

High Country News

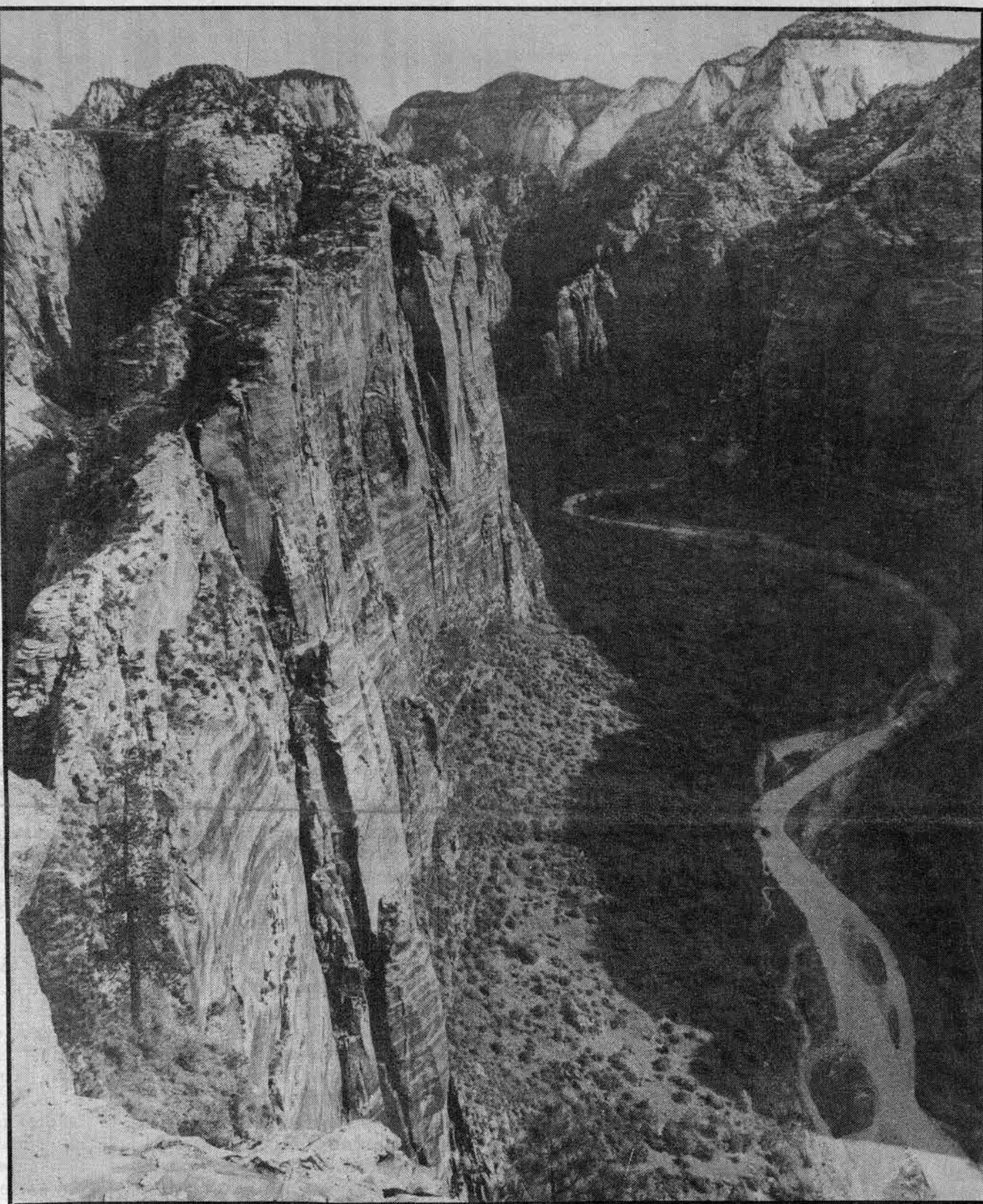
June 20, 1988

Vol. 20 No. 12

A Paper for People who Care about the West

One Dollar

Kent and Donna Danner



Inside Zion National Park in Utah, where a ranch coexists with the park

Parks are increasingly vulnerable

by Rocky Barker

YELLOWSTONE NATIONAL PARK, Wyo. -- Like lines drawn in the sand, the borders of America's national parks have not prevented the crowding and shoving of neighboring public and private landowners.

• The Forest Service has allowed clearcutting up to the boundary of Yellowstone in Idaho.

• Condominiums have been approved within three feet of the Rocky Mountain National Park boundary in Colorado.

• A shopping center threatens the historic character of the Manassas National Battlefield in Virginia.

• Sediment from Jackson Lake borrow pits to supply gravel for reconstruction of the dam in Grand Teton National Park could threaten trout habitat in the Snake River in Wyoming.

• Acid rain threatens lakes and trees in scores of parks.

These and other external threats to the nation's 343 national parks, monuments and historic sites were virtually ignored in the past by the National Park Service, which has historically had its hands full just managing the lands within park boundaries.

But a new understanding of wildlife biology, ecology, and such far-reaching threats as air pollution has revealed those conventional borders to be "dangerous irrelevancies" says Joseph Sax, a University of California law professor who specializes in public lands.

Sax told 341 national park superintendents gathered at Jackson Lake Lodge they have the authority and the mandate to reach beyond their borders to protect their parks from private development. He said legislation approved in 1978 that expanded Redwoods National Park provided park officials with authority to bring litigation against outside interests that threaten park resources.

"Basically what happened was that this law was forgotten," Sax said.

Even if the Park Service didn't go to court, the threat of litigation could spark state and local governments to act on their own, Sax said. "Litigation ought to be the last resort," he said.

Yellowstone Superintendent Robert Barbee doesn't think litigation is an option in dealing with development on the northwest corner of the park, by the Church Universal and Triumphant.

The "new age" cult has proposed construction of a town on its 12,000-acre ranch that borders

(Continued on page 10)

Dear friends,



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Skipping an issue...

Twice a year, *High Country News* skips an issue. That means the next issue of HCN you see will be dated July 18; there will be no July 4 issue. Each time we skip an issue, we make the same joke: that staff is skipping an issue not because it needs time off, but because subscribers need time to catch up on their reading of the paper.

This time, however, we are not going to make that joke. We do need a vacation. Converting to the new computers has been harrowing. If we don't get out of here, we are going to blow up these little precious cases of microelectronics. Our hope is that the old adage about people learning to swim in the winter and ski in the summer will come true, and that when we return to the office, we will find we have magically learned to use the things, and that they have learned what we want of them. In the meantime, we apologize again for the irregularities we are sure will also be in this issue.

One of the problems with the last issue was the page 7 letter to the editor on subsidized logging. The letter was OK, but the name of the writer had fallen off, and only his town -- Boulder, Mont., -- remained. The letter writer was Stuart F. Levin.

We also apologize for the fact that there has been a run on HCN t-shirts, and we are out of large turquoise and have only one large burgundy.

Part of the run was caused by Randy and Jennifer Lompe, newlywed subscribers from Laramie, Wyo., who stopped in the office to say hello and to buy t-shirts. The Lompes were on their way to a typical honeymoon for those who read this paper -- they plan to spend some time on the Navajo Reservation and then go on to the desert country around Moab, Utah.

Randy caught our attention immediately -- he was wearing an early HCN t-shirt showing an Anasazi petroglyph which looked a lot like a mountain goat. He told us that he got it when the paper was based in Lander, Wyo., and held annual five-mile footraces each spring. He works at the Corral West Ranchwear store in Laramie; his bride, Jennifer Whipple, a native of Buffalo, Wyo., attends the University of Wyoming at Laramie.

Kudzu of the West

If the Lompes get to Moab at the right time, they will be able to participate in the gala First Annual Bindweed Festival, which was announced in the June issue of *The Stinking Desert Gazette*, a monthly paper that has been "serving southeast Utah since 1986."

According to the *Gazette*, the bindweed festival follows in the tradition of Moab's World's Most Scenic Dump Contest, which turned out to be a huge success. The paper also said:

"The festivities will get underway with a Saturday morning parade down Main Street. Leading that parade will be the Grand County Red Devil Pep Squad, clad in tiny bikinis made entirely of bindweed. It is expected, however, that by the time these ladies reach the end of the parade route, they will be covered from head to toe with a shaggy coat of the vigorous vine." The *Gazette* can be reached at: Box 13, Moab, Ut. 84532.

Bearding the chief

Prof. Ivor Robinson, a specialist in relativity theory at the University of Texas at Dallas, spent a few days in Paonia visiting his son, HCN intern Michael Robinson, and the surrounding countryside. Michael, a staunch supporter of the radical environmental group Earth First!, told us an interesting story during Prof. Robinson's visit.

It seems that several months ago, Michael found himself in Washington, D.C., so he naturally went to the offices of the U.S. Forest Service and asked to see Dale Robertson, the head of the Forest Service. Michael, of course, was wearing his Earth First! t-shirt, and perhaps for that reason, Robertson's secretary sent him to talk to the head of timber, just down the hall.

After that talk, however, Michael went back to Robertson's office and asked again to see him. This time, he got some time with the Chief, and they discovered, according to Michael, that there were some differences between them.

Michael was most intent on taking the Forest Service to task for what he sees as a wrong-headed attitude toward the forests. In the process, he demonstrated again the power of the American system. Robertson, we're sure, was not eager to spend time chatting with a member of Earth First! But that reluctance was apparently overcome by the feeling that even the Chief of the Forest Service should be available, appointment or no, to any citizen of the U.S. who came knocking at his door.

