come from Utah. There were people at the potluck from Pocatello, Idaho; Missoula, Montana; Burbank, California; and New York City.

•Utah readers are very helpful. We do not have a board member in Salt Lake City, and the board meeting and potluck dinner would have been impossible without lots of freely offered help. In fact, we were unable to accept all the help that was offered.

A useful tip

Because Salt Lake City is only 360 miles from the paper's home in Paonia, almost the entire staff made the trek: four staff members and two interns. The trip was especially worthwhile for HCN reporter Steve Hinchman. He asked National Public Radio reporter Howard Berkes how he got started in the business. Berkes, who covers a good chunk of the West for NPR, said he was living near Mount St. Helens when that mountain blew its top, and his coverage of the event boosted him into a staff position with NPR. As a result of the tip, Steve intends to check out Paonia's local mountain, 11,000-foot-high Mt. Lamborn, each morning.

Steve also discovered that we may be painting too rosy a picture of Paonia. Two recent subscribers said that, from Dear Friends, Paonia sounds like Lake Wobegone of the Rockies.

At the risk of slighting 59 other people, we want to mention how pleased we were that Terri Martin of the National Parks and Conservation Association was at the potluck. Terri has spent days of her time on the telephone educating HCN staff and interns on the peculiarities of events in Utah, always with great patience. It was good to finally meet her.

We were also pleased to meet engineer Peter Maier and his wife, Dodie. Peter, readers may remember, is attempting to reform the way Salt Lake City treats its sewage. His appearance goes with his conduct: he looks like a tough, no-nonsense Dutchman who in the end may prove

Steve Hinchman



Meeting in Salt Lake City; from left, front: Betsy Marston, C.B. Elliott, Ed Marston, Herman Warsh, Tom Bell, Garrett Ray, Adam McLane. Back row: Mike Clark, John Driscoll,

Michael Crawford, Gus Wilmerding, Robert Wigington, Craig Bigler, Andy Wiessner, Bill Hedden, Tom France, Sally Gordon.

to be more than a match for Utah's water treatment establishment.

Until this meeting, we did not think of Salt Lake City as a compelling place, but we have changed our mind. In addition to the turnout at the Jan. 29 potluck, 12 of the 14 members of the High Country Foundation Board of Directors found their way to the Friday evening and all-day Saturday meeting, setting a record.

Those who attended were Adam McLane from Helena, Mont., founder Tom Bell from Lander, Wyo., Jeff Fereday from Boise, Idaho, Garrett Ray from Fort Collins, Colo., Robert Wigington from Boulder, Colo., Andy Wiessner from Denver, Colo., Sally Gordon from Kaycee, Wyo., Bill Hedden from Moab, Utah, Tom France from Missoula, Mont., John Driscoll from Missoula, Herman Warsh from Emigrant, Mont., and Mike Clark from Washington, D.C.

Perhaps the most interesting trip was that of John Driscoll, a member of the Montana Public Service Commission, who drove down with Bruce Farling, HCN's Montana bureau person. John, a great talker, got so caught up in a story that he failed to watch his gas gauge. They were rescued by a motorist who agreed to tow them on the end of a chain to a filling station.

Multitude of thanks

We wish to thank that unnamed motorist. We also wish to thank the many people who made the meeting and potluck possible. Dennis Burns, a planner with the Utah State Recreation and Parks Department, arranged for our use of the hall for the potluck and helped with innumerable details. In addition, he and his wife, Cara, provided lodging for some of the staff.

The board met in a house in downtown Salt Lake City shared by The Wilderness Society and the Southern Utah Wilderness Alliance. We thank Mike Medberry of TWS and Fred Swanson and Rodney Greeno of SUWA for their help. We are also grateful to the Maiers for lodging some of the staff, and to Dick Carter and Kristi Thorp of the Utah Wilderness Association, to Lawson Legate of the Sierra Club and to subscriber Bill Davis for their offers of help.

Budget matters

The January budget meeting is the toughest of the year: staff reviews the past year's financial

results and presents its recommendations for the next year. 1987 was a good year: the paper took in \$263,000 and spent \$253,000, for a positive margin (non-profit foundations don't make profits) of \$10,000. The positive margin occurred even though the paper bought, for cash, \$14,000 worth of computers, an investment that should hold us for several years.

Since 1983, when HCN took in and spent \$100,000, the yearly budget has risen sharply each year. Now it has reached a plateau: both freelancers and staff are paid respectable rates, the office though funky is large enough, and when the computers arrive we will be a fairly modern operation. As a result, staff proposed and board approved an expense budget of \$277,000 and projected income of \$266,000. The expense budget is just a shade higher than the 1987 budget of \$273,000. (In the doing, we spent only \$253,000 of that.)

The staff's income projection for 1988 was \$246,000, but the board said staff was being pessimistic. The board said that a subscription increase (more on that below) and more energetic fundraising by board members would increase income to \$266,000. The \$11,000 projected loss will be made up out of reserves.

Tough decision

The longest and most difficult discussion came before the budget discussion. Board and staff went round and round on a proposed subscription increase to \$25 a year for individuals and to \$35 a year for institutions. The last subscription increase, from \$18 to \$20 for individuals, came in summer 1983. Since that time, the cost of just printing and mailing 24 issues of the paper has gone from about \$3 a year to \$6 a year, and staff expects further increases in the next 18 months.

In addition, the percentage of income provided by subscriptions has fallen. In 1983, 70 percent of income came from subscriptions; today the number is 43 percent. In one way, that is a good sign: the percentage has decreased because income from the Research Fund and foundations has jumped sharply. But staff recommended that at least half of the paper's income come from subscriptions in order to insure stability and a solid base.

The alternative to a large increase

(Continued on page 15)

WESTERN ROUNDUP

Army tries to strongarm Mother Nature

Armed with the Strategic Defense Initiative, the Pentagon hopes to command space, but the military is having some difficulty managing the piece of ground that SDI calls home -- about 10 miles east of Colorado Springs, Colo.

Bechtel Corp. won a \$69.3 million contract to build Falcon Air Station, which will serve as SDI's 5,000-person nerve center. Supervised by the U.S. Army Corps of Engineers, Bechtel completed the bricks and mortar portion of the job under budget and ahead of schedule in the fall of 1985.

But the company, known for tackling highly technical jobs on a grand scale, met its match when it had to import mountain flora to the flatlands. Following the landscaping specifications laid out by the Army Corps, Bechtel brought in hundreds of Gambel's oak and ponderosa pine trees to grace the berms and boulevards at the station.

Exposed to the semi-arid high plains, most of the trees died. Bechtel discovered that only heroic watering efforts would permit any trees to live. "They won't grow," Bechtel spokesman Lee Pernell said.

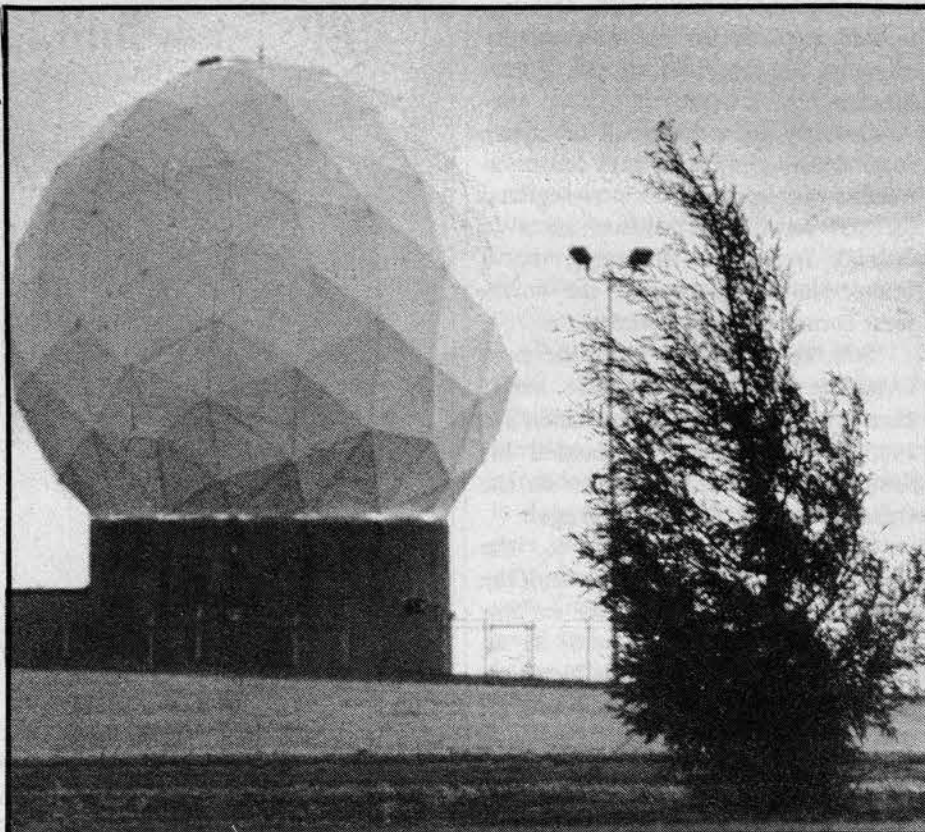
Consequently, Bechtel asked the Army Corps if the six-figure landscaping contract could be amended, to allow the planting of native grasses and shrubs. The response was "try again."

Bechtel brought in Colorado College biology professor Dick Beidleman, who ultimately labeled the Army's plan "a landscaping fiasco ... the conifers, the ponderosa pines, have been taking a beating out there. They've been dehydrated by the winds. If it doesn't die, it's going to take a tremendous amount of water to keep it alive."

Gambel's oak "is around here, but it grows in the rocky foothills, never in sandy grasslands," Beidleman added.

But in 1987, more of the trees

Barry Noreen



SDI research facility near Colorado Springs

were planted and kept alive by massive watering provided by the Cherokee Water District. A space command spokesman said the facility consumed more than 49 million gallons of water during the year.

By December, Bechtel's Bob McIntosh said "There's been a few losses, but not very many. That's a pretty extreme climate out there. The majority have lived, but we'll have to see what happens through the winter."

Beidleman, an SDI critic, said "There are a lot of things wrong with that place out there but the vegetation is the most interesting. Anybody around here could have said, 'That stuff isn't going to go out there. Don't waste the taxpayers' money.'"

While the Pentagon ponders the stars, it apparently forgot the sun -- or at least its architects did. The air

station's primary building housing administrative and engineering functions is designed with a massive, mostly-glass front wall -- facing north.

Whenever Arctic storms blow down the Front Range, SDI's entrance will be iced over. And any solar gains that might have been achieved by positioning the building west, southwest or south have been lost.

Power for the complex is supplied by the Mountain View Rural Electric Association, traditionally one of the more costly sources in Colorado. But money spent for electricity or water makes up a tiny percentage of the station's annual budget.

--Barry Noreen

The writer works for the *Gazette Telegraph* in Colorado Springs.

HOTLINE

Lost genes

Willa, a four-year-old black-footed ferret, died of cancer Jan. 25 in her room at Wyoming's Sybille Research Center. Willa's death of nasal carcinoma leaves 24 known black-footed ferrets remaining in the world; all are housed at the center. Art Reese of Wyoming's Game and Fish Department, the lead agency responsible for bringing black-footed ferrets back from near-extinction, says that Willa's death is a setback for the state's captive breeding program. Willa was one of 18 wild ferrets caught in 1985. Because she was not related to the other captive ferrets her wild genes were needed to maintain the genetic vigor of the species, says Reese. Willa's ovaries and eggs have been sent to the National Wildlife Zoo in Washington, D.C., where, in a procedure never before done with ferrets, researchers will attempt in vitro fertilization of Willa's eggs, using male ferret sperm collected and frozen last year. If fertilization is successful, a domestic ferret will be used as a surrogate mother.

Fish



and chips

A computer chip small enough to be sealed into a capsule, then injected with a needle into the belly of a fish, has brought the computer revolution to the Salmon River. In Idaho, Fish and Game Department biologist Russell Kiefer is using a "passive integrated transponder" to track the movements of salmon and steelhead up and down the river. Each transponder emits a signal unique to the fish, and that allows accurate data to be collected, including the length of time taken by fish to migrate to the ocean and return. The PIT appears to be a marked improvement over previous technology in which juvenile fish were tagged with coded wire. With that method, data could only be collected from dead fish. Kiefer has injected 4,500 young fish on the Upper Salmon River, and expects to inject 10,000 more by the summer of 1988.

Pediatricians against ATVs

Although the Justice Department negotiated the recent ban on three-wheeled all-terrain vehicles, several consumer and health advocates are not happy with the decision. The groups say the new agreement between the federal government and ATV manufacturers fails to protect young riders. They want manufacturers to grant refunds for all three-wheeled ATVs used by children under 16. ATVs "remain a ticking time bomb in the hands of consumers," Dr. Richard M. Narkewicz, president of the American Academy of Pediatrics, told AP. His group, along with the American Public Health Association, Public Citizen, the Consumer Federation of America, U.S. Public Interest Group and Frederick Booth, whose son was injured riding an ATV last year, filed motions in federal court asking for a delay in the ban until a hearing can be held.

Grizzly sanctuary is proposed near park

A local developer has proposed a sanctuary for problem grizzlies as an expanded part of West Yellowstone, Wyo., an 850-person town on the western border of Yellowstone National Park.

Developer Lewis Robinson says the sanctuary would be the centerpiece for an 87-acre multi-million dollar commercial development that would also include an Imax theatre, 50-150 room hotel, new post office, shops and a 40 percent scale-model railroad. Besides bear habitat, the 25-acre sanctuary would include the parking, a research center and amphitheatre, says Jim Cummings, Robinson's project engineer. According to town councilman Cal Dunbar, "The habitat will be a good place to put bears they have to destroy -- right now those bears they kill are a net loss."