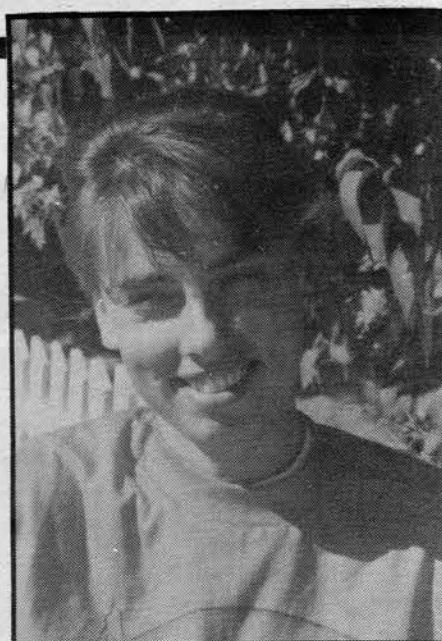
Visiting

Some of the staff spent the evening of May 28 in the ski town of Telluride, Colo., at its Tenth Annual Mountain Film Festival. The event consists of the showing of several days of films about the outdoors -- canoeing, mountain climbing, kayaking down snowfields and the like.

Of those we saw, we best liked "Les Piliers du Reve," or "The Pillars of the Dream." Normally, ballet is performed indoors and on a horizontal surface. In this 24-minute French film, two climbers show that ballet can also be done on the vertical and overhanging walls of enormous cliffs that rise out of a plain in central Greece.

The following weekend, some staff camped in the Gothic Valley, a few miles outside of Crested Butte, Colo., and visited the Rocky Mountain Biological Laboratory -- a scientific base camp set in the old mining town of Gothic, and used by scientists from around the country. With the retreat of the snows, the lab was just getting into motion. Acid rain researchers were on hand to monitor the pulses of acidity that the snowmelt may create. And administrator Susan Allen was supervising an enormous bonfire, onto which her staff was hurling the accumulated, burnable debris of the past ten years or so.

A few miles outside of the lab, which is summer home to about 160 scientists, we ran into Dirk Van Buren, who was moving about with what looked like a television antenna. The graduate student from Kansas said he was monitoring marmots in whom he had implanted radio transmitters as



Stacie Oulton

part of a study of the dispersal habits of the creatures.

One marmot dispersed farther than expected when a golden eagle carried it to the top of Gothic Peak. Van Buren said the transmitter is still sending out strong signals, but rotten rock on the peak has discouraged climbers from retrieving it. He is eager to get it back because the devices are expensive.

HCN reached the people of Lincoln, Neb., on May 26, as the *Lincoln Journal* reprinted, on its opinion page, our overview of the Two Forks controversy that appeared on the first page of the May 9 issue.

Ah, the dry West

New intern Stacie Oulton says her first memory of Paonia is from childhood. Her family stopped by at Paonia Reservoir for a day of fishing before heading to the Gunnison River for a two week vacation. The day was memorable because they left the family dog behind. Luckily, they hadn't gone all the way over dusty Kebler Pass before realizing the dog was missing.

Stacie says she is more than happy to return to Colorado, her native state, after spending a year at the University of Missouri's graduate school of journalism. School is fine, she says, but the high humidity is not. Stacie came to HCN to learn about environmental issues, and thanks to an associate dean who knew of the newspaper, she obtained a grant to pay her expenses this summer.

--the staff

HOTLINE

Not quite Smokey

An altered poster puts that all-American bear, Smokey, on an unfamiliar side of the law. Found in a campground in southern Oregon's Siskiyou National Forest, the scene of protests over old-growth logging, the poster has Smokey urging kids to "have your parents show you how to stop logging by spiking trees." The poster also encourages pulling up survey stakes and learning how the Forest Service ruins forests by giving them to "greedy lumber companies." The poster find followed on the heels of an anonymous letter that led federal officials to 89 spiked trees in the Siskiyou Mountains. Logging will continue, said a spokesman for the Medford Corp., which contracted to log the area, but workers will proceed with "extra caution."

WESTERN ROUNDUP

Dennis Davis



Looking out at Clarks Fork Canyon

Will Wyoming's Clarks Fork remain wild?

Wyoming Gov. Mike Sullivan visited Clarks Fork Canyon in northwest Wyoming earlier this month to help him decide whether to support wild and scenic status for the Clarks Fork of the Yellowstone River.

The first-term Democrat has also asked the Shoshone National Forest questions about wild and scenic status. The Forest Service and Reagan administration have recommended that Congress designate a 21.5-mile segment of the river through the canyon as wild and scenic.

Outdoor clothing and equipment manufacturer Yvon Chouinard, who was a member of the first group to kayak down the rugged canyon, says it would be world-famous were it located in the eastern United States or Europe.

Local proponents of wild and scenic status consider Sullivan's position pivotal to designation. Members of the Wyoming congressional delegation have indicated they will follow the state's position on the Clarks Fork.

The Wyoming Water Development Commission opposes the federal designation, contending it would preclude potential water development upstream.

Sullivan says neither the commission nor his administration have current plans for any type of development on the Clarks Fork. But the commission also says in a recent position statement that two upstream dam sites are "the only option available to Wyoming to develop" its allocation of Clarks Fork water under the Yellowstone River Compact with Montana. Wyoming is entitled to 60 percent of the river's water, amounting to about 400,000 acre-feet in an average year.

The Bureau of Reclamation has studied these two sites, one near Hunter Peak and the other at the base of White Mountain on

Sunlight Creek, since the 1940s. In a 1957 study the BuRec concluded high-elevation dams would adversely affect scenic, recreational, fish and wildlife resources "of great importance."

"Natural alpine beauty would be marred by mud flats and water-marked shores when reservoir waters are low; by the artificial structures of dams, powerhouses and transmission lines; by spoil materials from tunnels, penstocks and other excavations; and by construction of new roads," BuRec said in its 1957 study.

"Scars around Hunter Mountain Reservoir would be seen yearly by the thousands of travelers along the Red Lodge-Cooke City highway" (which leads to Yellowstone). "Some of the recreation value derived from the excellent trout fishing and mountain streams would be lost. Big game animals, too, would suffer some reduction of habitat," the BuRec noted. Those animals include grizzly bears, moose, elk, deer and bighorn sheep. The report also said reservoirs would create no new recreation opportunities because there were a great many natural lakes in the nearby Beartooth Mountains.

The Forest Service did its study of wild and scenic status for the Clarks Fork in the early 1980s. In 1983, the Wyoming Water Development Commission asked the state's congressional delegation to withdraw the Clarks Fork from a bill to designate it wild and scenic. The state said it wanted more time to study potential water development on the Clarks Fork.

The commission then studied a dam site at the mouth of Clarks Fork Canyon, downstream of the wild and scenic segment. The study found the site "geotechnically feasible" but its \$300-\$400 million price tag was called prohibitive.

A consortium of local governments and soil conservation dis-

tricts called the Resource Conservation and Development Project then proposed upstream dams that would convey water through tunnels under mountains, with gravity flow for interbasin transfers into the Shoshone River basin. Irrigation water and power generation would be provided along the way.

Even supporters of this idea say it could cost \$1.5 billion. Dam proponents also acknowledge that electrical power and water aren't needed in the near future and perhaps for the next 50 to 100 years. Nevertheless, the water commission wants to maintain the option of future upstream development.

The commission has pledged not to build dams within the canyon proper, but holds out the option of a dam site on a tributary as it enters the canyon, within the proposed wild and scenic segment.

The Yellowstone Clarks Fork Coalition, an active local group supporting wild status, urges using the downstream dam site if water is needed in the future. This option is less costly in terms of dollars and habitat destruction, and they say it also stores all of the state's compact allocation, which the upstream sites would not do. The coalition also says there will be economic gain by leaving the river free: It would attract tourists already on their way to Yellowstone National Park.

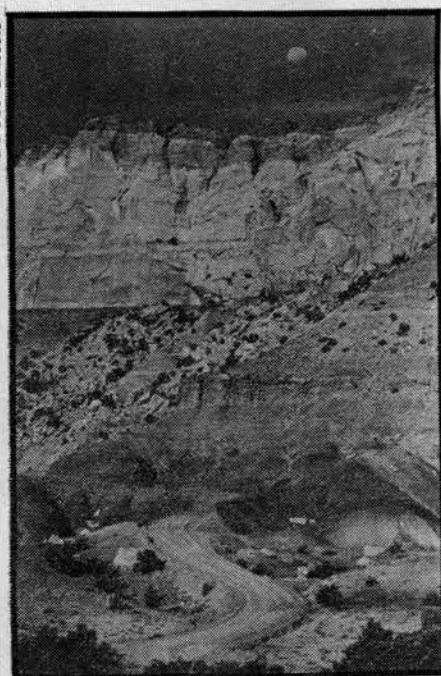
State engineer Jeff Fassett recently granted Wyoming's first instream flow water right for a six-mile segment of the Clarks Fork. Gov. Sullivan praised that action, saying it will protect fisheries in the river and "provide substantial protection for the stream as a whole."

A spokesman for the governor, Dennis Curran, says the issue has generated "a significant volume of mail," virtually all of which supports wild and scenic status.

--Dennis Davis

HOTLINE

Scott Smith



Moon over the Burr Trail

Court rules on Utah's Burr Trail

In a ruling that disturbed Utah conservationists, an appeals court upheld a lower court decision giving Utah's Garfield County discretion to widen and pave the Burr Trail (HCN, 12/2/87). Four environmental groups had argued that federal environmental law took precedence over state law and county jurisdiction because the Burr Trail is surrounded by federal land, including two Bureau of Land Management wilderness study areas and Capitol Reef National Park. The 10th U.S. Circuit Court of Appeals rejected that argument, but granted conservationists a small victory in ordering the BLM to conduct an environmental assessment on the effects of construction on the adjacent wilderness study areas. Lori Potter, an attorney who argued the case for the Sierra Club Legal Defense Fund, says in spite of the primary loss for environmentalists, the litigation served a purpose because Garfield County modified its construction plans to make them more palatable to the court. "It exemplifies the fact that legal action often takes on big problems and only conquers them by means of small bites." And requiring an environmental assessment is not meaningless, she says. "The EA has the important function of formalizing the mitigation requirements and construction requirements which we urged were mandatory from the beginning." The four conservation groups are considering appealing the case to the Supreme Court, Potter says, and in the meantime an injunction against construction on the road continues.

BARBS

Camera, action, roll 'em. Let's shoot another one!