"Grizzlies would come from the Yellowstone ecosystem and not just the park," says Gary Brown, assistant chief ranger and bear management specialist for Yellowstone National Park. "But if we do our job right and prevent human-bear conflicts, that should be less than a bear

a year." Although a bear in the wild roams over a 200-mile range, Brown says putting several in a 20-acre plot is possible. "Bears are not territorial that way. They can live together." But once conditioned to enclosure, he adds, the bears could not be released back into the wild.

The town council views Robinson's preliminary proposal in a "cordial" light, says Mayor Ken Davis. Robinson is scheduled to present his revised proposal before the council and planning commission Feb. 18.

--Michael Crawford

Incinerator wins approval

MOAB, Utah -- After a series of five crowded hearings, Grand County Commissioners unanimously adopted an ordinance that would allow the building of a toxic waste incinerator. Co West, Inc., says it plans a toxic waste incinerator in the deserted town of Cisco, close to the Colorado border.

At the Jan. 25 hearing, 15 of 25 speakers said they favored the ordinance while most of the crowd of 200 indicated they opposed an incinerator in their county. Whose county it was, however, became an issue.

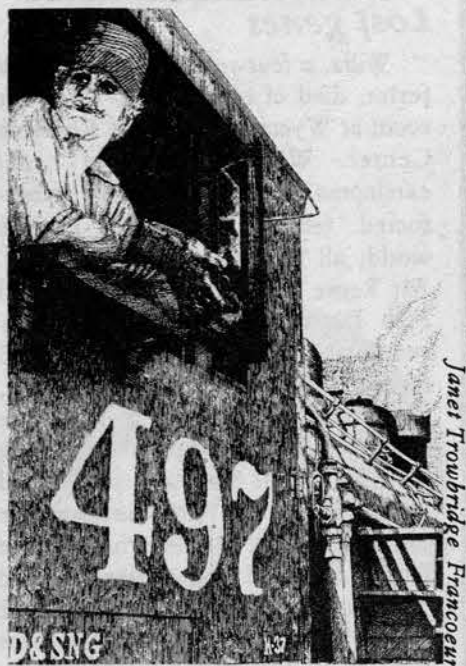
All those who testified in favor of the ordinance called themselves "natives" and accused opponents of

being "newcomers" who shared the blame for Moab's lack of industrial development. "We've got this group of people that seems to want us out of here so they can have it all to themselves," said Darren Bleggi of Moab.

Incinerator opponents have turned to gathering signatures on an initiative petition to stop the zoning ordinance. Melba Steward, co-sponsor of the initiative and a retired Job Service employee, says: "Toxic waste disposal is counter-productive to our efforts in promoting our area."

--Craig Bigler

HOTLINE



Left at the station

The company that planned daily luxury passenger service for skiers from Denver to Aspen, Colo., will close its offices in April, reports the *Denver Post*. John Parten, president of the Roaring Fork Railroad, said the Denver & Rio Grande Western Railroad was blocking the new passenger service by not leasing its track, locomotives, crews and fuel. The Denver Rio Grande freight line controls most of the mountain track in Colorado. Officials at D&RGW denied they had something against Parten or passenger trains in general. They said an agreement could not be reached on key issues.



Logger charged with killing grizzly

A British Columbian logger was arrested in Canada recently for allegedly killing a radio-collared grizzly bear. The male bear was part of a Selkirk Mountain grizzly bear study, and data from tracking the 325-pound bear's movements over a 200 mile range was essential, says Idaho's Fish and Game Department. The state is studying bears that travel through north Idaho, north-eastern Washington and British Columbia. The logger, Mark Thomas Richard East, 34, was arrested thanks to an anonymous tip, for which the National Audubon Society offers a \$15,000 reward if information leads to the arrest of anyone involved with the illegal killing of protected bears. In East's house in Creston, B.C., Canadian wildlife investigators found claws and skulls of two grizzly bears, a grizzly hide, antelope horns and six mounted birds -- four of them protected raptors. All were apparently destined for the black market, AP reports. Penalties for killing a grizzly in the U.S. are a \$125,000 fine and a year in jail, but in Canada the fine is \$5,000, the prison term six months.

Forest Service gets a new deputy chief

MISSOULA, Mont. -- If controversy has become a major product of national forests, then James Overbay is well-prepared for his new assignment as deputy chief of the Forest Service.

Overbay got a bellyfull of advice from timber companies and conservationists during 30 months as regional forester for the 26 million acres of federal forest in Montana, north Idaho, North Dakota and the northwest corner of South Dakota.

Still, he insists that even the most unwieldy public debates are better than the indifference common in 1956. That is when he landed his first assignment as a forester on the Ochoco National Forest in Oregon.

"These lands belong to the people of the United States and the people ought to have a say in how they're run," Overbay said in an interview before leaving his Northern Region office for the trip to Washington, D.C.

As one of five deputy chiefs, Overbay will be the point man for commodity, wilderness and wildlife issues on all 191 million acres of federal timberland, including 156 national forests and 19 national grasslands. Once he begins his job Feb. 28, Overbay said his priorities are to:

- Spend more money on in-the-forest recreation areas and wildlife habitat improvement, even if that means less money for timber subsidies.

- Take an active interest in selecting the new generation of Forest Service brass who will step in for scores of forest supervisors, regional foresters and Washington staff directors nearing retirement.

- Put West Coast foresters on notice to issue the forest plans required under the National Forest Management Act of 1979. During Overbay's tenure in Missoula, the Northern Region issued all 13 forest plans. All are under appeal, however.

- Unscramble the Alaska lands mess. Everyone wants a piece of the nation's last great tract of wild country -- native Alaskans, conservationists, molybdenum hunters like U.S. Borax and Chemical Co., and timber companies, he said.

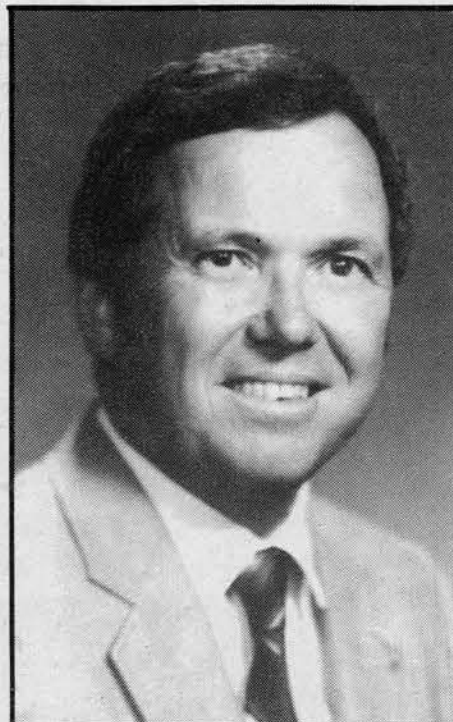
Conservationists familiar with Overbay's work in the Northern Region praised his interest in wildlife and recreation, but said they doubt he can buck a century of commodity-based foresters or the government's penchant for below-cost timber sales and multi-million-dollar road building programs.

Said Hank Fischer, a spokesman for Defenders of Wildlife, "It is one thing to look in the mirror. It's another thing to change the way you comb your hair."

"I see the Forest Service at a point in transition," Fischer said. "The forest planning process put it on guys like Overbay to look at themselves. For the first time, they recognized their commodity orientation."

"But can Overbay actually reject the call for increased timber output? Or mining? Or grazing? That will be the test," Fischer said.

Keith Hammer, whose Swan View Coalition filed one of the 39 appeals to the Flathead National Forest's 10-year plan, said Overbay's record isn't one of bucking authority.



James Overbay

"From what we saw on the Flathead, he maintained harvest levels and consistently sided with the forest supervisor," Hammer said. "It was business as usual."

Hammer said he doesn't like the looks of Overbay's promotion. "He arrives in Washington, D.C., the same month that our forest appeals arrive for review," Hammer said. "Isn't that like bringing the defendant in a case and putting him on the jury?"

But Arnold Bolle, a director of The Wilderness Society and dean emeritus of the University of Montana forestry school, said Overbay is an "able and fair administrator" and will not look at Northern Region appeals with a jaundiced eye.

"I was very well impressed with his performance over the past 2½ years," Bolle said. "My impression is that he will be quite reasonable in his attempts to resolve forest conflicts. The question, of course, is whether anyone can resolve them, no matter how reasonable."

Overbay admitted that he couldn't convince conservation and timber interests in Idaho and Montana to "share the backcountry" during his tenure as regional forester, and that he likely will fail in similar attempts throughout the West as deputy chief.

"I didn't expect people to be so polarized when I arrived in Missoula," said Overbay, 53, who was named regional forester after a stint as deputy regional forester for the Southwest Region, headquartered in Albuquerque, N.M.

"I am disappointed that I could not get people to move off their positions," he said. "Somehow, all the special interest groups must learn to share the land, and foresters must learn to manage for all resources: not just timber, not just wildlife, not just recreation."

Overbay said recreation too long has been neglected in forest budgets. He wants new facilities for hikers, bikers, campers and skiers, both Forest Service-financed and on contract with private developers.

Government foresters have shirked their duties as wildlife habitat managers, he said, although he put much of the blame on the lean budgets that pared his Northern Region staff by 22 percent during the past five years.

As deputy chief, Overbay said he'll push for streambed projects needed to improve national forest fisheries and for financing needed to help places like Idaho's Panhandle adjust to rejuvenated populations of grizzly bears, wolves and caribou.

"We must provide for the needs of these animals so they do not create a resource in conflict," he said. "The idea, after all, is to solve a problem -- to get these animals off the threatened and endangered species lists."

Overbay leaves Northern Region forests in the hands of his former deputy, John Mumma, a wildlife biologist by training and thus a rarity in the ranks of timber-trained regional foresters. Mumma is a 25-year veteran of the Forest Service, coming to Missoula last May from Washington, D.C., where he was a staff assistant to the deputy chief for programs and legislation.

--Sherry Devlin

Now a freelancer in Missoula, Montana, Sherry Devlin has worked for *Associated Press* in Spokane, Wash., the *Missoulian*, and several papers in eastern Colorado.

Mecham out, Mofford in

Secretary of State Rose Mofford became the acting governor of Arizona Feb. 6 as the state House of Representatives voted 46-14 to impeach Gov. Evan Mecham for "high crimes, misdemeanors and malfeasance in office." Mecham now faces an impeachment trial in the 30-member Senate, where a two-thirds majority is needed to convict. The House will appoint a five-member prosecution team to draw up specific charges, which must be approved by the House before being sent to the Senate. If Mecham is convicted, Mofford, a Democrat, would serve out Mecham's term, which expires Jan. 1991. Mecham still faces a criminal trial on charges of concealing a \$350,000 campaign loan and illegally using \$80,000 of public money for his car dealership. He also faces a recall election on May 17. Arizona has no legislation that permits cancellation of a recall election once it has been set.



Rose Mofford

Film gets lousy reviews from New Mexico

On the southern edge of the Navajo Reservation in New Mexico and Arizona a film has reignited a long-smoldering controversy over radioactive contamination of a part of New Mexico.

The film, *The River That Harms*, is a 45-minute attack on the contamination of the Rio Puerco River in New Mexico resulting from United Nuclear Corp.'s massive spill of uranium mill tailings in 1979 (HCN, 1/19/87).

Produced by University of California graduate student Collene Keane, the film portrays three decades of uranium development and waste disposal in the area. The focus of the film is the rural Navajos who have been exposed to the radiation, and the birth defects and other problems allegedly encountered by them and their livestock because of the radiation. But Keane's film goes beyond the effects on the Navajos, tracing the gradual migration of radioactive and heavy metal pollutants into the groundwater and downstream to Arizona.

The problem has been written about before, but film has an impact that newspapers and magazines do not. For the mostly Navajo ranchers who live along the Puerco, *The River That Harms* is a vivid presentation of risks some believe they face because of radioactive material in the water.

According to Chris Shuey, who coordinates the Puerco River Education Project for the Albuquerque-based Southwest Research and Information Center, the film is a stark reminder of the continuing risk Navajo ranchers along the Puerco face. But to state officials, the film is biased propaganda, designed to scare the Navajos and interfere with economic renewal in an area hard-hit by the uranium bust.

Two showings by Keane and the Southwest Research and Information Center to the Church Rock and Manuelito chapter houses (Navajo community centers) brought mostly questions, reports the Gallup *Independent*. The viewers asked: "Can radiation illness be cured?" "Why was mining here approved in the first place?" "Can the water on my land be tested?"

A showing by the center to the New Mexico Water Quality Control Commission -- the agency responsible for the state's surface water and groundwater quality -- brought charges of misinformation and sensationalism. Lynn Brandvold, a long-time member of the commission and a senior chemist with the state Bureau of Mines, says the film has a couple of factual mistakes and falsely connects the spill with a home for mentally retarded Navajo children in Shiprock, N.M.

Brandvold also says New Mexico's Environmental Improvement Division tells her the river is no longer dangerous. "I felt it was very irresponsible (of the information center) to show the movie. Without the proper understanding of radioactivity the movie could be very frightening," she says.

The film has dramatized an on-going debate between the state and the information center over whether there is danger from radiation. Shuey says radionuclide and heavy metal pollution in the Puerco is a threat to those who use its waters. He says his position is

Steve Hinchman



Rio Puerco in New Mexico

supported by data from the center's studies and the U.S. Geological Survey.

As for the film, Shuey concedes that it makes generalizations, but he defends it as a valid look at the contamination of the Puerco from the Navajo point of view.

"I believe in public information," he adds, and promises to show the movie to anyone who asks. Shuey says he currently has requests from two other Navajo chapter houses near the Rio Puerco, from the Navajo Community College and from a New Mexico public school.

Thomas Bahr, secretary of the state Department of Energy, Minerals and Natural Resources, and his staff also saw the film. Bahr then accused the center of "trying to torpedo economic development by using scare tactics on local folks in the Church Rock area."

Then, in a memo to New Mexico Gov. Garrey Carruthers, Bahr wrote: "This is an anti-uranium effort geared at a company named Uranium Resources, Inc., a firm which plans to develop the first commercial-scale leaching operation in the area. I believe state intervention at this point is appropriate..."

The memo, which was leaked to the information center, brought a strong reaction from Shuey, who said that only his group is continuing to monitor the radionuclide problem in the Puerco. Shuey also said:

"We're out there trying to help people get clean water supplies and those guys in Santa Fe are saying SRIC is anti-development. If they were interested in development for local people they'd be out there (too). The people can't improve their stock operations without clean water supplies."

Shuey and the center's Navajo field-staffer, Raymond Morgan, say state officials are protecting themselves because the state didn't do much for the victims at the time of the spill, and now doesn't even bother to maintain its monitoring wells along the Puerco.

According to Shuey, the information center's research shows portions of the river remain contaminated. Shuey says data collected in 1986 and 1987 show heavy metals and radionuclides trapped in the river's sediments have moved downstream. "Concentrations at the border (with

Arizona) exceed any standards for drinking water and livestock use."

It is not only water flowing in the Puerco that is contaminated. According to Shuey, at the same time that the river is carrying contaminated sediments downstream, percolation into the region's shallow aquifers is carrying contaminated sediments into the groundwater. Shuey says the center's data shows that wells closest to the spill have become more contaminated over time.

While the state says the water is fine, Shuey's group recommends against use of the Rio Puerco for humans or livestock, especially over extended periods of time. The group is documenting the contamination as part of an effort to help the Navajo get clean water supplies. Morgan says his field research shows that the river and groundwater near the river is the only source of water for Navajo livestock, short of hauling it 10 to 50 miles by truck.

Efforts to get state or tribal dollars to drill deep wells have gone nowhere, Shuey says. He says the state has been indifferent and Navajo Tribal Chairman Peter MacDonald uncooperative. In his 1986 race against incumbent Peter Zah, MacDonald charged that Zah was not doing enough to help the victims of the Puerco. Morgan adds that because MacDonald replaced nearly the entire tribal natural resources department, the center has had to begin educating them to the problem all over again.

The battle between the information center and the state may eventually be settled by the U.S.G.S. A \$2.8 million, five-year hydraulic study by the U.S.G.S. of the Rio Puerco and Little Colorado River drainages is to begin this year. It will attempt to measure pollution loading of both river systems and nearby groundwater from natural and artificial sources.

The U.S.G.S. study could be important for more than New Mexico's Navajo ranchers along the Puerco. The Navajo tribe has asked the agency to determine if the Puerco and associated groundwater is extensively polluted on reservation lands in Arizona. If serious contamination is found, it could sink MacDonald's plans to have hundreds of Navajo involved in a land dispute with the Hopi relocate there.

Others are also concerned about the extent of pollution in the Puerco and Little Colorado. Arizona wants to know the extent of the pollution coming from New Mexico. The Bureau of Reclamation is concerned because of endangered species of fish in the Colorado River in the Grand Canyon, downstream of the Little Colorado. And the National Park Service says it is concerned about its Petrified Forest National Park, which straddles the Rio Puerco in Arizona.

--Steve Hinchman

HOTLINE

A healing step

A 15-year, federal-state commitment to bring back three endangered fish species in the upper Colorado River basin was signed Jan. 21. Interior Secretary Don Hodel, the governors of three Western states and the Western Area Power Association agreed that the Colorado squawfish, bonytail chub and humpback chub need sustained help. That will come from projects to increase instream flow, create spawning grounds and improve backwaters in the upper Colorado, Green, Yampa, and White rivers. John Hamill, an Interior Department coordinator, estimates annual operating costs at \$2.3 million, although an additional \$15 million is sought from Congress. Ten million dollars would be earmarked for acquiring water rights from private citizens. The recovery plan is a joint effort of the Bureau of Reclamation, U.S. Fish and Wildlife Service, the Western Area Power Administration, which is a bureau of the U.S. Department of Energy, and Colorado, Utah, and Wyoming. Hamill says the plan is designed to reverse habitat damage from early water development of the Colorado River.



Stoves will be cleaner

In an effort to make wood stoves burn cleaner, the Environmental Protection Agency has adopted final regulations meant to reduce particulate matter emissions in new stoves by 75 percent. Beginning July 1, the rules call for manufacturers to start making stoves that limit particulates to 8.5 grams per hour if using a second chamber burner, or 5.5 grams per hour if equipped with a catalytic converter. Retailers have until July 1, 1990, before all stoves available to consumers must meet the new specifications. They include requiring stoves to have a catalytic converter -- usually a plutonium coated section of pipe that superheats emissions -- or an additional larger chamber that also burns hot. Chris Rice, spokesperson for the EPA, estimates that the new regulations will save consumers \$29 million in five years, since they will need to buy less firewood. Wood stoves are expected to cost \$200 more each, however.

BARBS

Horrible seems about right.

"It may seem horrible to some to put a motel and a gas station and grocery store in the middle of some wild part of the state, but it seems like a good idea to me," writes agriculture specialist Bruce Hills in Utah's *Deseret News*, Jan. 5.

6-High Country News -- February 15, 1988

HOTLINE



An unlike pair

A study by Washington State University may be the first to compare topsoil erosion on two farms where all environmental conditions were equal except for management practices. Over the 40 years studied, the organic farm has kept four to 10 inches more topsoil than its neighboring conventional farm. The two farms are located 15 miles south of Spokane in the Palouse, an area identified by the U.S. Department of Agriculture as suffering severe erosion. The conventional farm owned by Arnold Clausen began using pesticides and fertilizers in the late 1940s, while his neighbor, Donald Lambert, rotates wheat, peas and an unharvested crop every three years. The organic farm, reports researcher John Reganold in the British magazine *Nature*, not only has more topsoil but it is also richer and less compacted. No economic analysis was made to compare Lambert's savings from not buying fertilizers, pesticides, spraying equipment and extra labor, or of his loss of income from having no crop to sell every third year. The study can't prove which method is more economical, says Reganold, but it does show that conventional farming did not maintain the topsoil. A reprint of the article is available free from John Reganold, WSU, Department of Agronomy and Soil, Pullman, WA 99164 (509/325-8856).

A leasing experiment

Hoping to increase revenue and eliminate speculation and fraud, Congress passed a new law to regulate oil and gas leasing late last year. As a result, the Interior Department scrapped its lottery system and will try out two methods of competitive bidding for drilling rights on millions of acres of public land in the West. The Bureau of Land Management will hold auctions to sell leases in Colorado, Montana and Wyoming, while Utah, New Mexico and eastern states will nominate lands first, then hold auctions to solicit bids. Both experiments in public leasing will take place in late March and early April. Whether royalties generated through the auctions will increase is unknown says Pat Archer, public affairs chief for the BLM in Colorado. The act requires a \$2 minimum lease bid per acre plus a minimum \$1.50 per acre rental fee. Royalties are set at a minimum 12.5 percent. State BLM offices should have copies available to the public April 22, which is when a 30-day comment period begins. Comments should be sent to Bureau of Land Management (Interior Department), Main Interior Building, Washington, D.C. 20240.

BARBS

An energy source its boosters once described as 'too cheap to meter.'

Utility experts say that construction overruns at completed nuclear plants and abandoned nuclear plants may cost \$100 billion.

Wyoming's economy has some buoyancy

For the last five years, Wyoming's economy has been jouncing downward, as ranching, oil and gas and mining have hit new lows and uranium has totally disappeared.

As a result, the state has lost jobs and its total population has decreased. School and university budgets have been cut and foreclosures and bank failures have mounted. On the environmental front, there has been great pressure to reduce or abandon mining reclamation standards and to give surviving development carte blanche.

Only tourism, anchored by Yellowstone and Grand Teton national parks in the northwest corner of the state, has held its own or grown. This comparative health amidst so much decline has set off a gold rush, with the state's big game seen as the new mother lode. The effort by ranchers to replace losses from cows with new income from hunting has led to a bitter fight. It has pitted the state Game and Fish Department and the Wyoming Wildlife Federation against the Farm Bureau and other agricultural groups for control of the big game and revenue from hunting licenses and related income.

Now however, almost coincident with the October stock market crash, evidence is appearing of a revival in Wyoming's economy. At a December

meeting of the Wyoming Stockgrowers Association in Douglas, ranchers said that the agricultural depression appeared over. Bud Meyer, executive vice president of the group, told the *Casper Star-Tribune*, "Income is up -- it's up significantly, and it's been a long time coming."

State statistics shows that ranchers are enjoying positive cash flows for the first time in five years. October calf prices were up 24 percent over previous years; steer and heifer prices were up 27 percent; lamb was up almost 23 percent; and wool was up 24 percent.

The price of another staple of the economy -- oil -- is nothing to cheer about by the \$30 a barrel standards of several years ago. But today's \$18 price looks good compared with summer of 1986, when OPEC let oil hit \$10 a barrel.

The price rise since those days has encouraged more exploration. The number of rigs out drilling for oil in Wyoming is 58 today, up from 54 a year ago, the *Tribune* reported.

Some mining also appears to have bottomed out. Uranium remains comatose; but the *Tribune's* Washington, D. C., reporter, Andrew Melnykovich, writes that the sales of Wyoming soda ash, or trona, to Japan could double from the current 200,000 ton per year level, thanks to

moves by Japan to end restrictions on such imports. Trona comes from underground mines in Sweetwater County, whose county seat is Rock Springs, in the state's southwest corner.

Coal mining in Wyoming is dominated these days by stories out of Sheridan about sabotage and threats surrounding an angry strike against the Decker coal mine. The strike could leave that community divided for years.

There is also a quieter story about Wyoming coal mining. The Colorado Springs, Colo., utility department is considering buying 1.2 million tons of coal from Wyoming's Powder River Basin. The coal would power the city's Nixon power plant.

At present, Colorado Springs purchases its coal from two mines in Craig under contracts that expire in 1992. The Craig coal sells for \$27.50 a ton; Wyoming coal sells for \$5 a ton. But the price difference isn't the total story. The Wyoming coal is of lower quality, and would yield less heat per ton burned. In addition, shipping costs would be higher and the power plant would have to be modified to burn the cheaper coal. Whether Colorado Springs is seriously considering the move, or is using the possibility as a bargaining point, remains to be seen.

Dynamiteer makes instant old-growth

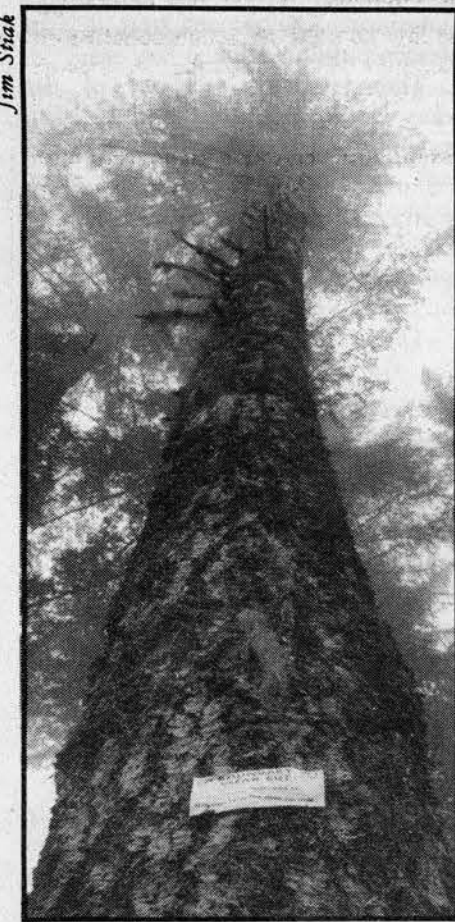
Larry Wineberg makes the biggest birdhouses in the Pacific Northwest by blowing Douglas firs in half. Scurrying halfway up 200-foot trees with gas-powered drills and sausage-like gelatin explosives Wineberg and a handful of other "snag-blasters" today develop some of the choicest property in the country into rooms with views for small creatures of the forest.

The unique occupation began in 1981, after the Forest Service realized that clearcut logging was destroying the homes of many forest animals. The rotting old snags that provide habitat for up to 80 species of birds also create hazards for loggers, and are usually the first to fall when the chainsaws arrive. Forest Service biologists now set aside a tree or two per acre to be blasted into snags.

Art Partridge, the University of Idaho forester who originated the program, says he'd worked with dynamite for 30 years blasting diseased tree roots, so explosives seemed a simple method to create snags. "It's an easy way to make a buck, if you're careful," he says.

Wineberg, who for years has shimmied with ropes and spurs to the tops of tall firs to collect cones for the Forest Service, says that the trees designated for wildlife are seldom the ones he'd choose to ascend. "It's mostly unmerchantable timber, older and diseased, with loose bark," he says. The trees are "60-inch diameter leaners that are pretty nasty and hard to climb."

Some snag-blasters use chain saws. They make cuts on two sides of a trunk and fill one with explosives. Others prefer powerful drills, set at a low speed so the torque doesn't send them airborne, to create long fat holes. Generally, they'll fill the holes with ammonium



Old growth tree in Oregon

nitrate, a water gelatin explosive which Wineberg says is safe enough to hit with a hammer.

When more force is needed or the temperature dips below 40 degrees, they turn to dynamite. After plugging the hole, they descend, cover their ears and hope for the best. Usually, the top crashes to the ground, leaving a tall snag that will supply insects, and eventually nests, for birds displaced by the logging. But dead wood does not make for a good cut, and sometimes, says Wineberg, the first charge doesn't do it and you have to climb back up to set another one. "That's when it gets real nasty."

With the success of the eastern Oregon project, other Forest Service districts from California to Montana have begun their own programs. In western Oregon, the agency contracts out several hundred trees a year. "It takes a year or two for the heartwood to rot enough for boring for nests," says Virgil Morris of the Siuslaw National Forest. "But in our second year, there's already been a tremendous increase in bluebirds."

--Jim Stiak

McClure-Andrus wilderness snag

A dispute between Idaho Gov. Cecil Andrus and Sen. James McClure over the final language of their Idaho wilderness bill has delayed its introduction.