During his visit to the Soviet Union, President Reagan observed that Americans might have erred when they "humored" Indians by allowing them to live on reservations and practice a "primitive" lifestyle. That comment led Colorado Rep. Ben Nighthorse Campbell, the only Native American in Congress, to suggest that Reagan's view of Indians was warped by acting in too many Western movies. "If you play in enough of those darn things, you get a parochial attitude about Indians," Campbell said.

HOTLINE



Sprinkler in Denver

Romer says yes and no

At a press conference last week in Denver, Colorado Gov. Roy Romer challenged the state to find an alternative to Two Forks Dam and save the South Platte River forever. At the same time Romer endorsed a 25-year permit to build the dam, saying Denver needed an insurance policy if conservation and other supplies fall short of future needs. The governor's speech came on the final day of the Army Corps of Engineers' public comment period, and was anticipated to either sink or confirm the project. Critics said he did neither. Nebraska Gov. Kay Orr called Romer a "great fence straddler," and Colorado Environmental Coalition Two Forks coordinator Rocky Smith said that Romer managed to support the critical arguments of both sides of the controversy. Romer recommended a 25-year permit only as a last resort, and with several strings attached. Two conditions are that Denver and the suburbs conserve 42,000 acre feet of water by the year 2010, and come up with another 60,000 acre feet in interim water supplies before building the dam -- essentially the same plan the Environmental Caucus proposed as an alternative to Two Forks. Smith says that amount of water alone will delay the need for Two Forks well into the next century, if not forever. However, Romer also said he wouldn't veto the only existing plan that gives Denver both guaranteed water supplies for future growth and a means to force cooperation from the suburbs on water and other metro issues. Metropolitan Water Provider director Bob McWhinnie told the *Rocky Mountain News* that the suburbs need the water now, and Romer's decision puts them in the worst possible position of "having to kiss Denver's butt" to get it. Dan Luecke, leader of the environmental opposition, predicted that Romer's reasoning will eventually kill the project. Luecke says that Romer admitted Denver had no need for the water except as a tool to get its political house in order. "Two Forks is dead," he said.

Cyrus McWhinnie

Wild Idaho conference draws 130 people

This year's spring gathering of Idaho wilderness advocates took a surprising but not unwelcome turn for its 130 attendees.

The fifth annual Wild Idaho conference, held May 20-22 at Redfish Lake Lodge beneath the Sawtooth Mountains, was to debate how to confront S2055 -- the Idaho forest management wilderness legislation recently introduced in the U.S. Senate. Instead, people talked mainly about what to do after that bill dies.

"The window for S2055 in this Congress is closing very quickly," Wilderness Society lobbyist Steve Richardson told the group. The bill was introduced by Sen. James McClure, R-Idaho, in February, and Idaho field hearings were held in early March. But Richardson said McClure had delayed requesting a Washington, D.C., committee hearing for nearly three months, throwing any actual work on the bill into the few, hectic legislative days preceding the election. Even if the Senate passes something in those days, the House will not start work on a bill delivered to it that late.

"So there will be a new president and a new Congress before any significant action on an Idaho wilderness bill," Richardson predicted.

In the meantime, the group talked about other options for protecting wild areas such as a regional approach, starting with central Idaho.

While those present were pleased that a bill they very much oppose seems stalled, there was puzzlement why McClure is exerting so little effort for his own bill. He is not saying, but the favorite theory at the conference was that he knows the Senate won't let it pass without major changes -- something he and his partner, Idaho Gov. Cecil Andrus, have said they will not accept.

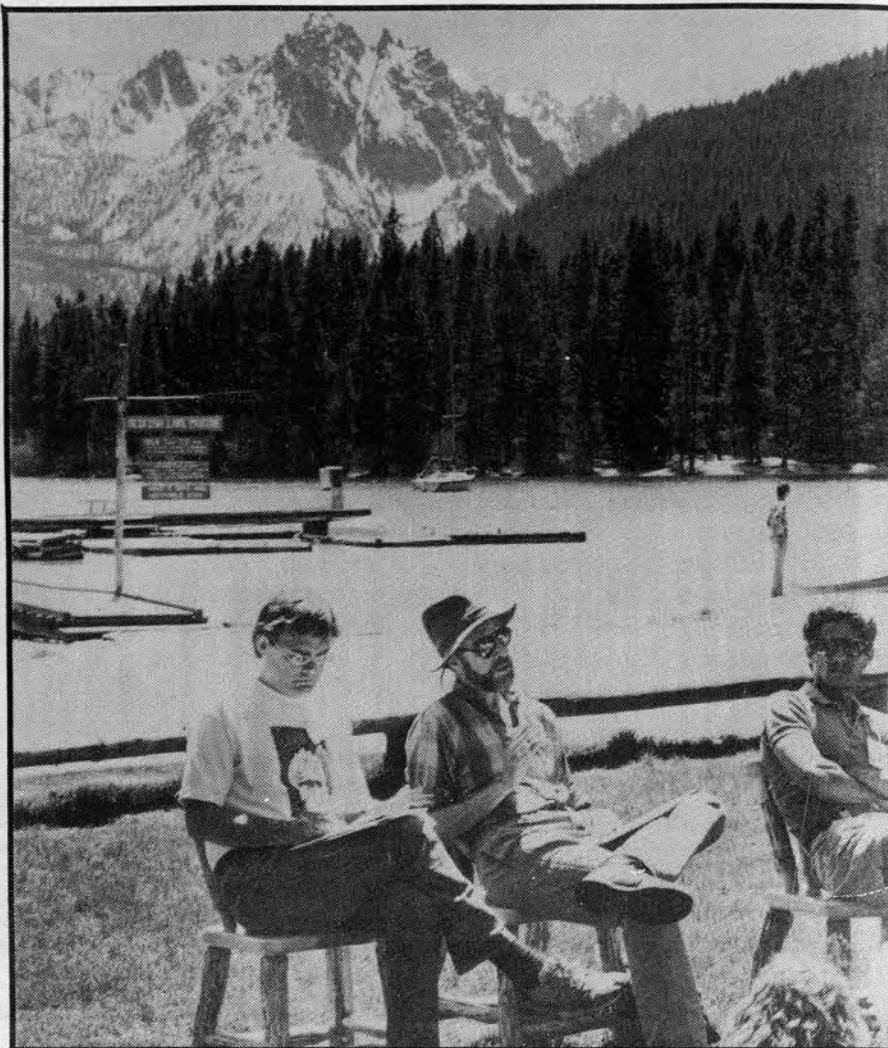
The bill contains 20 pages of detailed special management provisions, including those that mandate timber harvest levels like Alaska's Tongass National Forest. It appears a majority of the Senate public lands subcommittee, including its chairman Dale Bumpers, D-Ark., will not accept these provisions, and McClure may be working quietly to change that. But if so, it is slow going.

There was much talk, and some action, about more thorough on-the-ground efforts. Volunteer trailbuilding and maintenance projects, begun modestly two years ago by the Idaho Conservation League's Wood River chapter, will expand significantly this summer. Coordinated monitoring of key roadless areas in southern Idaho may also begin, primarily to counter similar off-road vehicle pressure. Thanks to the Idaho Legislature, ORV users now have up to \$800,000 annually to spend constructing ORV trails on public land.

Featured speakers this year were singer Carole King and law professor/author Charles Wilkinson. King, who lives nearby on a ranch once owned by Sen. Frank Church, opened the conference with a few songs and a plea to her audience to be bold and uncompromising in defending Idaho wildlands.

Wilkinson took as his theme

Mark Alan Wilson



Outdoor workshop at Wild Idaho meeting with Charles Wilkinson, left, Gary Richardson, and Tom Robinson

"those amazing-beyond-amazing fish," Idaho salmon and steelhead. Redfish Lake, glinting just beyond the windows as he spoke, is named for the half-million sockeye salmon which once swam some 900 miles from the ocean each year to bear their next generation. Today, perhaps 10 sockeye return to Redfish -- a living metaphor for the tragedy of wild salmon and steelhead in the Northwest.

Wilkinson urged several guiding ideas for those working in the linked effort to preserve wilderness and restore salmon: that the West is "a sacred place of wonders," not an empty place; that watershed management of Western lands must become a reality.

He said the Forest Service must be reformed and proposed a much-reduced National Forest timber harvest, from 11 billion to perhaps 7 billion board feet. Finally, he said "the right to wilderness has become one of our most fundamental rights in the American West," and that we must try to see our work and actions, roads and mines, "through the eyes of a salmon" as well as our own.

The most human moment of the conference was a brief series of slides documenting a recent lobbying trip by nine Wood River Valley ICL members to Washington. In three-and-a-half days, they lobbied

62 congressional offices on the McClure/Andrus bill. Steve Richardson said the national conservation offices dubbed them "the Idaho Nine," in tribute to the impact of their unvarnished amateur energies.

The Wood River ICL chapter organizes the Wild Idaho event, held at Redfish Lake the weekend before Memorial Day each year. The chapter is the most active wilderness cadre in Idaho, and its event is Idaho's premier wilderness gathering, in numbers, publicity, good food and fun. The chapter also hosts, in its Ketchum office, ICL's statewide public lands coordinator, newly hired Deborah Shimkus.

There was a surprise event: Ernie Day, one of the fathers of Idaho conservation and a superb photographer, walked into Sunday morning's work session and announced that the light at Little Redfish Lake "right now" was the best he'd ever seen. Since Ernie Day has taken a few thousand photographs in Sawtooth country over 40 years, there followed a general grabbing of cameras and an unscheduled break in the program. But the magic had passed by the time people reached Little Redfish. It had surely been meant for Ernie alone.