McClure, R-Idaho, said when they unveiled the 1.4 million acre proposal late last month that he would introduce the bill in January. But differences between the two over special management language kept McClure from meeting his self-imposed deadline.

"McClure and Andrus are still going back and forth on taking what

they agreed to in negotiations and translating that into legislative language that is agreeable to both sides," said H.D. Palmer, McClure's press secretary.

The special management areas in question are in the Clearwater and Payette national forests. The areas would allow logging but protect elk habitat and water quality. The French Creek area in the Payette National Forest was one of their toughest compromises, they said in December.

--Rocky Barker

Idaho conservationists set a water agenda

LETTERS

Fighting in Utah

Dear HCN,

So embattled are Utah's environmentalists that they can't restrain themselves from fighting each other. The issue is the Burr Trail in southern Utah and how to resist attempts by every level of government to pave this remote dirt road.

Sure, some "radical ecotours" recently vandalized four earthmovers on the Burr Trail. But let's not forget it was Utah officials who put earthmovers on the Burr Trail, with "motors running" while awaiting a court's decision about "improving" the road. Let's not forget that eight earthmovers went into action immediately upon the court decision in their favor, although environmentalists made it clear they would appeal.

The history of the Burr Trail issue shows that Utah officialdom and local sentiment have little respect for laws dealing with environmental protection. Local vandalism of Indian ruins, state opposition to law enforcement authority for BLM rangers, state hostility to future BLM wilderness, and official state lack of enthusiasm for scenic vistas and expanded or new national parks all support this view.

Yet leaders and staff members of the Sierra Club Utah Chapter, the Southern Utah Wilderness Alliance and the National Parks and Conservation Association were actually discussing a plan to use some of their hard-gained environmental funds to offer a reward to help arrest the party that struck the Burr Trail earthmovers. This was in an attempt to distance themselves from illegal activities, but Utah is so hostile that no one would notice this demonstration of moral principles. The reward was finally not offered because an arrest was made.

Granted, extremely important national principles (who has jurisdiction over back-country dirt roads) and expensive legal procedures (the federal appeals court system) are involved in the Burr Trail issue. But these are theaters for civilized persons who play by the rules.

Instead of a short-sighted plan to offer a reward for the arrest of the courageous ecotours, the Utah conservation groups could be assisting in the defense of the arrested suspect (a genuine morally-motivated environmentalist). They could also take advantage of this opportunity to explain to the media and to government officials and legislators that ecotage will continue until Utah's local officials quit disregarding the spirit and letters of laws themselves.

Elliott Bernshaw
Salt Lake City, Utah

BARBS

Doesn't it make the Forest Service nervous to talk about people going to hell for destroying forests?

The Forest Service has been running radio ads in which a careless smoker ends up in hell because he caused a forest fire.

Who cares! We'd rather be dead at 65 than alive at 55.

Since the speed limit increase to 65 mph, fatalities on rural interstate highways in 22 states have increased by 50 percent.



Maggie Coon

ICL
voirs. The latter have been carefully defined out of the bill's coverage.

Four minimum stream flows recently adopted by the state Department of Water Resources will be up for Legislative ratification.

Rep. Stan Hawkins, R-Ucon, however, says he will renew his assault on Idaho's 10-year-old minimum flow law. That law says that once adopted by the Water Resources Department, a minimum flow takes effect if the Legislature either affirms it or takes no action in the session following adoption.

Two years ago, Hawkins misread the law. He thought he had killed a minimum flow on the Henrys Fork of the Snake River when he engineered no action on it in the House Resources Committee.

When he discovered he had done the opposite, he set out to change the law so that no action constituted rejection. His bill passed the House last year but failed in the Senate. The same outcome is likely this session, but Hawkins could retaliate by gunning for any or all of the four minimum flows up for ratification.

Idaho's recently proposed groundwater quality regulations are also expected to come under attack. The Idaho Farm Bureau opposes the constraints those rules propose on wastewater injection and percolation to groundwater. It is not yet known what strategy the Farm Bureau will take.

The Legislature will continue oversight of Idaho's marathon attempt to adopt non-point source water quality standards. For four years, the Water Quality Bureau has fumbled after standards that would be acceptable to the timber industry, satisfy the Environmental Protection Agency and protect water quality, in that order, according to conservationists.

Last September, after the timber representative walked out of negotiations, more than a dozen sportsmen

and conservation groups filed two lawsuits to force EPA to impose standards in the absence of state action. Gov. Andrus hastily reconvened the interest groups under his direct aegis. But they have met three times with no apparent progress.

Two years ago, the Legislature adopted non-point standards written by the timber industry, but then Gov. John Evans vetoed them. This year, legislative leaders seem inclined to give Andrus, a formidable persuader, room to cajole agreement.

Historically at the Idaho Legislature, enacting "good" law has never been the sole measure of success for conservationists, since by that measure success would be sporadic. Stopping "bad" law and using each session as a stage to reach the public have been equally important. This year, the conservation strategy will be to unify and publicize the various water issues. All of them go beyond the 1988 Legislature, whether to a 1990 initiative, ongoing rulemaking, the public climate for or against dam-building, or creating an awareness of watershed issues.

Idaho conservationists say they will try to package the issues so their larger goals are served whatever happens to individual bills.

Practically, that challenge falls largely on Maggie Coon. She will be handicapped by being new to the Legislature: "It seems every day I learn of a new issue or part of my job." Chronic lack of funds also allows ICL's lobbyist just a month's preparation for the session. And legislative struggles may be upstaged for conservationists by statewide wilderness legislation Gov. Andrus and Idaho Sen. Jim McClure recently announced.

On the other side is the statewide reach of these water issues (north-south unity is always an exception in Idaho), and the sizable number of Idahoans who care about fishing, boating, floating, or just looking at a lake or stream.

There is one other issue on ICL's active list. Off-road vehicle users want an increase in the percentage of state gasoline tax that goes to the state's ORV fund. Conservationists oppose the increase and also intend to seek a seat or seats on the advisory committee that allocates the funds. By law only ORV users are on the committee. Conservationists want legislative direction to spend funds repairing ORV damage before building any further ORV trails.

--Pat Ford

The writer is a former director of the Idaho Conservation League.

Trying again in South Dakota

After suffering a knock-out in the early rounds, opponents to strip mining for gold in South Dakota's Black Hills are back on their feet swinging. Last year, voters defeated by 79 percent a moratorium on any surface gold mining in Lawrence County (HCN, 11/9/87). Now environmentalists have a new approach. Organizer Nick Meinhardt, who ran the losing county campaign, says a coalition will propose two initiatives to strengthen the state's mining laws. One would require mining companies to reclaim surface mined land to approximate original contours. It would also require a

company to treat wastewater so that it meets groundwater standards. The second initiative seeks to establish an additional 4 percent tax on company sales of metallic minerals. Only large-scale surface mines would be affected by the regulations. Surface gold mining has increased in South Dakota, and environmentalists worry that the cyanide heap leach process will contaminate both ground and surface water. Meinhardt says the new initiatives should appeal to voters, but the deadline to gather 15,000 signatures to get on the state ballot is mid-February.

--Gus Wilmerding

The 1988 Idaho Legislature began Jan. 11, and this year conservationists think they have their best chance in a long time to focus attention on environmental issues and get results. With one exception, all the issues likely to inspire controversy concern water.

Maggie Coon, newly-hired by the Idaho Conservation League in December, will be the only full-time conservation lobbyist at the Legislature. "Water is clearly our number one priority," she says, "but there are six diverse items on that slate."

Hydroelectric proposals inspire two of the six. Sen. Karl Brooks, D-Boise, will introduce a bill to create a state river protection system for free-flowing rivers. Since Idaho's State Water Plan proposed such a system in 1976, three attempts to pass enabling legislation have failed.

Brooks, an articulate young attorney who is one of only three Democrats among Boise's 18 legislators, has realistic goals for this fourth try: "I want to get at least one public hearing on the merits of the concept -- a chance for the Legislature to see the support that exists and for the public to hear why it's a good idea."

Brooks is working with an informal coalition of conservationists and boaters who see the bill as a first step towards a river protection initiative in the 1990 general election. They particularly want publicity in Boise, where two regionally popular recreation rivers, the North and South forks of the Payette River, are threatened by hydroelectric applications. The bill prohibits dams on any designated river stretch and instantly designates both Payette forks.

One of the Payette hydro filings, and another on the Snake River near Bliss, are by Tacoma Power and Light, a municipal utility in Washington. Idaho Gov. Cecil Andrus says he wants to stop such out-of-state hydro development.

"Any hydro project built in Idaho should be with our consent and the power produced should stay in Idaho," says Andrus aide Greg Forge. "Right now, of course, the Federal Energy Regulatory Commission, not Idaho, makes those decisions. We will try to fashion legislation -- perhaps a comprehensive state hydro plan -- so FERC will have to defer to Idaho's choices." Forge acknowledges the legal obstacles, but thinks a way can be found. Sen. Brooks says his bill would help, since FERC is constrained from licensing dams on a river protected in a state rivers system.

Idaho's Panhandle, its land of lakes, wants a different kind of waterways bill. Sen. Mary Lou Reed, D-Coeur d'Alene, has legislation allowing creation of lake management districts. Once established by majority vote of property owners in a lake watershed, a district would have modest authority to levy taxes, and could submit bond issues for a vote. Reed also wants to ensure greater local control of a lake's future, a democratic funding method for water quality monitoring and controls, and a way to tap federal lake protection matching funds. Keys to passage are support from the Panhandle's Republican legislators, and allaying the fears of southern Idaho farmers that the bill could affect irrigation reser-

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Sioux demand the Black Hills

by Peter Carrels

Like the 19th century Sioux under Crazy Horse, the Sioux Nation today continues to resist the dominant white world.

Crazy Horse was the Sioux's leader at a time when white military force was overwhelming. Although the chief was finally compelled to leave the warpath, he never surrendered.

On the face of it, the Sioux's present fight is just as hopeless as that waged by Crazy Horse. The Sioux reservations in South Dakota are in desperate shape, afflicted by drunkenness, joblessness and almost total dependence on aid from the U.S. government.

Moreover, their plight often gains them more scorn than pity from other residents of South Dakota. Many, perhaps most, non-Indians do not understand why the Sioux cling to their remote, impoverished reservations and refuse to enter into 20th century America. They are seen as their own worse enemies, and therefore as people who are more or less responsible for their situation.

The Sioux see it differently. From their perspective, they have

Black Hills bill heats up Custer, South Dakota

When Rusty Robb was asked to serve as local coordinator for a public forum on the controversial Sioux Nation Black Hills Act, he accepted.

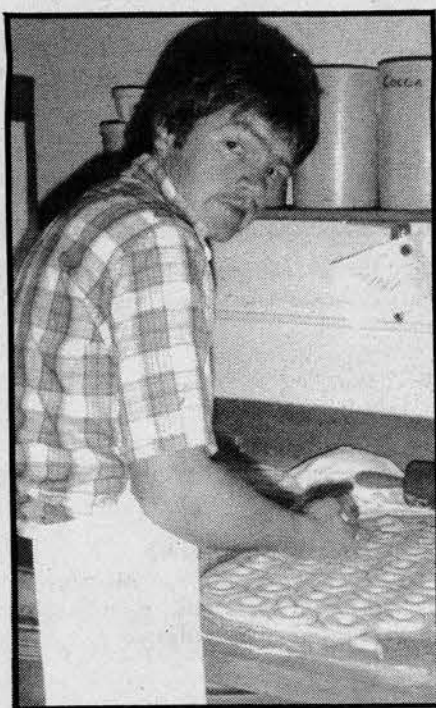
The forum was sponsored by a statewide organization, the South Dakota Peace and Justice Center, and even though the topic was controversial, Robb had taken no position on the issue. He would later say he wanted to help with the forum so he and other people in his community could learn more about the act, dubbed the Bradley Bill. Indeed, Robb's role was small and impartial. His duties included finding a suitable place for the forum and introducing panelists to the audience.

The audience turned out to be more than 200 people -- not bad for Custer, S.D., a Black Hills town with a population of only about 2,000.

As expected, there were some testy exchanges between bill supporters and bill opponents. But for the most part, the meeting went smoothly and served its purpose as a legal and historical examination of the Bradley bill.

Unfortunately, things stopped going smoothly for Rusty Robb. Not long after the forum, he noticed his doughnut shop was filling fewer orders. Former customers weren't stopping by; a large account went elsewhere for doughnuts.

Robb then walked around town to find out what was going on. His inquiries revealed what he feared. "One fellow told me I



Rusty Robb

really blew it when I introduced the presentation on the Bradley bill. He said he'd had people pressuring him to take my doughnuts out of his store."

Robb's business continued to fall; it appeared a boycott was underway.

The economy of Custer depends on the Black Hills. Tourism is king here, and there may be no place in South Dakota where emotions run higher about the proposal to return the Black Hills to the Sioux Indians.

Custer is a ripe setting for hard feelings toward the Sioux. Named for George Custer, the town is one of the oldest in the Black Hills. One hundred and twelve years ago, more than 10,000 whites violated the Fort Laramie Treaty to live in Custer. Talk in 1876 focused on getting the Black Hills out of Sioux

hands, and eventually the whites would do just that.

Nearly a century later, in 1973, violence between Indians and whites again shook Custer. This time a large gathering of Sioux arrived at the courthouse to protest a lenient charge against a white accused of killing an Indian. An open meeting between Indian leaders and white officials backfired and a riot erupted. Two police cars were destroyed, the courthouse was damaged, another building was burned down and tear gas and billy clubs were put into action. It was the first violent confrontation between groups of whites and Sioux Indians since the 1890 Wounded Knee massacre.

Tensions toward the Sioux were still simmering when a group of Indians established Yellow Thunder Camp on federal land in 1981, between Rapid City and Custer. The government sought to evict the campers, was counter-sued by the Indians, and the affair remains embroiled in the courts. Indians still occupy the Yellow Thunder site.

Then, in 1985, along came the Bradley bill, proposing to turn over most of the Black Hills to the Sioux. Not surprisingly, the bill found little support among non-Indians in the Black Hills. After four generations, many white residents say that abrogating a treaty and stealing Sioux land in the Black Hills is now irrelevant.

Even opponents of the bill who acknowledge that the Sioux were wronged say too much time has passed to reunite the Sioux

with their land. They advise the Sioux to take a money settlement.

Bill supporters respond by asking if there is an expiration date on a nation's accountability. They say inconvenience is irrelevant.

The last months have been difficult for Rusty Robb and his family. They contemplated selling their business and moving away, then decided to try to straighten things out. "I'm committed to the community to turn this thing around," Robb says.

With the help of his pastor, Robb arranged meetings with other business people and community leaders. He also wrote a letter directed to Custer's residents that appeared in the local newspaper. That letter came right to the point: "My family and I are deeply disappointed and hurt by the reaction (to Robb's role in the forum) in the community."

Since early January, Robb's business has been picking up. "The people that boycotted me are coming back," he says. On the holiday commemorating Martin Luther King, Jr., Robb's shop gave away doughnuts and coffee. A good will gesture on a good day, is how Robb describes the giveaway. And he gave away plenty, another positive sign his customers are returning.

"There's some healing going on," says Robb's wife, Lynn.

--Peter Carrels

no choice but to adhere to the land and to preserve what they can of their religion and culture. To surrender to the white way of life, they say, would be suicide. The salvation of the Sioux nation, in their view, can only come from restoration of their dignity and ability to sustain themselves physically. And that salvation can only be achieved in battle.

The battle, of course, is no longer that of armed physical conflict. Today it is being fought in the halls of the U.S. Congress and in the small cities (there are no large ones) and rural communities of South Dakota.

At stake is control of part of the Black Hills -- perhaps the most valued part of South Dakota. To win back some of the Black Hills, the Sioux must convince, or at least neutralize, their fellow citizens in the state, many of whom are prejudiced against them. They must also gain the votes of a majority of the U.S. Congress and the signature of the president.

Obstacles are great, but the prize is even greater. The Black Hills were once a spiritual mecca for the Sioux: "The heart of everything that is." They believe that if they can regain that heart, it will pull them out of the deep social abyss in which so many Sioux dwell.

The Sioux have not controlled the Black Hills for over a century, and in that time the U.S. has made the rugged, timbered range its own. The Black Hills today contain national and state parks, tourist attractions, mines, logging operations and white communities.

Despite the establishment of non-Indians and incompatible activities in the Black Hills, the Sioux press ahead on legal and legislative fronts to regain the ground. Their hope for the future rests on the fact that the U.S. government took their land by imposing a fraudulent treaty on them in 1877 -- the same year that Crazy Horse was killed by a bayonet-wielding soldier.

Details of the fraud are history. How to resolve the fraud is not clear. At its simplest, the question is whether the government can make amends by paying over cash or must instead return stolen land.

The central facts are not at issue. "A more ripe and rank case of dishonorable dealing will never, in all probability, be found in our history" is how a 1980 U.S. Supreme Court decision described the U.S. government's treatment of the Sioux Indians and the abrogation of the 1868 Fort Laramie Treaty. That treaty had protected important hunting grounds and established a reservation for the Sioux.

The Fort Laramie Treaty provided the Sioux with lands reaching from the Missouri River in the Dakotas, south to the

Platte and North Platte Rivers, west to Wyoming's Big Horn Mountains, and north to the Yellowstone River. This was the so-called Great Sioux Reservation -- nearly all of what is today western South Dakota. In addition to the reservation, the treaty entitled the Sioux to the Black Hills.

Until whites invaded Indian country, the Sioux worshipped in the Black Hills. Ceremonies to "welcome back the thunders" were held at Harney Peak, which is the Black Hills' tallest mountain. The spring equinox and summer solstice were greeted in the Black Hills. The range was the place where the Sioux cremated their dead and spread the ashes. Other locations served for vision quests and as meditation sites.

But within a decade of the treaty's enactment, most of the Sioux land, including the Black Hills, had been seized by whites. The impetus was the 1874 military expedition by George Custer into the hills to investigate rumors of gold. On the heels of the discovery came thousands of prospectors.

Keeping gold-seekers off Indian land did not interest President Grant or the Congress. Instead of enforcing the 1868 treaty's ban on white settlement, the federal government tried to lease or purchase the Black Hills. The Sioux refused, even as thousands of white settlers invaded the region.

Outraged, Indian leaders struck back and major war began. Just two years later, in 1876, Custer blundered into his famous, fatal confrontation with Indian warriors in southeastern Montana.

But Indian victories were rare. The outnumbered Sioux could not hold their own, let alone win. Like a plains blizzard, an unending army of white soldiers wore Indian resistance thin. Despondent bands began drifting to the military agencies in desperate need of supplies.

As punishment for their destruction of Custer's command, the Sioux were denied food, and they began to starve. In an earlier time, the Indians could have lived off the once abundant buffalo. But by the late 1870s, the great herds had been exterminated by the whites, reducing the Sioux to dependence on government rations.

As their plight grew more serious, Congress sent a commission to negotiate with the Sioux. The terms they proposed were straightforward: If the Sioux gave up the Black Hills, they would receive supplies.

The 1868 treaty had specified that any cession of Indian land required the approval of 75 percent of Sioux adult males. Despite the mounting hunger, the commission could secure approval from only 10 percent of the adult males. Nevertheless, the agreement was forwarded to

The Supreme Court said in 1980 that federal abrogation of treaties with the Sioux was a 'ripe and rank case of dishonor.'

Congress and immediately approved.

Congress said its actions were legal because some of the Indian signers had been chiefs, and the signature of a chief could be interpreted as approval from all those in his band.

With the 1868 treaty out of the way, the defeated Sioux were shunted off to reservations near the Missouri River or adjacent to the badlands. To "modernize" them and hasten their entry into the mainstream, the reservations were opened to Christian missionaries.

Reservations were allotted to different denominations by means of a lottery giving them exclusive preaching rights. The Catholics drew one reservation, the Episcopalians a second, and so on. The Sioux's own religious practices were discouraged or banned.

Although the Sioux's way of life and system of beliefs were under constant pressure and even open attack, the Sioux today say they never stopped believing they would one day regain the Black Hills. It is a measure of that perseverance that the case the Supreme Court ruled on in 1980 was essentially a case initiated by the Sioux in 1923. It is the oldest ongoing case in the nation's history.

Although the Supreme Court ruled in 1980 that the Sioux had been the victim of injustices, the court did not order the return of the Black Hills to the Indians. Instead, the U.S. government was required to pay the tribes \$105 million. The amount was based on the value of the Black Hills when taken

(\$17.1 million) plus five percent interest per year since the taking. Today the total exceeds \$170 million. The money will continue to sit in a bank, drawing interest, until the Sioux take it or some other agreement is reached.

This was not the first time the Sioux people could have accepted a large cash settlement for the Black Hills. A 1974 decision by the Indian Claims Commission and a 1979 decision by a federal Claims Court recommended substantial settlements based on the original worth of the Black Hills. The Supreme Court affirmed the earlier compensation judgements.

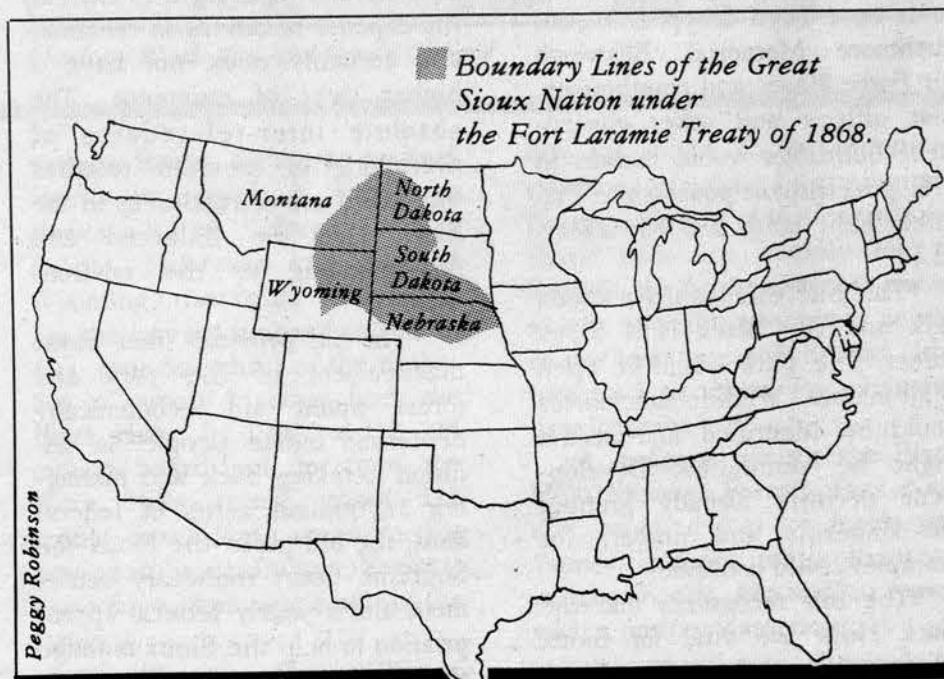
The Sioux need money but refuse to accept any payment which would result in surrender of their claims to the land.

"You cannot sell what is sacred ... The Black Hills are not for sale," says Gerald Clifford, a Lakota Sioux who coordinates the Black Hills Steering Committee, an organization that represents all eight tribes of the Sioux nation. Its goal is to regain the Black Hills.

Clifford says of the money for land proposals: "To accept the money award is to bless the taking of the Black Hills from the Sioux people." After the 1980 Supreme Court ruling, Sioux leaders decided that the best strategy for gaining return of the Black Hills was through congressional action. The Supreme Court had made it clear that in this case Congress, and not the courts, had the power to convey lands.

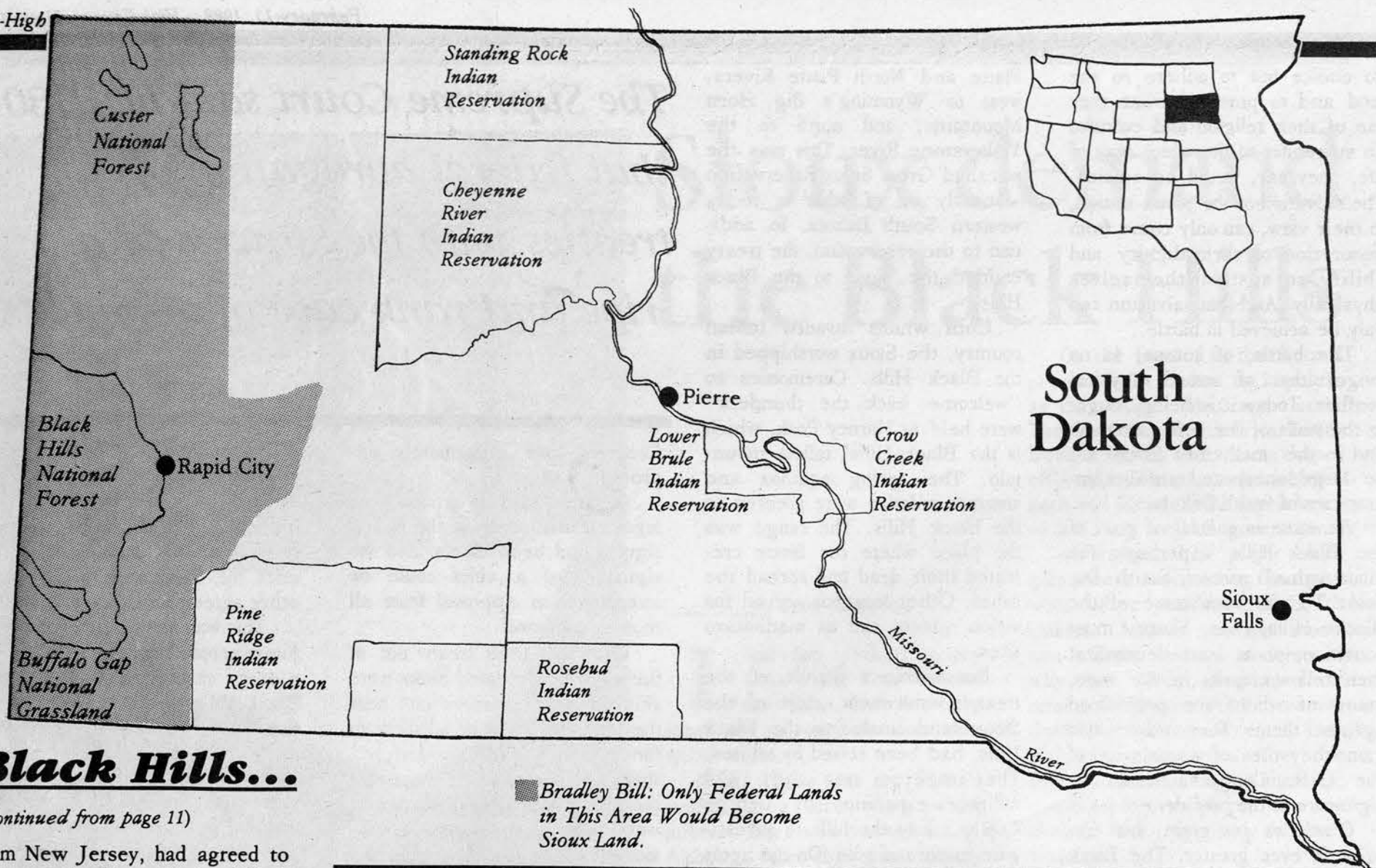
By 1983, three years after the decision, the tribes had organized the Black Hills Steering Committee, legislation was being drafted and Sen. Bill Bradley, Democrat

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12-High

Peggy Robinson



Black Hills...

(Continued from page 11)

from New Jersey, had agreed to sponsor the Sioux Nation Black Hills Act.