-- Pat Ford

HOTLINE

Drilling stops springs

The supply of water from a hot springs to a motel in Ouray, Colo., died last month after underground drilling tapped into the aquifer that lies beneath the town. Ouray's hot spring pools are a tourist attraction in western Colorado. After the drilling interfered with the springs, AP reports the \$300,000 geothermal testing program was put on hold. Although the drilling stopped, the Twin

Peaks Motel, which fills its pool and jacuzzi and heats 48 rooms with hot springs water, had not recovered its water supply by June 7. The city has run a pipeline from its own spring to supply the hotel. Town administrator David Vince says the town will not allow any more pumping until after the summer tourist season, although he adds that the problem will not halt the geothermal project. The city has been probing the aquifer since 1978, hoping to find the springs' source to use in heating buildings.

REPORTER'S NOTEBOOK

The Indian press begins to feel its oats

Although western tribes are now fighting huge battles in Congress and in the courts, the biggest changes may be happening at home.

After years of desperation, chaos and apathy, many tribes are beginning to rebuild their reservations, taking on such problems as poverty, alcoholism and education.

Central to this evolution is the creation of the tools of democratic self-government, especially a free, independent press. If the fourth annual Native American Press Association conference held in Denver last March is any indicator, things are changing fast.

The conference drew nearly 200 American Indian journalists from across the U.S. and Canada -- from print, radio and television. Almost all worked for Indian operations. Women outnumbered men, high school and college journalists were there as well as full-time professionals, and on the edges of the conference were recruiters for college minority scholarships, large newspapers and wire services.

It was not your average conference. It started with a Kiowa chant and a drum song. The moderator called it the national anthem of the American Indian. It evoked from the audience the quiet respect due an anthem.

The first speaker was Indian journalism's most decorated member: Mark Trahan, a Shoshone-Bannock from Ft. Hall, Idaho, former editor of the *Navajo Times TODAY* and now an award-winning reporter for the *Arizona Republic*. He assured his audience that despite traditional mistrust of the press, journalism is a natural profession for Indian people, true to their long heritage of storytelling.

But Trahan made no bones about how hard it was to step from storyteller to professional journalist. Trahan and his peers are the first generation of Native American journalists to report on Indian country, and have had to learn as they go: "I began as a managing editor and it's taken me 11 years to become a reporter," he said.

As all but 10 of the 464 Indian papers in North America are tribally owned, the other fight has been for the freedom to be a good reporter. Trahan's career included turning the weekly *Navajo Times* into a daily paper -- Indian country's first and only daily -- and running it for three years. Last year, shortly after Chairman Peter MacDonald was elected, the paper was shut down and Trahan fired. MacDonald charged Trahan with mismanagement, but Trahan says the paper was killed because it was independent. "We were shut down because we could not be controlled."

That is an old problem. Richard La Course, veteran journalist and independent publisher of the *Yakima Nation Review*, spoke on the history of the Indian press, beginning with Elias Boudinot, who started the *Cherokee Phoenix* in 1828 in New Echota, Ga. Four years later, in the midst of the crisis over the Indian Removal Act, which was to lead to the Trail of Tears, Boudinot resigned rather than accept censorship from the Cherokee's principal chief. Boudinot was assassinated several years later, after the move to the new territory, because of his views, La Course said.

Perhaps as a result of that killing, La Course said some tribes adopted provisions guaranteeing freedom of the press in their constitutions, but the U.S. Constitution's First Amendment rights did not extend to all of Indian country until Congress passed the Indian Bill of Rights in 1968.

Despite that, even today harsh reporting on tribal politics can end a reporter's job. Writers and editors at the conference told of tribal councils regularly attempting to suppress stories; firing editors for taking sides in an election or for their editorial positions; cutting off funds for papers; replacing good reporters with unqualified relatives and excluding reporters from council meetings.

There is another problem: What face should Indians show to the outside world? Participants in an ethics workshop at the conference said Indian papers are often the only source of information on reservation activities the outside world has.

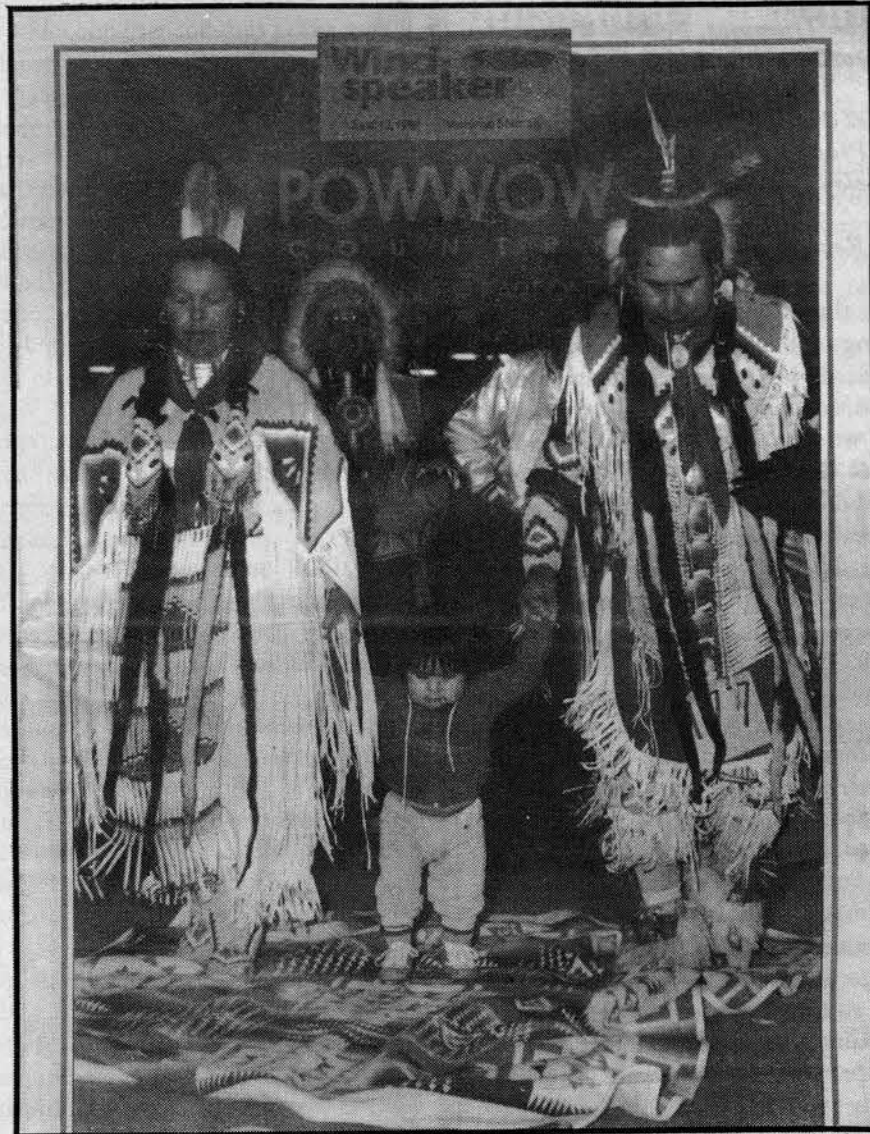
Minnie Two Shoes, former editor of the *Wotamin Wowampi* in Ft. Peck, Mont., said, "Tribal (governments) don't know how to do public relations so we end up with the job." Laverne Sheppard, editor of the *Sho-Ban News*, said she and other editors must decide whether to "inform the tribe or make it look good to outsiders."

Bad news is not always welcome at home, either. La Course said, "On reservations, the press already has a bad reputation. It's relatively new to people used to oral communication, and they feel they are being scrutinized." Reporter Karen Lincoln says that on her reservation people have never been exposed to a free press. In return for hard reporting she has gotten tires slashed, threats and bad medicine. Others said negative stories led to people refusing to talk to them anymore.

That was the bad news. But many said that the very occurrence of battles for freedom of the press was good news. After the closure of *Navajo Times TODAY*, the first protest was over the loss of jobs, not freedom of the press, said speaker Monty Roessell, a former editor and reporter under Trahan. But ultimately, he said, "It was the best thing that could have happened to the Navajo. We got shut down. We lost our jobs, but (freedom of the press) became an issue. A lot of people are going to school to be journalists. They will come back."

Dave Archuleta, a reporter with the *Sho-Ban News*, said in 2½ years he had been "called on the carpet" by the tribal council several times, but never censored. "We have gotten away from being a mouthpiece for the tribal government," he said. "It has made the tribal government more accountable."

Trahan calls the upsurge in newspapers and radio news shows on reservations a key element in the next round in Native Americans' battle for a permanent place in America. Until now, he says, the Indian movement has been solely a battle for survival. The tribes are winning that and now it is a question



of "building the permanent structure of the tribes, the jobs and rules we want to live by," Trahan says. "It is the role of the Indian press to ask those questions," he adds.

Accompanying the emergence of the press on reservations is the emergence of individuals from tribal groups who are critical of the tribe's inner workings, but who are also proud to live and work as members of that tribe. For Trahan, it is a matter of exercising civil rights: "There is a misconception about sovereignty. Sovereignty doesn't stem from tribal governments, the people grant the tribe its rights."

Editor Diane Meili of Alberta, Canada's *Windspeaker* emphasizes:

"We're the backbone. It's not just nice to have a paper. We're going to prescribe the change, let the people know they have rights within their reservation, let them know what's available to them."

Given the difficulties, change will probably take some time. But Mike Burgess, former editor of the *Talking Leaf* out of Los Angeles, says whatever the pace of the battle for freedom of the press, a real change has already happened because Indian professionals are returning home with their skills to their reservations. He calls it the "building block for new societies of Indian tribal groups."

--Steve Hinchman



6-High Country News -- June 20, 1988

BOOK NOTES

An inside story of Indian water law

*Command of the Waters:
Iron Triangles, Federal Water
Development, and Indian Water*

Daniel McCool. University of California Press, 1987, 2223 Fulton St., Berkeley, CA 94720. 321 pages.

Review by Marjane Ambler

In the 10 years since I first began writing articles about Indian water rights, I have been hoping for a single source about both water law and water development. Finally, Daniel McCool has provided it with this book. McCool, a professor of political science at the University of Utah, shows the vast difference between Indian tribes' paper rights and actual usable water.