Since the issue came before Congress, public debate -- especially in South Dakota -- has been intense. More than 90 percent of the state's citizens are non-Indian, and to them the notion of turning over a large part of the popular Black Hills to the Sioux seems preposterous.

The confusion and outrage associated with the proposal is aggravated by the bill, which is now a complex piece of legislation.

Among its key provisions are:

- The Sioux would gain only federal lands. Originally, the Fort Laramie Treaty provided the Sioux with a reservation containing over 25 million acres; in addition, there were another 50 million acres of protected hunting grounds. The bill conveys approximately 1.3 million acres of federal land to the Sioux. Included are national forest, a national park, national grasslands and Bureau of Land Management lands in and around the Black Hills, most of which is federally controlled. The 1985 version of the bill included some federal land in Wyoming, but those lands have been dropped. Mount Rushmore Memorial, Ellsworth Air Force Base, and courthouses, post offices and other government buildings would remain in U.S. government possession. Privately held lands are not affected.

- The bill establishes a Sioux Park and the Black Hills Sioux Forest. The park would be open to all people. Wildlife sanctuaries would be identified and access might be prohibited. Development permits already granted (for minerals and timber, for example) could continue.

- The bill recognizes that the Black Hills are vital for Sioux religious practices. "(The Black

Hills) is a land that is central and indispensable for the practice of our religion," says Gerald Clifford. "Senate Bill 1453 (the Black Hills bill), in addition to [providing] some measure of justice for the theft of our land, will provide us with the opportunity to freely exercise our right to practice the Lakota religion." Under the bill, certain unidentified religious sites would be off-limits to the public. Charlotte Black Elk, wife of Gerald Clifford and an interpreter of Lakota Sioux tradition, says the sites will not be identified until the bill becomes law because of fear of looting and defacing.

- Management of Sioux lands would be in accord with the Lakota principle of "respect for the earth". Charlotte Black Elk told the Senate Select Committee on Indian Affairs in July 1986:

"Basically, this principle (respect for the earth) defines the relationship between the Lakota and the earth, and is founded upon the belief that the earth -- Maka -- is the first and real mother of all life."

Black Elk continued, "... man does not have the right to exist at the expense of others in creation, and certainly does not have a higher right of existence. The absolute inter-relatedness of everything in creation requires that every use of resources in the Black Hills be balanced and non-damaging to the environment.

- The bill provides that Sioux management of the park and forest would aid economically depressed Indian people. In addition to taking back and managing 1.3 million acres of federal land, the bill gives the Sioux the Supreme Court monetary settlement and a yearly federal appropriation to help the Sioux manage their land.

- There would be a five-year transition from federal to Sioux management of lands. Current federal employees would have the option to remain working in the new park and forest.

Gerald Clifford says that Sioux sensitivity to the environment will be demonstrated through land management practices. "We will bring together the state of the art in ecological management," he says.

There may have been an assumption that because a cornerstone of proposed Sioux land management is "respect for the earth," environmental groups would comprise the core of non-Indian support for the bill. As of this writing, no environmental group -- local or national -- has endorsed the legislation.

When Clifford and Black Elk spoke to the Black Hills group of the Sierra Club recently, the audience's reaction was mixed.

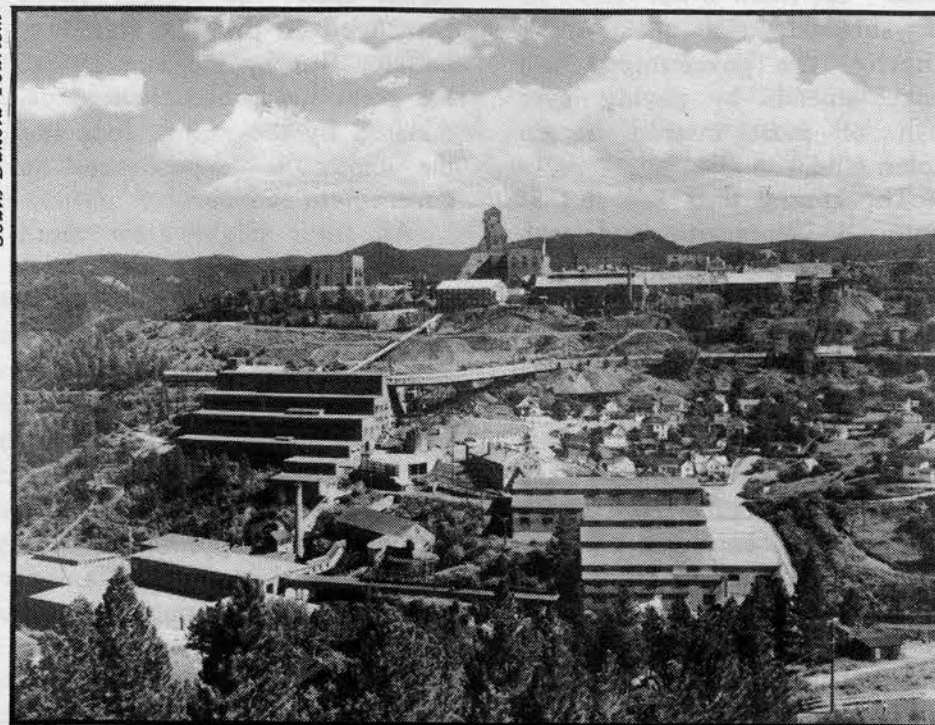
"We haven't taken a formal position," says Sam Clausen, the group's chairperson. "We are split on it." Clausen says he is uncertain whether the legislation would be good for the Black Hills or not.

Black Hills mining companies appear skeptical about the legislation. "There are several worrisome things in the bill. We're not prepared to comment on them one by one at this time," says Scott Zieske, of Homestake Mining Company. Homestake's Black Hills mine is the largest gold mine in North America. The company is expanding its gold mining operations to include strip mining and has staked claims on federal land. Zieske says the company will probably issue its position on the bill in the near future.

Homestake is not the only gold strip mine in the Black Hills. Two other companies have operations underway and a half-dozen more are interested.

According to a recent study paid for by the South Dakota

South Dakota Tourism



Homestake gold mining operation

Money without the land is unacceptable, Indians say

The paved road needs patching and the countryside it winds through is unmarked. Timbered hills and sharp ridges closely flank the broken blacktop. Some ridges are marked by abrupt sandstone cliffs, glowing red as sunset nears.

Behind me is Manderson, a small, spartan village on the Pine Ridge Reservation in southwestern South Dakota. Wounded Knee is several miles south, and the badlands and braided, shallow White River are 10 miles north.

This is country few non-Indians see. It is far from good highways, and there are no tourist attractions. Most non-Indian visitors stick to the larger, more accessible tribal centers, like the towns of Eagle Butte and Pine Ridge. There, rows of poorly-built, gaudily-painted spec homes line streets without sidewalks or trees.

Government offices and schools, usually of plain design and brick construction, with American flags dangling from towering poles above their entrances, are these towns' only substantial buildings. Their prominence marks the towns as outposts of the distant white culture, where bureaucrats and educators tend to the needs of the Indian people.

Manderson and the country around it are very different -- wild and mostly unpeopled. I have come here to visit Gerald Clifford and Charlotte Black Elk about the Sioux Nation Black Hills Act -- legislation intended to return 1.3 million acres of federal lands in the Black Hills to the Sioux. The U.S. Government has offered the Indians over \$170 million to extinguish their claim to this loveliest part of South Dakota, but the Sioux refuse the money, which sits unused in a trust.

Clifford and Black Elk are leaders in the Sioux effort to win back land in the Black Hills. Gerald is coordinator of the Black Hills Steering Committee, which represents all eight Sioux tribes. His group helped write the proposed legislation, commonly known as the Bradley bill, and he lobbies hard for its passage. Charlotte is the steering committee's secretary and an expert interpreter of Sioux traditions.

The two are more than colleagues. They have been married for more than 15 years, and their household is a blend of children, a telephone that seems always in use and the paraphernalia of a national campaign to reverse the status quo.

At the moment, their domestic

life and their national effort is squeezed into a home Gerald built himself, although nearby a second building, intended as an office, is under construction. For now, however, the files, desks and typewriters fill the family's living quarters.

For both of them, the Black Hills bill is a passion. "The Sioux deserve the land and the money in the trust," says Gerald, "and I'm prepared to spend the rest of my life working on this."

While the couple know the ultimate decision will be made in Washington, D.C., they are doing the groundwork in South Dakota. A few months after visiting their home, I saw Gerald at work at a public forum on the bill. After the forum, he was questioned by a well-spoken woman who apparently had deep doubts about the Black Hills legislation.

Clifford explained the bill, answered her questions, and then talked generally about racism and justice. The following day he got a letter from her. In it, she confessed to having deep-seated prejudices against Indians. But she also volunteered to help get the bill passed.

"Education of the public is very important," says Clifford. "Without it, misunderstandings about the bill will continue."

Gerald has the background to communicate the Sioux position to the white world. He was born an Oglala Sioux on the Pine Ridge Reservation, attended college at South Dakota Tech, in nearby Rapid City, and graduated in 1959 with an engineering degree.

He spent the next three years as an engineer in southern California. Then, disillusioned with that way of life, he entered a contemplative monastery at Big Sur. For six years he studied philosophy and theology. In 1968, he returned to his home in South Dakota, where he became involved in tribal politics and reservation development.

Charlotte Black Elk is also an Oglala Sioux and a native of Pine Ridge Reservation. While Gerald had a high-tech education, Charlotte was trained, beginning at age 5, by Sioux elders in the spoken Sioux culture.

Her role as an interpreter of Sioux traditions and holy ceremonies is part of a family tradition. Her great-grandfather, Nick Black Elk, a Sioux warrior and medicine man, was the subject of John Neihardt's book, *Black Elk Speaks*. In it, Black Elk describes the physical and cultural

destruction of the Sioux, including an account of the government's theft of the Black Hills.

Gerald and Charlotte's home and the pine forests above it are relatively sheltered from the destruction described in Neihardt's book. Below the house is Pepper Creek and the skeleton of a small sweat lodge. It is a serene setting, with only icy winds to interrupt the absolute silence.

But outside the couple's comfortable homesite and the scenic valley it overlooks is stark evidence that the Sioux need new approaches. Few dispute the desperate nature of the problems; arguments arise over the cure. Those who oppose the Black Hills legislation see the only hope for the Indians in some form of assimilation -- in acceptance by the Indians of the dominant culture. They urge the Sioux to accept the \$170 million in the trust fund and to use that money for economic development.

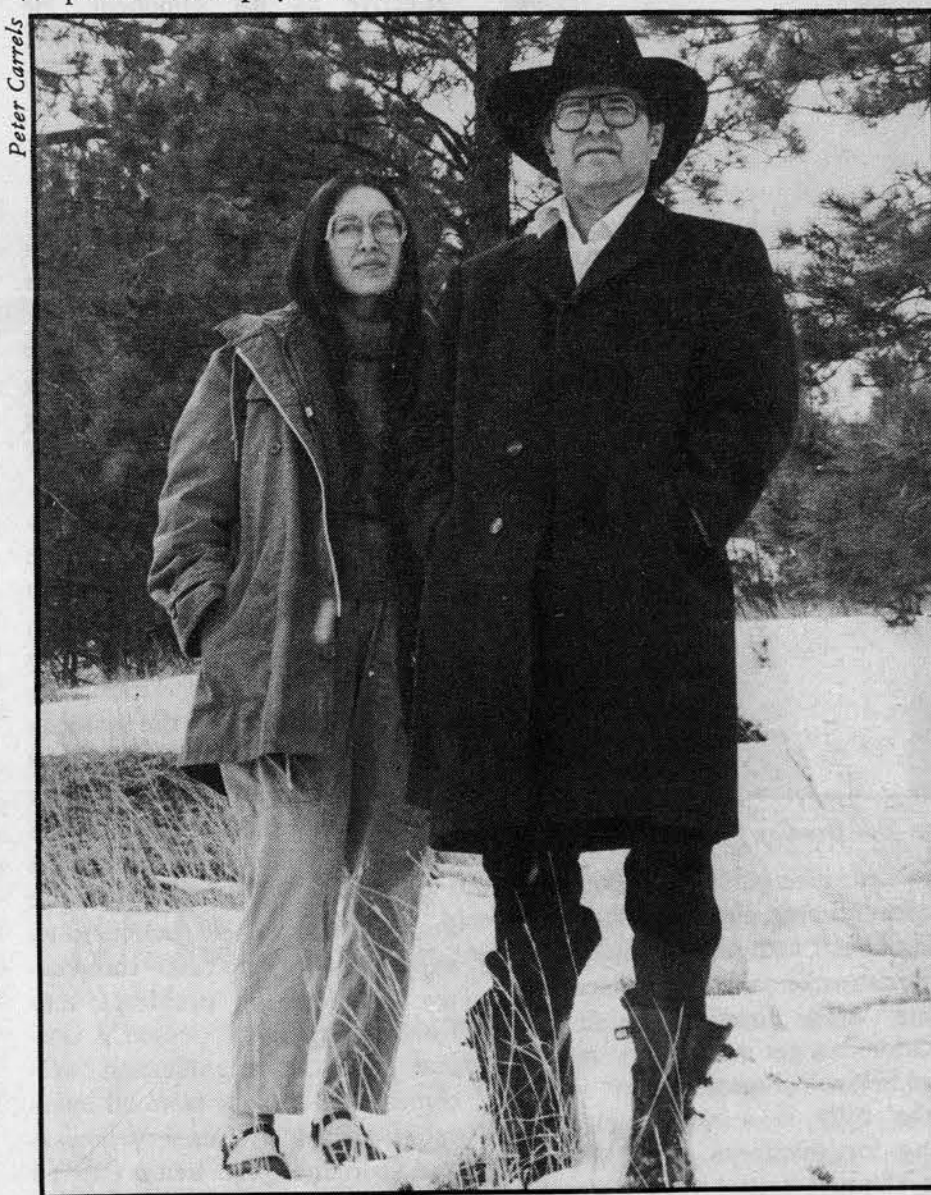
They wonder how the Sioux can let the money sit idle while the Pine Ridge Reservation suffers from over 70 percent unemployment, a per

capita income of less than \$2,700, an infant mortality rate 2.5 times the national average and a death rate from alcoholism nearly 10 times the national average. And Pine Ridge is no exception. It is typical of the other Sioux reservations.

Gerald Clifford has a different view of where salvation lies. He says money without the land will not help. But he says that the bill, by providing them with both the land and the money, will rejuvenate the Sioux. He told the Senate Indian Affairs Committee:

"The Black Hills provided for us spiritually and materially. It is the desire of the tribes that we can once more regain this relationship. The allocation of income from the trust to the various respective (Indian) governments would allow the tribes for the first time to engage in long-range social and economic development ... This will also allow the tribes, for the first time, to truly become integral partners in improving the economy of their regions."

--Peter Carrels



Charlotte Black Elk and Gerald Clifford

Mining Association, gold mining in the Black Hills adds about \$250 million a year to the state's economy and pays \$6 million in state taxes.

Tourism officials also worry about the impact Sioux control of the Black Hills would have on their industry. Bill Honerkamp, president of the Black Hills, Badlands and Lakes Association, says of the state's \$400 million tourism industry:

"Tourism thrives in the Black Hills principally because of the public lands in the Black Hills.

Under the Bradley bill, these would not be public lands, and it's unknown to what extent the Sioux would exclude the public from the land."

Loggers worry that Indian control of the national forest would transform policies on tree harvesting. The timber-cutting business in the Black Hills presently employs as many as 2,500 people, and puts \$31 million into the economy.

Current timber cutting in the Black Hills National Forest is among the heaviest of any

national forest. Of the 11 national forests in region 2, which includes all of Colorado, South Dakota, Nebraska and most of Wyoming, the Black Hills forest has the largest timber harvest. In fact, over one-third of the timber cut in region 2 comes from the Black Hills. In 1987, of the 154 million board-feet cut from the Black Hills forest, about 115 million board-feet came from that portion in South Dakota. The rest came from Wyoming's part of the forest.

According to Frank Gladics,

director of the Rocky Mountain Division of the Intermountain Forest Industry Association, the Black Hills are heavily logged because the forest contains dense stands of ponderosa pine, access to the trees is excellent and "the forest's plan allows for extensive development."

A spokesperson for the Black Hills National Forest, Dick Kessler, reported that his forest was "one of the few national forests in the Rocky Mountain region with a positive cash flow."

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Black Hills...

(Continued from page 13)

Charlotte Black Elk says users are overreacting to the Bradley bill. "These people think the Indians are going to come in and shut everything down. That's not true. We want to have as little adverse impact on the user community as possible." She says that under the bill the Black Hills would be a source of income for the Sioux.

Within South Dakota, another frequently heard criticism of the bill focuses on the prominent role Sen. Bill Bradley has played. Because he is from New Jersey, some South Dakotans say his involvement is inappropriate. In South Dakota, the bill is now known almost exclusively as "the Bradley Bill."



Sen. Bill Bradley

Sen. Larry Pressler, R-S.D., told AP; "I think it would be better to take care of problems in one's area first, although a senator can get involved in issues worldwide." Pressler later said, "(the bill) is a very romantic thing for members of the Eastern, liberal press. Congressmen from states with twinges about their own Indian problems use it (the bill) as an outlet."

During testimony on the bill, Bradley replied: "Too often, unfortunately, the Senate of the United States has allowed Native American issues to become local issues. This was never intended by the framers of the Constitution, nor is it appropriate. Injustice is never a local issue. In the simplest terms, the Black Hills legislation grew from injustice and a need to make amends."

Bradley's interest in the Sioux is longterm, and stems from his visits to Pine Ridge Reservation, in southwestern South Dakota. The former professional basketball star conducted basketball camps on the reservation during the early 1970s, before he became a U.S. senator.

Bradley first introduced the bill in July 1985, but the measure failed to move through Senate committee. Last March, Bradley reintroduced the bill. A companion bill has been introduced in the House by James Howard, D-N.J.

If South Dakota's leading politicians have their way, the Sioux Nation Black Hills Act will never escape committee. Both the state's senators, its lone House member and its governor oppose the bill.

South Dakota's other senator, first-term Democrat Tom Daschle, contends the bill is unrealistic and has caused serious divisiveness between his state's Indian and non-Indian population.

Daschle has been particularly effective as an opponent. He convinced Sen. Daniel Inouye, current chairman of the Senate Select Committee on Indian Affairs, to take no action on the measure without Daschle's approval. Daschle sits on the Indian Affairs Committee. Inouye, a Democrat from Hawaii, is a co-sponsor of the legislation. Though bill supporters called Inouye's position a major setback to the bill's chances, Gerald Clifford says, "It hasn't dampened our determination."

Daschle is also helping organize his constituents to fight the bill. Rich Gordon, a staff person in Daschle's Rapid City office, has coordinated efforts to form the Open Hills Association. According to Gordon, the association will "oppose the Sioux Nation Black Hills Act and other similar proposals." Gordon says the group will support proposals "which keep the Black Hills open and free without restriction to all people and which offer constructive solutions to problems confronting the Sioux people." Gordon says the organization welcomes membership from all interested citizens. Conservationists and sportsmen are being courted to oppose the bill.

Since his election to Congress in 1978, Daschle has been seen as a good friend to the Sioux. Daschle was able to oust incumbent Sen. James Abdnor in 1986 thanks in part to heavy support from Indian voters. Some Sioux leaders now say that Daschle's aggressive campaign to defeat their legislation will be remembered in his next election.

The state's Republican Gov. George Mickelson detailed his opposition to the bill in a letter to Sen. Bradley: "There is little benefit to the Sioux through debate on this legislation. It continues to create false hope, which is the most cruel of things

to do to a people and serves only to delay a final resolution to the entire problem. Would it not benefit the Sioux more to release the \$170 million (the Supreme Court money settlement) to their care?"

Mickelson concluded "The Sioux people desperately need to be brought into the economic mainstream of society. Creating more divisions between the Sioux people and their fellow South Dakotans is not only wrong but a giant step backwards."

Bradley frames the question differently: "What is at issue is the responsibility of government to live up to its agreements and ideals. History and other nations judge us by our deeds. If we are concerned about this judgement, then we should recognize that our government's dealings with the Sioux are not adorned with honor, but with broken commitments and bad faith. I have reintroduced the Black Hills Act

and, by doing so, hope to write a more honorable final chapter to this history."

Nick Donatiello, press secretary for Bradley, says the legislation is a starting point. "We welcome discussion. There is lots of room for compromise and adjustment." Donatiello says Bradley's objective is "to get the process moving."

Gerald Clifford says the legislation will promote, not inhibit, the economic welfare of the Sioux. "For too long we have had the federal government delivering services in lieu of tribal governmental responsibility, and we feel, with the enactment of this legislation, we will finally be in a position to provide those governmental services and economic development opportunities for our members."

To help foster the economic self-determination, the bill calls

(Continued on page 15)

Origins of the Sioux

The word Sioux is derived from a French adaptation of a Chippewa Indian term for the Sioux people. It means snake or enemy. Not surprisingly, the Sioux and the Chippewa were bitter adversaries. The name Dacotah, or Dakota, is a Sioux word meaning an alliance of friends. The word Sioux is generally accepted when reference is made to the Dakota people.

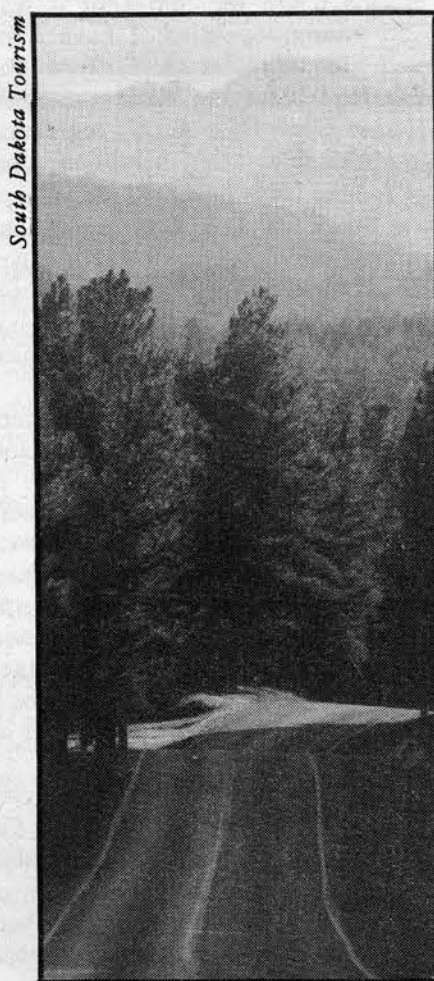
There are three major divisions of the Sioux, or Dakota, Indians:

- The eastern, or Santee Sioux, speaking the Dakota dialect, occupied current day Minnesota during the 1800s. Descendants today live on the Fort Totten Reservation in North Dakota, the Sisseton and Flandreau Reservations in South Dakota, the Santee Reservation in Nebraska, the Fort Peck Reservation in Montana and on four small reservations in Minnesota.

- The Middle Sioux, speaking the Nakota dialect, are divided into the Yankton and Yanktonais groups. The Yanktonais split from the Sioux and became the Assiniboine Tribe. Members of the middle Sioux are found today on the Yankton and Crow Creek reservations in South Dakota, the Standing Rock and Fort Totten reservations in North Dakota, and the Fort Peck reservation in Montana.

- The western, or Teton, Sioux, speaking the Lakota dialect, have always been the largest Sioux division. By 1800, the Lakota Sioux were the dominant tribe of the northern plains. The Lakota ranged from the shortgrass country between the Black Hills and the Missouri River, to the Big Horn Mountains, south to the Platte River, and north into Montana. Among the seven sub-bands of the

Lakota, the Oglala were the most numerous and the most resistant to white invasion. Legendary Indian leaders Crazy Horse, Red Cloud and Sitting Bull were Lakota Sioux.



Road through the Black Hills

Today, the western Sioux can be found at Pine Ridge, Rosebud, Cheyenne River and Standing Rock reservations.

There is disagreement about the date Sioux people first entered the northern plains and Black Hills. Some historians say the Sioux came from the Great Lakes region in the middle of the 17th century. Others, including Sioux scholars who know of oral traditions, say the Lakota Sioux have called the Black Hills home for many centuries.

--Peter Carrels

Dear friends,

(Continued from page 2)

now, staff said, was smaller increases each year, which gives the impression that the paper is always raising its rate. There is no painless way to raise rates, but staff said a large increase every several years was preferable to many small increases.

Some on the board disagreed. Tom Bell, who said his town of Lander, Wyo., is in terrible economic shape, said the increase was too large. Andy Wiessner objected for a different reason. He said the paper is a cause, and as such should be in as many hands as possible. Raising the rates, he said, meant fewer people would be able to subscribe. Staff replied that the best thing HCN could do for its cause was maintain a sound operation.

In the end, Tom Bell suggested a compromise that everyone voted for but Wiessner. By an 11 to 1 vote, the board approved a rate of \$24 a year for individuals and \$32 for institutions. A key part of the decision was a two-month-long campaign to inform readers of the coming increase and encourage them to renew ahead at the old rates.

The board's hope is that existing readers will choose to renew for a year ahead at the present \$20 rate, for two years at the present \$35 rate, or for three years at the \$50 rate as a way to cushion the increase. Notices and forms will be printed in the paper well before the increase takes effect.

How big?

There was also a relatively brisk discussion on the eternal question of HCN's desirable size. In the past, board and staff have debated the pros and cons of growth. This time, the discussion stuck to the facts, and considered HCN's potential size. Its circulation is governed by two numbers: the percentage of readers who choose to renew each year, and the size of the "pool" of non-subscribers the paper can profitably approach with an invitation to subscribe.

For the past few years, HCN's renewal rate has been between 65 and 70 percent. That means that out of a paid base of about 6,000 subscribers, the paper will lose 2,000 this year. About 1,000 of those will be made up "spontaneously" by people who subscribe because they see the paper at a friend's house or at a conference. Under the 1988 budget, another 1,000 will be obtained through direct mail. As in 1987, we will mail out 100,000 letters or samples, and gain 1,000 new subscribers. The one percent return rate seems small, but is actually respectable, other groups tell us. It is always tricky to predict circulation, particularly in a year when subscription rates rise. But HCN should grow slightly in 1988.

How big can HCN get? The paper, under promotions person Judy Moffatt, has tested lists for the past several years. At the moment, it appears that the pool of lists that yield HCN one percent or better may be as large as 150,000 people. If we mail to that pool once a year, we can gain 1,500 subscribers a year. (If we were to go to the pool twice a year, the return rate would presumably fall, making the cost of gaining each subscriber more expensive.)

Many groups have foundered by undertaking too ambitious direct mail campaigns. HCN has been lucky and cautious, testing lists and letters, and thus far has done OK.

But now, as we approach what may be the limits of our market, we need more information so that we can chart our future course. In particular, we need to know how long our various subscribers have been with us, when people begin to contribute to the Research Fund, whether we have a core of readers who have been with us forever and who strongly support the paper, and so on.

Much of that information has been lost or filed in awkward ways because our present computers only hold 85 characters per name. Our new computers will hold much more information, and we will now start to record how and when each subscriber comes to the paper, how long they stay with it, whether they contribute to the Research Fund, whether they give gift subscriptions and more.

Coming survey

To gain that information, the board authorized staff to survey the paper's subscribers in search of history. We hope you will help us when that survey arrives. That same survey will ask readers whether we can continue to use their names as part of the list exchanges. We do not sell our subscriber list, but we do exchange with other non-profit groups so that we can solicit their members and they can solicit our readers. Our best lists come through exchanges, and we hope most readers will allow us to continue to use their names.