McCool compares the tiny amount of Indian lands that have been irrigated with non-Indian water development. In 1984, only 7 percent of irrigable Indian land had been irrigated. McCool traces the reasons back to the creation of the Reclamation Service (now the Bureau of Reclamation) in 1902, and he shows that this figure is not likely to change under the Reagan administration. According to McCool, funding for Indian irrigation (operation, maintenance, and construction) increased slightly under President Carter but has decreased since. President Reagan asked for no money for Indian water development in 1985-86. Congress over-rode Reagan's recommendation, but only to half of what it had been in 1980.

The book's theoretical introduction may turn off some readers, but the facts and figures should recapture interest. McCool offers a theoretical explanation of water development politics based on the concept of "iron triangles" -- political alliances of bureaucrats, legislators and interest groups. He says the federal water development program has relied upon a strong iron triangle while the Indian water development program has relied upon a weak one. The Bureau of Indian Affairs has lacked the ability to generate reliable and complete data that could compete with BuRec's in the appropriation process, as exemplified by congressional critiques in 1928, 1932 and 1983.

The legislator portion of the triangle was weak partially because few Congressmen were interested in positions on Indian affairs committees, except for Westerners who wanted to protect their non-Indian constituents. "Careers could not be built on minor legislation that affected a small racial minority," McCool says.

The BIA must share the blame for the lack of Indian water development with Congress and BuRec, according to McCool, because it lacked faith in the court case, *Winters vs. United States*, which established the doctrine of federal reserved water rights, not subject to the states' prior appropriation doctrine. The prior appropriation doctrine said water rights went only to those who put water to use, and earlier use meant higher priority. The *Winters* doctrine said water rights did not have to be used, and their priority date was the establishment of the Indian reservation, which

almost always predated all non-Indian water rights.

Because the BIA lacked confidence in the *Winters* rights, it continued, until the 1950s, to apply for Indian water rights under state law, meaning that Indian water had to be used. McCool says this created three serious problems: 1) It encouraged agricultural leasing of Indian lands, since non-Indians were often more able and more interested in intensive farming; 2) it added to the confusion about applicability of *Winters* rights; and 3) it discouraged Congress from building Indian irrigation projects. Why spend federal dollars on projects that threaten non-Indians' water rights?

The book does an excellent job of describing the conflict of interest between the two Interior Department agencies, BIA and BuRec, and conflicts with the Army Corps of Engineers. He describes the classic examples of the conflict -- Pyramid Lake, Arizona vs. California, Navajo Indian Irrigation Project, and the Navajo Generating Station, and says the conflict is evident in 23 major Indian water rights cases.

Nevertheless, McCool says, BuRec irrigators also deserve fair treatment. The conflict between Indian and non-Indian demands upon water stem not from the non-Indian farmers but from the federal policy of giving away the waters twice -- once through the states and once through the federal courts.

McCool describes problems that have plagued water rights negotiations between states and tribes. President Carter focused upon negotiations, in hopes of reducing the time and expense for settling Indian

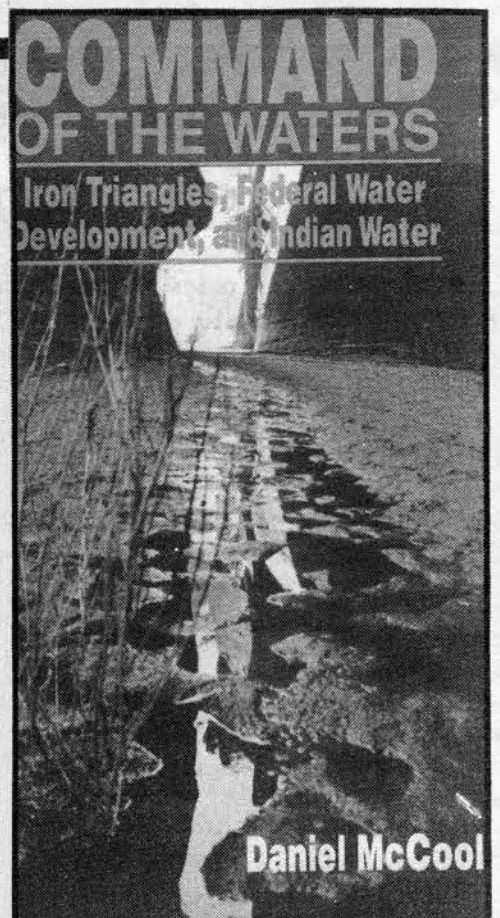
claims. McCool cites evidence that the Interior Department resorted to coercion to force tribes to negotiate at one time.

McCool makes it clear that conflict over Indian water rights has not moved from the courthouse to the bargaining table; a record number of lawsuits are being litigated at this time. Tribes are using both strategies.

The federal government's unwillingness to provide financial assistance for water planning and water development has been the biggest hurdle to negotiations and thus to speedy quantification of Indian water rights. The Reagan administration and Congress have been reluctant to follow through with the money necessary to fulfill negotiated settlements, such as with the Ak-Chin Indian Community and the Papago (Tohono O'odham) lands in Arizona and the Southern Ute/Ute Mountain Ute tribes in Colorado.

McCool points out that even the Fort Belknap Reservation, the birthplace of *Winters* rights, still suffers from non-Indian competition for water and from insufficient funding. In 1985, BuRec decided the Gros Ventre and Assiniboine tribes there had received their allotment of water and shut them off so that BuRec irrigators could get the water. The BIA lacked the money or the data to effectively defend the Indians, McCool says.

McCool concludes that Indians cannot rely upon an Indian iron triangle. The bureaucrats (BIA) lack strength. Congressional support is based upon individuals, not committees, and therefore is sporadic, nonsystematic and dispersed. That



has stopped water legislation that would have harmed Indians, such as was attempted in 1926 and 1981. It has not been strong enough to provide significant assistance. Support from interest groups has been "diffuse and conditional" and thus insufficient for competing with organized interests.

Unfortunately, Congress has been more willing to provide welfare funding for reservations than the water development that would help Indian people become self-supporting.

□

Marjane Ambler is a freelance writer and former editor of *High Country News*. She is completing a book on Indian energy development to be published by the University of Kansas Press.

Action at last on Utah's gas plume

At long last there are signs of tangible progress in dealing with the Moab gasoline plume. (*HCN*, 4/11/88). Moving underground from Main Street service stations toward the Colorado River, the plume has traumatized homeowners, gas station managers and store employees in this tourism/recreation southeastern Utah town for nearly three years.

After months of false starts and un-met assurances, state and federal health officials gathered in Moab in early June to watch equipment installed that should make four homes livable again. It should also prevent gasoline from flowing through the Mill Creek and Pack Creek marsh into the Colorado River.

Gasoline fumes from leaking underground storage tanks were first confirmed in 1985 when employees at the Walker Drug Store suffered nausea and headaches. At the end of 1986 a series of bore holes traced the path of the moving plume from the corner of Main and 300 South Streets to Pack Creek, just short of its confluence with Mill Creek and a productive marsh near the Colorado River. Owners of four homes standing over the plume abandoned their homes in February, 1988, a few weeks before state officials confirmed residents were potentially in danger. Homeowners

received partial payments for their expenses from the state LUST (Leaking Underground Storage Tank) program at the end of May.

Ventilation systems were installed in the homes in May 1988, but residents remained sceptical. One, LoRaine Guymon, said, "If they don't pump the liquid gas out of the ground, we won't move back in. With the kids playing outside all summer we just can't see it being safe. We would never live there 24 hours a day."

Now, amidst a plethora of plastic pipes sticking out of the ground, gasoline removal from the soil is about underway. Contaminated water will be pumped from the ground and settled in a tank; then gasoline will be skimmed off the top. A stripping tower and an activated charcoal filter will then remove chemical contaminants from the remaining water. Remaining, clean water will be re-injected in a trench to create a "water mound that acts as a kind of curtain that won't allow gasoline to migrate farther," according to Mark Ellis, manager of Utah's underground storage tank program.

But the problem is not being solved. Recent drilling revealed that the plume is not confined under houses, as long suspected. That part is only a small channel from the major plume located south of Sec-

ond South Street. Ellis has requested a second cleanup to drain the whole plume. How much will it cost and how long will it take? Ellis says he can't answer yet.

Ridding houses of gasoline fumes will cost about \$100,000, including about \$40,000 for relocation of residents and state administration. "There's a lot to be done and it's expensive," Ellis said. "And there's the psychology factor. I'm hearing from other states this sort of thing traumatizes homeowners."

The Utah LUST fund has received \$500,000 from the Environmental Protection Agency so far and has applied for another \$600,000. But this may be just a drop in the bucket of gasoline plumes statewide. "We're now working on our 25th site," Ellis said. "These are just the ones referred to the state by counties that can't handle them."

Ellis cites the southwestern town of St. George, a retirement community in Washington County where population has jumped from 26,400 in 1980 to 41,200 in 1987. "A half-dozen sites in St. George mean we'll probably have to remediate half the town. We're hoping we can get some help. Last week an investigative team concluded we're just scratching the surface."

--Craig Bigler

Wyoming elk antlers head for the Orient

The auctioneer turned back and forth between two men. One of the bidders, a Korean named Don Choi, nodded and drove the price skyward.

His American competitor, Dick Stewart, accepted the challenge and twitched his bidding card. A gasp erupted from the crowd gathered near the elk antler arches of Jackson, Wyo.

After a frenzied exchange, it was Stewart, a wildlife parts buyer from Olympia, Wash., who claimed the heaping prize: a trailer loaded with 2,000 pounds of ungulate antlers.

The annual Boy Scout Elk Antler Auction, held each spring in Jackson, is literally a bull market. In 1988, nearly 2.5 tons of antlers shed on the nearby National Elk Refuge were collected by scouts and bundled into 118 piles. Eighty percent of the proceeds are used to buy feed for wintering elk.

During its 20-year history, the auction has slowly become dominated by antler traders from the Orient who export the horns to Korea and transform them into wafer-sized aphrodisiacs or medicinal teas.

"It's a big market in Korea," said Hwang Kim of Seoul. "Many people use them in medicine." His friend, Choi, who currently lives in Los Angeles, owns the largest antler export house in the U.S. Representatives of his firm have come to northwest Wyoming every May for the last decade.

The horns purchased in Jackson are trucked to port cities on the Pacific coast, shipped across the ocean to Korean factories and then dried, baked or chopped into edible form, Choi said.

In Jackson, the average rack went for \$8.92 a pound. But in Far East shops, one ounce of ground elk or bighorn sheep horn can sell for more than \$100. Backed by Korean investors, Dick Stewart paid \$29,042 for 3,500 pounds of the coveted racks.

Prices were up this year, auction organizers said. For the 5,225 pounds out for bid, \$46,619 was raised. Last year, 6,080 pounds netted \$37,000.

Galen Rowmpf of Albuquerque, N.M., demonstrated the earning power of trophy-sized antlers. He paid \$1,950 for a single set of horns, establishing a new auction record. Whether Rowmpf's prize is

Ted Wood, Jackson Hole News



Jackson, Wyoming, turns into an antler auction

converted into a mounted head or transformed into a chandelier, officials say it is worth probably four to five times its sale price.

"Originally in the 1960s, they couldn't get anybody to pick the antlers off the refuge," said enforcement specialist Fred Herbel of the Wyoming Game and Fish Department. "After the Boy Scouts volunteered (to gather them) and began selling them at the auction, the Koreans started arriving and driving the prices up. Suddenly, everybody wanted to buy them."

Because of the horn's lucrative value, the Elk Refuge has faced a fearsome assault from horn poach-

ers who raid the federal sanctuary at night. One year in the early 1980s, thieves broke into the warehouse where scouts had stockpiled their antlers. Although authorities managed to save the antlers, it forced Elk Refuge officials to view the supply differently.

Now, all of the horns are stored under lock and key until the morning of the auction. Griffin reported no poaching arrests this year and he attributes it to the hiring of a special surveillance officer who patrolled the refuge at night for nearly a month.

--Todd Wilkinson

HOTLINE

A toxic gas connection

Families driven out of Rawhide Village, near Gillette, Wyo., by toxic gas may finally have proof that the gas was released by coal mining (HCN, 8/31/87). A recent U.S. Geological Survey study shows water tables closest to coal mines are lower than more distant water tables, says Laurence Martin, USGS hydrologist. According to the study, water tables a quarter-mile from mine sites are 50 feet down and water tables a mile from mine sites are 5 feet down, meaning the closer the mines, the lower the water tables. Because coal beds act as underground aquifers, water tables must be lowered before mining can begin, and Martin says he thinks that when water tables are lowered, toxic gases are released. To date, three toxic gases, methane, hydrogen sulfide and hydrogen selenide, have been found in Rawhide Village and the adjacent Horizon Trailer Park. Amax, Carter and Triton coal mines are located close to the subdivision, and one mine -- AMAX's Eagle Butte Mine -- is only 1,600 feet from affected homes. Roger Schaffer, a Wyoming Department of Environmental Quality administrator, says the USGS study was commissioned before Rawhide Village had a toxic gas problem. Several homeowners have filed suit against AMAX Coal Co., and are appealing a 1987 DEQ conclusion that coal mining did not cause toxic gas seepage. Schaffer says the courts will have access to all studies to decide what is causing the toxic gas problem.

Wolf Haven



Mysterious wolf

As the debate continues over restoring wolves to Yellowstone National Park, a dead wolf was recently found in the area. The wolf was killed in May after a pickup truck accidentally hit it near Chico, 30 miles north of Yellowstone's northern entrance. It was the first wolf killed in the Yellowstone area in 50 years, reports the Casper Star-Tribune. Montana's Fish, Wildlife and Parks Department has sent the wolf to an out-of-state expert to determine if the animal belongs to the gray wolf subspecies targeted for reintroduction in the park, and if possible, to determine if it was wild. John Cada, director of the state agency, said the animal had uncalled pads and unchipped claws, indicating it was probably caged. He said it was also unlikely that the wolf came from Glacier National Park, 250 miles away, or from Idaho.

HOTLINE

A pesticide overkill

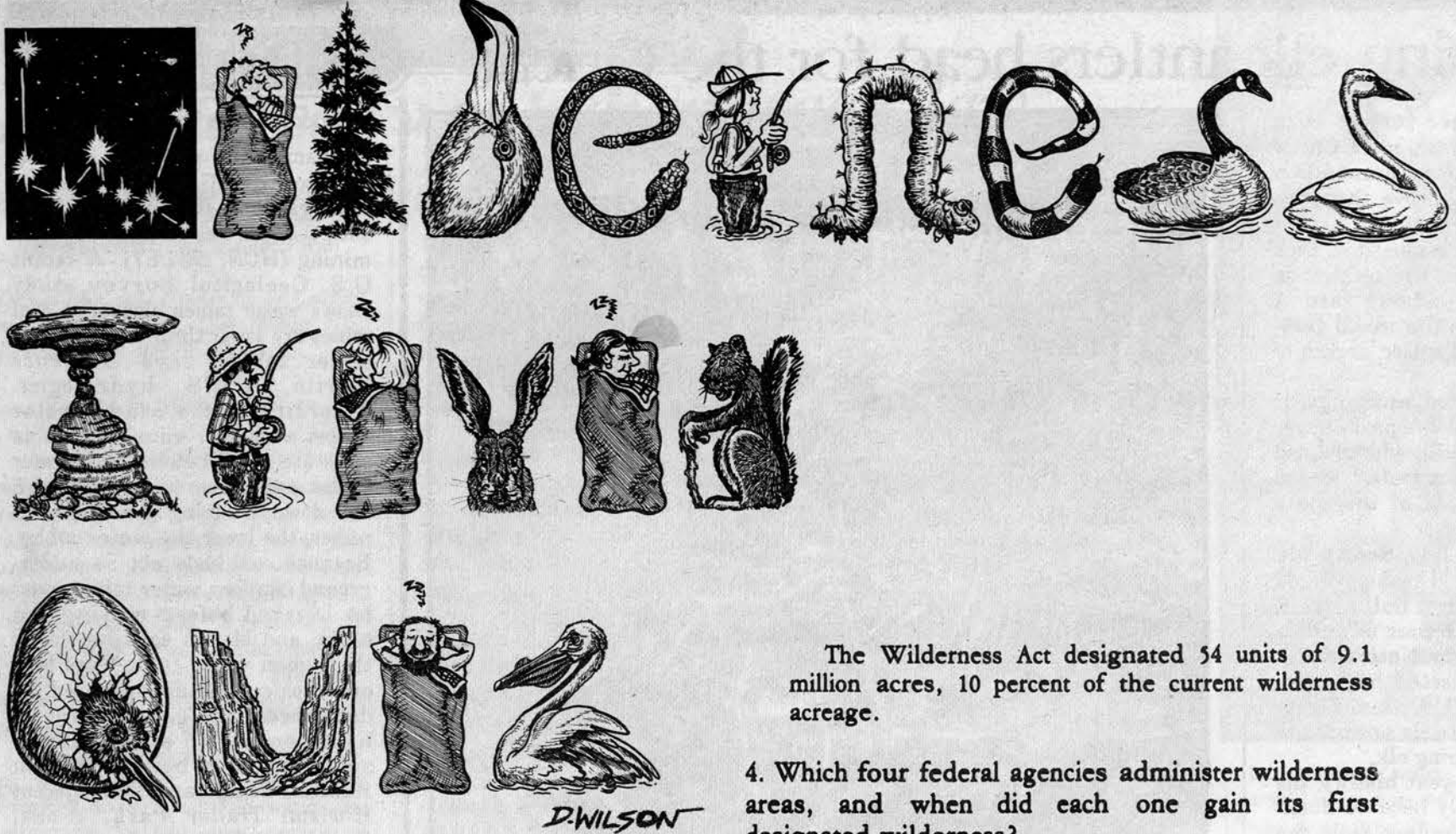
An Idaho farmer spraying three kinds of pesticides on a 50-acre island in the Snake River killed up to several hundred Canadian geese. Idaho Fish and Game spokesman Rick Gilchrist said the farmer sprayed for alfalfa weevil, and the geese poisoned themselves by eating the alfalfa. The state agency and U.S. Fish

and Wildlife Service collected about 80 dead birds, but Gilchrist said several carcasses may have floated downstream. Some of the birds also may have flown off and died elsewhere. The farmer was issued a federal citation for taking geese out of season and could be fined a maximum of \$5,000 and sentenced to one year in jail. Officials feared eagles and other birds of prey would eat the dead geese, but Gilchrist said no poisoned birds of prey have shown up.

Park rush expected

A new state park in Utah expects thousands of visitors this summer, and many will drop in on the spur of the moment. Fremont Indian State Park off Interstate 70 in central Utah opened last July and barely beat bulldozers working

on the Interstate. During the work, a team of archaeologists discovered a Fremont Indian village where "most of the time we were working with bulldozers at our back," says curator-archaeologist Kenneth Kohler. Road construction was held up for one year while scientists uncovered more than 100 sites and cooking areas, as well as petroglyphs lining canyon walls. Kohler says the village is gone now, paved over by a dual-lane highway that passes right by the museum's front door. But the museum has saved intricately carved obsidian figurines, pottery, baskets, moccasins and other artifacts from the culture which probably existed between 500 and 1300 A.D. Kohler adds that the canyon's first inhabitants were probably there as early as 10,000 B.C. For more information, contact Fremont Indian State Park, 11000 Clear Creek Canyon Road, Sevier, Utah 84766-9999, 801/527-4631.



The Wilderness Act designated 54 units of 9.1 million acres, 10 percent of the current wilderness acreage.

4. Which four federal agencies administer wilderness areas, and when did each one gain its first designated wilderness?

All of the lands in the original 1964 wilderness areas were under Forest Service jurisdiction. The first U.S. Fish and Wildlife Service wilderness was designated in 1968, the National Park Service's in 1970, and the Bureau of Land Management's much later, in 1983.