We will also ask readers whether we can continue to send them our once-a-year Research Fund solicitations. The Research Fund takes the place of the advertising which supports other publications, and is absolutely essential. Nevertheless, respect for subscribers is at the heart of the paper, and if a subscriber doesn't want to get the Research Fund appeal, our computers should now allow us to honor that request.

We could go on much longer about the various topics discussed at the meeting. Although most of it concerned the business and promotional aspects of HCN, an hour was found for board members to tell staff what they saw as important issues in their communities or states. It is always the most interesting part of the meeting, but it is also the part that comes only after the nuts and bolts business is taken care of.

The board also dealt with its internal business. Three board members -- Pat Sweeney of Billings, Mont., Garrett Ray and Kate Missett of Buffalo, Wyo., finished terms and did not choose to run again.

They were replaced by Lynn Dickey of Sheridan, Wyo., a former High Country Foundation board president and Wyoming legislator who is returning for a second stint; Michael Ehlers, a sales representative from Boulder, Colo., and Dan Luecke, a hydrologist with the Environmental Defense Fund, also in Boulder. Founder Tom Bell, whose term also ended, was re-elected to a new three-year term.

Overly long

This column is overly long, and we apologize for it. But HCN

depends on its readers to an extent equalled by no other publication we know. It is therefore important that readers get a view of the business as well as the journalistic side of the operation. Wilderness and water and endangered species are much more interesting than renewal rates and direct mail campaigns, but without close attention to the latter there will be no coverage of the former.

Black Hills...

(Continued from page 14)

for placement of the monies awarded by the Supreme Court in Sioux-controlled, interest-bearing accounts. The interest would be distributed annually to the different Sioux tribes.

Clifford says the Sioux deserve the money as payment for losses the tribes incurred while the Black Hills were out of their hands. As an example, Clifford points to the 36 million ounces of gold mined in the Black Hills since the land was taken from his people.

If the Bradley Bill were to become law, it would not be the first time Indians had successfully settled a land claim. In her testimony before the Senate Indian Affairs Committee, Suzan Shown Harjo, executive director of the National Congress of American Indians, listed 10 cases in which various tribes had recovered land. There have also been combinations of land returns and monetary awards, she added. Among the cases she cited was the 1980 return of 300,000 acres to the Passamaquoddy Tribe and Penobscott Nation in Maine. The Indians also received \$27 million.

Harjo described the apprehension that initially surrounded the land claims settlement by the Maine Indians: "...it was said that the Republic would fail if the Passamaquoddy and Penobscot succeeded. The Republic still stands. The Republic will also still stand when the Sioux Nation has what is rightfully theirs."

There is mild disagreement among the Sioux over just how much money the government should pay them. Though all eight tribes endorse the Black Hills bill, one tribe, the Oglala, is currently promoting an amendment to the bill raising the monetary award to \$2.7 billion.

The Oglala amendment came at the request of California multi-millionaire, Phil Stevens. Stevens, who says he is part Lakota Sioux, waded into the controversy in late 1986 with his own agenda for Sioux justice. His presence has had an impact. Daschle warns that Stevens is rich enough to make good his boast to organize a national pressure campaign in favor of an expanded Black Hills Act.

Gerald Clifford says he does not question Stevens' sincerity,

We close by thanking Research Fund contributors for their help. Thus far, an incredible 1,055 readers have contributed \$72,500 to the 1987-1988 Research Fund drive. With the contributions that continue to come in, and with the third request that will go out in the spring to the people who have not yet contributed, 1988 should prove to be a good year.

--the staff

but describes Stevens' actions as disruptive. Clifford says the Stevens proposal dramatically and mistakenly shifts the focus of the issue from land to money. According to Sen. Daschle, the Oglala-Stevens proposal helped trigger Senator Inouye's reversal on the bill.

No other tribe has endorsed the proposed amendment, and one tribe, the Rosebud Reservation Sioux, rejected it. Another tribe, the Cheyenne River Sioux, refused to vote on the matter.

The Black Hills are the most beloved part of a state known for flatness and harsh climate. They are also rich in resources. That, combined with the Sioux's deep sense of injustice, guarantees an emotional debate. When the debate expands to include issues which the Sioux see as tainted by racism, things become explosive.

At the least, the continuing debate over the Black Hills will make increasingly visible the prejudices that have long prevented better relations between Indians and non-Indians in South Dakota. While this process will undoubtedly take time, and may make things worse for a while, exposing the prejudices to daylight may eventually lead to better understanding.

That slow process may help the Sioux. Today, the chief ally of those who oppose the Black Hills bill is the legal and legislative system, which gives the majority in South Dakota a large say in the disposition of the federal lands in the Black Hills. But time may be on the side of the Sioux people. They have already proven that they have a long memory, and, despite great hardship, can wait a century or more without deviating from their ultimate goal.

They have already waited long enough so that the U.S. Congress, which once ran over them by abrogating the Laramie Treaty, is now a very different creature. Now they must wait until South Dakota goes through a similar change of heart. Gerald Clifford has no doubt about the Sioux people's ability to persevere.

He says, "We are prepared to spend the rest of our lives pursuing justice."

□

Peter Carrels is a freelance reporter in Aberdeen, South Dakota. This story was paid for by the High Country News Research Fund.

16-High Country News -- February 15, 1988

OFF THE WALL

'This is one of those stories that's true, but...'

by Tim Sandlin

This is one of those stories that's true, but hardly anyone ever believes me when I tell it. It involves my friends Howie Wolke and Chris Englund, who since the time of this story, have gotten themselves in trouble regularly.

Back in June of 1975, the three of us drove Chris's '67 Impala through Yellowstone Park on our way to Cooke City, Montana, where Howie was supposed to address a "Save the Ferrets" rally and Chris said he knew some girls. Chris was lying.

Most of the way through the parks, Chris and Howie argued about who was toughest. "I can eat a lightbulb," "I walked naked up

Teton Pass in a blizzard," that sort of thing. I mostly looked out the window, taking the attitude that tough guys don't talk.

North of Canyon, we stopped in a little rest area for a picnic -- homemade elk jerky, canned peaches, and Pabst Blue Ribbon. Chris had the beer and stuff in the trunk of the Impala because, that summer, he couldn't afford any more open container trouble. Well, he forgot to close the trunk, and while we were eating at a picnic table, a little cinnamon colored black bear wandered into the rest area. He knocked over a trash can or two, and Howie threw him a chunk of jerky, which was illegal, but Howie's like that.

Then the bear ambled over to the

Impala, sniffed at Chris's license plate a moment, and hopped into the trunk. Howie's face lit up like a kid with ice cream.

"I got me a bear," he said. He ran over to the Impala and slammed the trunk shut.

Chris and I looked at each other.

We piled into the front seat and Howie jumped in the back. Chris spun the tires clear out of the parking lot. We made it about fifty yards up the road before the bear came through the cardboard panel thing that separated the trunk from the back window.

Chris slammed the brakes, three doors flew open and three of America's boy wonders bailed out. But that was a fast bear -- and an

angry bear. He bit Howie right on the butt -- not just bit him, that bear clamped on like a snapping turtle on a stick.

Howie screamed and took off back down the road, dragging the little bear after him. Made an interesting sight. He drug the bear over sagebrush, through baby lodge-poles, clear back to the picnic area and twice around the table. Then he headed back toward the car.

Chris and I looked at each other.

Finally Howie, with the bear still clamped to his butt, came heaving up to the Impala. He quick-like yanked open the trunk lid, grabbed hold of the tire tool, twisted around, and beamed the bear a good one right between the eyes. The bear let go, but only after taking most of Howie's pant seat with him.

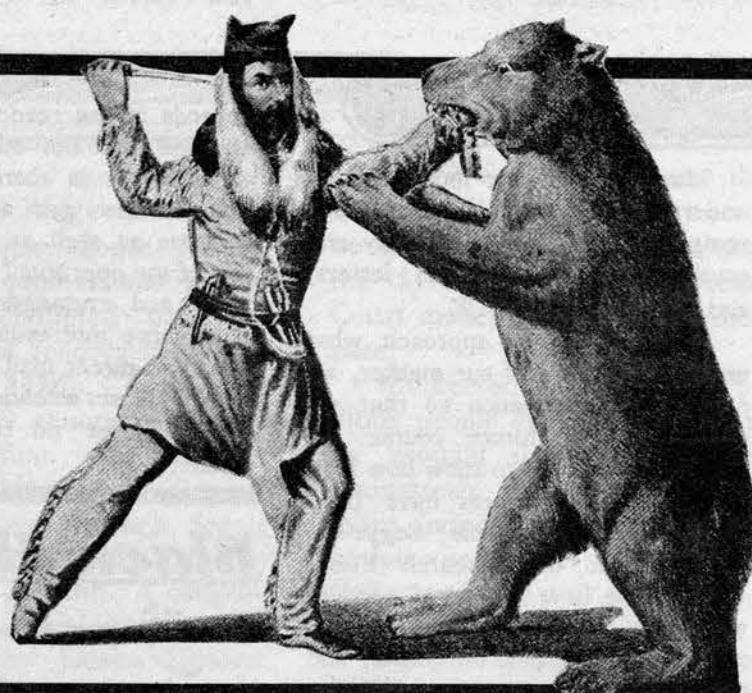
As the bear stumbled into the forest, Howie turned to us and kind of growled. "If you think you're as tough as me, let's see you do that."

Chris and I looked at each other.

Then Chris shuffled his feet a minute and cleared his throat. "Okay," he said, "but you got to promise not to hit me with the tire tool."

□

Tim Sandlin is a proofreader at the Jackson Hole News in Wyoming, and a novelist.



ACCESS

NEAT STUFF

CARETAKER WANTED for a combination sheep/tree farm in northeastern Oregon in June. Applicant must be holistically inclined and environmentally conscious. Write for details to W.H. Oberteuffer, Rt. 1 Box 39AB, Elgin, OR 97827 or phone 503/437-5252. (1xb)

NEW COLORADO WATER PUBLICATION: Introduction to Colorado Water Problems emphasizing water use. For information write: Trans Mountain Development Co. P.O. Box 823, Dept. HC, Golden CO 80402. (6x24)

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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WORK

THE ASPEN CENTER for Environmental Studies is looking for a summer intern interested in gaining experience in environmental/outdoor education. ACES provides natural history programs, manages two wildlife sanctuaries and participates in raptor rehabilitation, natural history photography and writing. The internship is from June - August, 1988 and benefits include housing and a stipend. Write Tom Cardamone, Naturalist-Director, Aspen Center for Environmental Studies, P.O. Box 8777, Aspen, CO 81612 (303/925-5756). (1xp)

WANTED: FRIENDS OF THE COLUMBIA GORGE EXECUTIVE DIRECTOR. High profile position as spokesman and director for Portland-based, non-profit conservation and educational organization. Candidate must have strong written and verbal skills and be able to work effectively with complex, controversial issues in public settings. Legal (preferably land use) background required. Salary negotiable. Send resume, list of references and writing sample to P.O. Box 40820, Port. OR 97240. (1xp)

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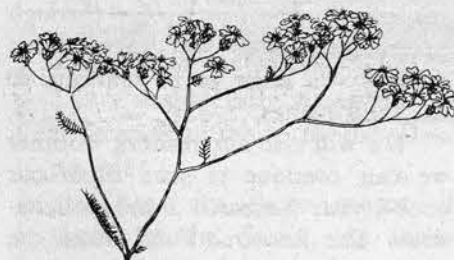
LAND

IS THERE ANYONE LEFT RUGGED ENOUGH to enjoy living on beautiful mountain ranch without telephone, indoor plumbing? Free rent in exchange for light work. Must have own income, references, F. Wilson, El Rito, N.M. 87530. (4x2p)



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BULLETIN BOARD



PLANT BASIL

Montana farmers have discovered the alternative food market. The newly formed Great Northern Botanicals Association is a clearing house for information on cultivation, foraging, processing and marketing of high value crops, such as herbs, flowers and organic foods. The association formed as the result of an October conference that focused on herbs and other botanicals as cash crops, sponsored by the Alternative Energy Resources Organization in Helena. The association will serve both small and large scale producers and eventually hopes to offer cooperative processing, storage and marketing services. The association is broken down into four regions -- the Flathead Valley, the Bitterroot Valley, the West-Central region, and the Eastern plains -- to concentrate on crops best suited to local growing conditions. For more information contact Nancy Matheson at AERO, 44 N. Last Chance Gulch, #9, Helena, MT 59601. (406/443-7272). To receive the association's monthly newsletter send \$5 to Don Dwyer, Summit Drive, Woods Bay, Bigfork, MT 59911.

FUTURE PARKS

The National Parks and Conservation Association will host a conference in Washington, D.C., March 14-16, that will look at how insufficient funding, short-sighted policies and political pressures affect national parks. Among the 13 guest speakers are William Mott, National Park Service Director, and Rep. Bruce Vento, D-Minn., Chairman of the Subcommittee on National Parks and Public Lands. Registration for the conference called "Protecting and planning for the parks of the future," at the Hotel Washington, is \$120 before Feb. 15, \$140 afterwards. For more information, write Ellen Barclay, National Parks and Conservation Association, 1015 Thirty-First Street NW, Washington, D.C. 20007.



WILDLIFE AND PRIVATE LAND

A Feb. 27-28 conference in Lewiston, Mont., will examine "Strategies for Maintaining and Improving Hunting Opportunities on Private Land." For landowners, sportsmen, outfitters, legislators and government personnel, the conference will look at how landowners can be compensated for the hunting of wildlife on their lands. Speakers include Greg Simmonds, a Utah rancher who will talk about private management of wildlife, and Walt Gasson of the Wyoming Fish and Game Department, who will present his state's view of compensation strategies. The conference will also divide into smaller groups to evaluate and discuss alternatives presented by speakers. Sponsors include Montana Woolgrowers, Montana Stockgrowers, Montana Wildlife Federation, State Department of Fish, Wildlife and Parks and the Coalition for State Land Access. Registration is \$10 before Feb. 22; \$15 at the door. For more information write Montana Wildlife Federation Conference, P.O. Box 3526, Bozeman, MT 59715.