5. What were the first wilderness units under each agency?

Forest Service -- 54 instant wilderness units of the 1964 Wilderness Act. Many were formerly under "primitive area" status.

Fish and Wildlife Service -- Great Swamp Wilderness, New Jersey.

National Park Service -- Petrified Forest Wilderness, Arizona, and Craters of the Moon Wilderness, Idaho.

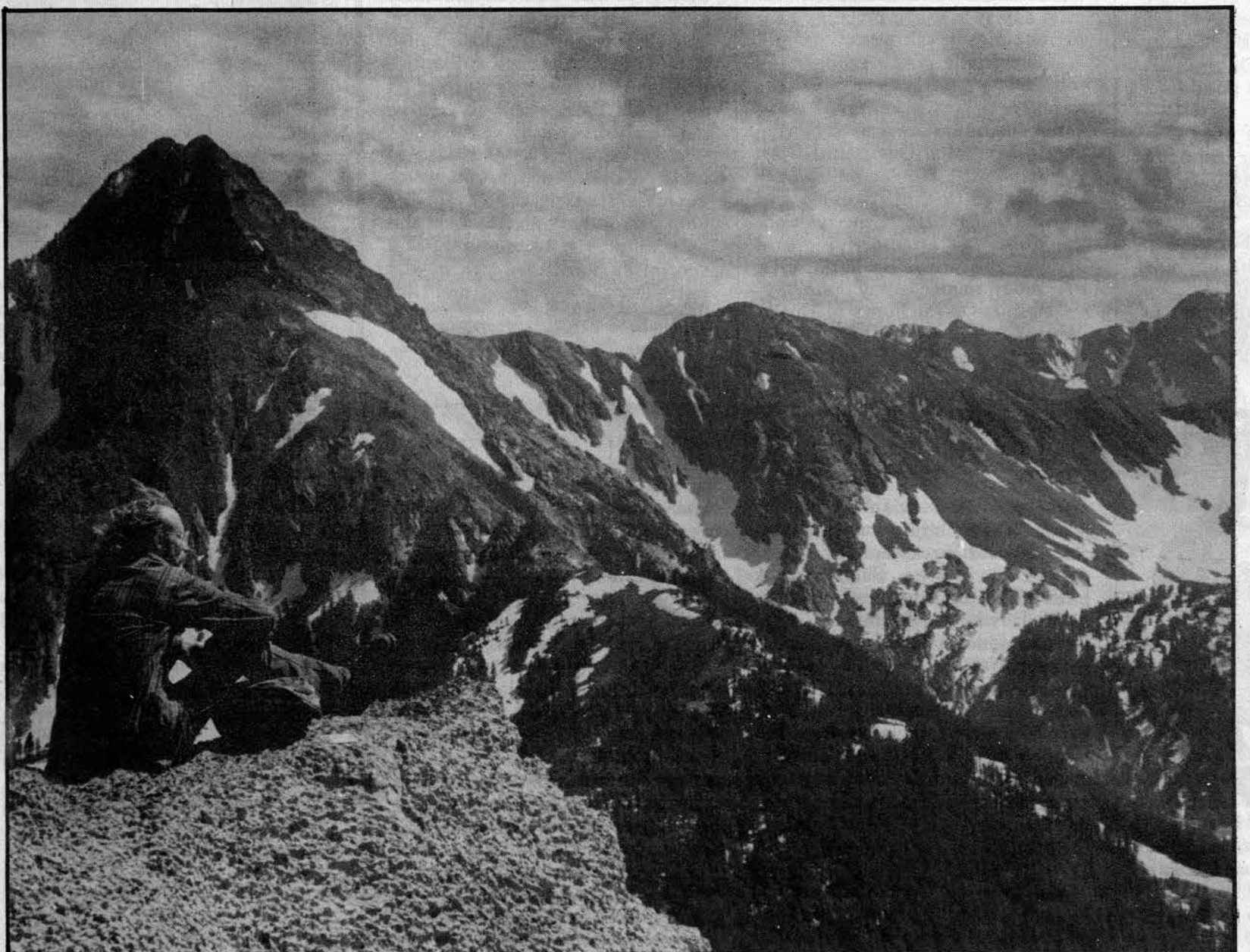
1. How much wilderness is there in the National Wilderness Preservation System?

There are 455 "units" of designated wilderness that total more than 89 million acres, as of the end of 1986. That's 4 percent of the nation's land, an area slightly smaller than Montana.

2. How much of the wilderness is in the contiguous 48 states?

There are 410 areas, but only 32 million acres. So if only the 48 states are considered, less than 2 percent of the land is in designated wilderness.

3. How does the present size of the wilderness system compare to its original size at the signing of the 1964 Wilderness Act?



Photos, clockwise from above: On top of Elephant Mountain in Montana's Absaroka-Beartooth Wilderness, by Tom Shands; Caldwell Basin in Wyoming's Washakie Wilderness, by Ralph Maughan; and New Mexico's Bisti Wilderness, by Brian Walski

Bureau of Land Management -- Bear Trap Unit of the Lee Metcalf Wilderness, Montana.

6. Which of the four agencies now administers the most designated wilderness?

The Park Service administers (or co-administers) 37 million acres in 39 units while the Forest Service administers (or co-administers) 33 million acres in 340 units. Forty-seven or 48 percent of Park Service land, but only 17 percent of National Forest land, has wilderness status. The BLM controls almost as much land as the other three agencies combined, but only a tenth of its land has wilderness status.

7. How does the amount of designated wilderness in this nation compare to the amount of urban or built-up land?

It's about two acres of official wilderness to every acre of urban/built-up land. The U.S. Census Bureau reports there's 46 million acres of the latter.

8. Which states are leaders in designated wilderness and which states have none at all?

Alaska has over 56 million acres of wilderness, 10 times as much as the second-place California, with just under 6 million acres. California has the most wilderness units, 54, and Arizona follows with 48 units. Six states lack any wilderness status: Connecticut, Delaware, Iowa, Kansas, Maryland and Rhode Island.

9. What is the largest unit, and the smallest unit, in the Wilderness Preservation System?

The largest is in Alaska, the 8.7 million-acre Wrangell-St. Elias Wilderness, administered by the Park Service. The Fish and Wildlife Service's Arctic Wilderness, also in Alaska, is a close second with 8 million acres. The smallest wilderness unit is another Fish and Wildlife Service ward, six-acre Pelican Island, in Florida.

10. How many acres does it take to be a wilderness, as recommended in the 1964 Wilderness Act, and how many units in today's system are smaller than that?

A minimum of 5,000 acres or "...of sufficient size as to make practicable its preservation and use in an unimpaired condition." Sixty-two of today's wilderness units are smaller than that, but many are offshore islands.

11. How much designated wilderness is east of the Mississippi River?

Twenty-five percent in terms of numbers of units (114), but only 4 percent in terms of acreage (4 million acres). By comparison, more than 60 percent of the nation's population lives east of the Mississippi.

12. Which U.S. Presidents added the most, and the least, wilderness to the system since it was initiated in 1964?

President Reagan added the largest number of units (197) and Jimmy Carter added the most acreage (64 million, 56 million of which were part of the 1980 Alaska National Interest Lands Conservation Act). Richard Nixon loses on both counts, with slightly over 1 million acres in 32 units.

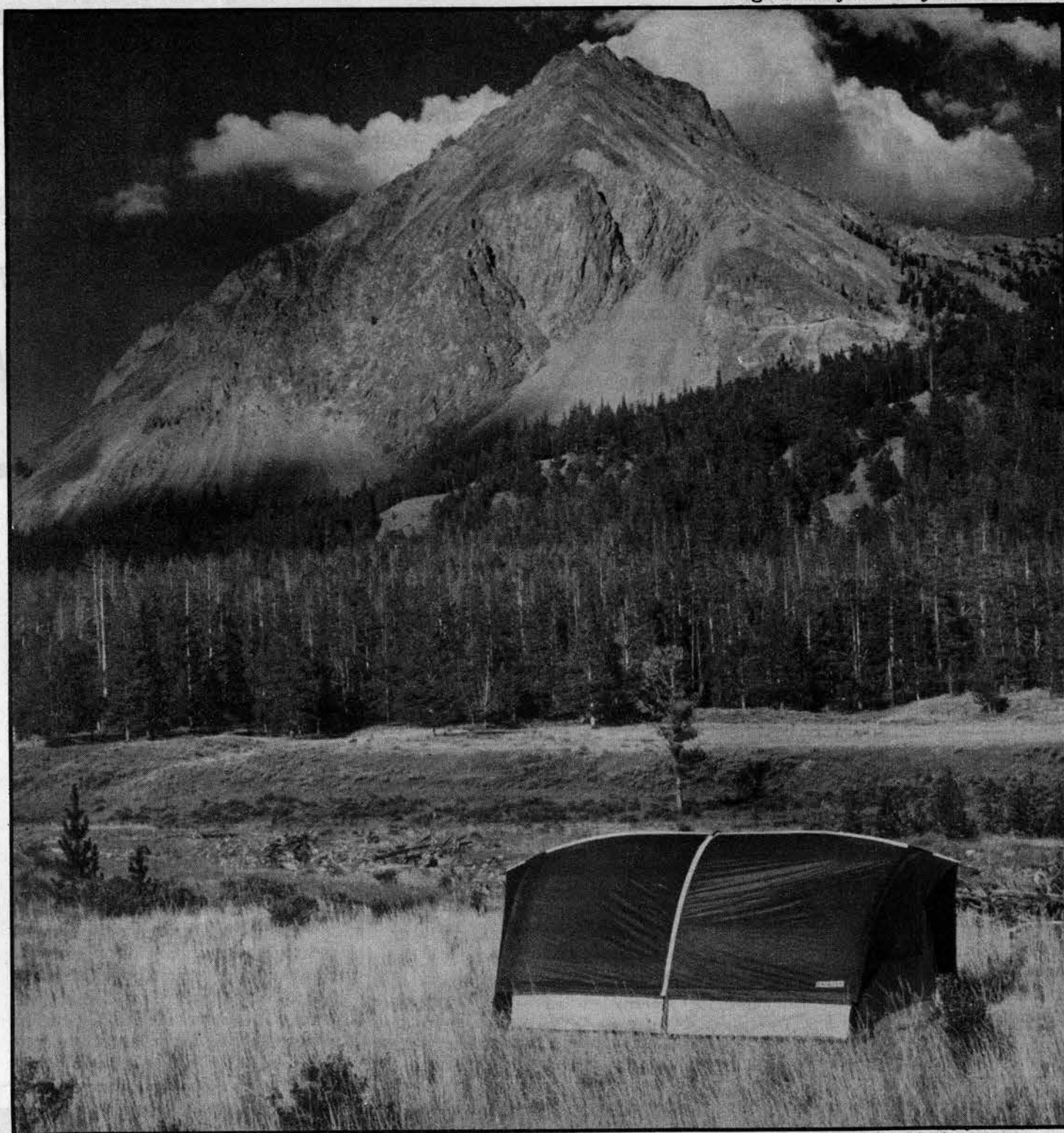
13. Wilderness is created when a wilderness bill is approved by both houses of Congress, and signed into law by the President. Which house introduced bills creating most of the current wilderness acreage?

House of Representative-introduced bills have established 284 units (62 percent) and more than 68 million acres (77 percent) of designated wilderness.

14. Has acreage been removed from any designated wilderness? If so, where and how much?

Slightly less than 3,000 acres have been deleted from three wilderness units: Absaroka-Beartooth in Montana, Bristol Cliffs in Vermont, and UL Bend in Montana.

This trivia quiz is an excerpted, edited form of *A National Wilderness Preservation System "Trivia" Test*, by Drs. Patrick Reed and Glenn Haas. Reed says the numbers in the quiz aren't gospel, due to conflicting information sources, wilderness units that overlap state boundaries and multiple agency authority. The authors are affiliated with Colorado State University and the Wilderness Research Foundation, both in Fort Collins.



Vulnerable...

(Continued from page 1)

Yellowstone. Barbee and park officials have spoken out against the plan and opposed it officially in comments prepared for a Montana environmental impact statement on the development.

They said the development would house hundreds of people near the Yellowstone border, causing a wide variety of adverse impacts. The group's orchards, gardens and sheep threaten grizzly bears, and a proposed well into a local hot springs could dry up the park's thermal features, park officials said.

Barbee said the NPS Washington office must develop a litigation strategy for the entire park system before he can even consider litigation to stop the development. Sax said the cult's development would be a good case to test the strength of the 1978 law.

Many actions perceived as threats to the national parks take place on other federal lands, such as national forests. Oil drilling, timber harvest and mining have been identified by park managers as threats.

But rarely have park officials officially challenged these practices, said Sax. A study he conducted into interagency relationships between Glacier National Park and surrounding national forests concluded the park had no voice in decisions on oil exploration even though it had identified that drilling as a threat to the park.

"We criticized them for being timid," he said. "We recommended the Park Service ought to be involved at the leasing stage."

Glacier Superintendent Gil Lusk admitted they had not always stood up for the park's interests in the past. But he said it has begun to aggressively work with its neighbors to prevent adverse effects on the park.

But each federal agency has its own mandate, Lusk said. The Forest Service and Bureau of Land Management, which oversee mineral exploration, grazing and logging, must give those values equal consideration with preservation and wildlife values.

For the parks to protect their interests, facts are needed, said Lusk. "What we're trying to do internally is build up our research and baseline data, so when I take a stand I have some validity behind it," he said.

George Hartzog, National Park Service director from 1964 to 1972, said his complaints about clearcutting on Yellowstone's border by Targhee National Forest were ignored by the Forest Service. While the two agencies are now talking, he said there needs to be a forum for settling unresolvable differences.

He suggested a register of natural places similar to the register of historic places established in the 1960s which protected historic places from urban renewal and development by considering the importance of specific areas. A presidential commission would oversee an inventory and make recommendations, under Hartzog's plan.

Robert Barbee:

'I've never run into a situation where we couldn't work it out.'

"It would hear those competing interests and advise the president and Congress on their resolution."

Rupert Cutler, assistant Agriculture secretary under Jimmy Carter, said his close relationship with his counterpart in the Interior Department, Robert Herbst, allowed them to resolve the disputes that arose in the late 1970s. But any dispute between the Forest Service and the Park Service is complicated by the different philosophies on which they were built, utilitarianism and preservationism, respectively.

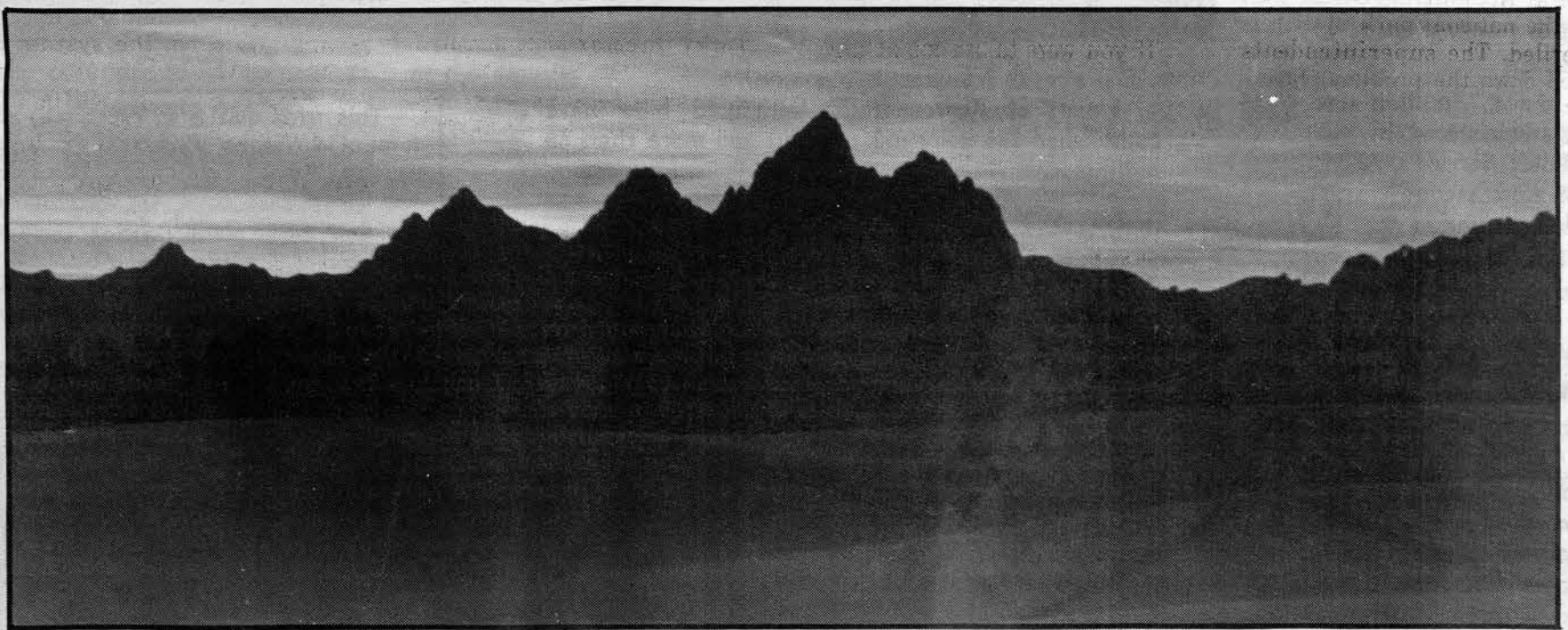
"There has always been a competitive relationship between the two agencies," said Cutler, who as president of the Defenders of Wildlife spoke at the Greater Yellowstone Coalition meeting Saturday.

But Barbee said his relationship with his Forest Service counterparts is good.

"They are not just timber beasts," Barbee said. "I've never run into a situation where we couldn't work it out."

Mott said the parks get a fair shake in interagency disputes. But he said they must be given heavier weight than other public lands. "I think the national parks need to be considered at a higher level."

Mott urged his superintendents to speak more forcefully in defense of their parks. "We must reach out into the surrounding communities in some cases, such as with air and water pollution, many miles beyond the border of a park, and work with government agencies and the private sector to resolve problems before they reach crisis stage."



The Tetons inside Grand Teton National Park

Group ranks nation's 10 most endangered parks

A public lands advocacy group said 10 National Park Service units are severely "endangered" and called for immediate steps to save them. The Wilderness Society, based in Washington, D.C., listed the 10 parks, which were not ranked, as Everglades (Fla.), Glacier (Mont.), Grand Canyon (Ariz.), Great Smokies (Tenn./N.C.), Olympic (Wash.), Rocky Mountain (Colo.), Yellowstone (Wyo., Mont., Idaho), Yosemite (Calif.), Santa Monica Mountains National Recreation Area (Calif.), and Manassas National Battlefield Park (Va.).

George T. Frampton Jr., Wilderness Society president, said "threats to these parks run the gamut from clearcutting and oil drilling on their perimeters to low-

flying helicopters and bombers." The report says Glacier National Park's wildlife is threatened by oil drilling and logging on adjacent national forests, where 2,400 new miles of timber roads may be built within 10 years, and by a \$40,000 Agriculture Department wolf-kill program.

Grand Canyon is threatened by adjacent uranium mines which have already washed tons of high-grade uranium ore into the canyon, according to the report. Rocky Mountain National Park should be expanded, says the society, to protect it from residential development and logging on its borders. Yellowstone is threatened by logging and oil and gas development in adjacent national forests, notwithstanding the formation of

the Greater Yellowstone Coordinating Committee that is supposed to view the entire region in a more unified way.

"Most grizzly bears at Yellowstone rely on habitat in the national forests that surround the park," said Frampton. When the U.S. Forest Service allows clearcutting and oil drilling on those lands, the bears lose. But they're not the only losers. Each of those six forests conducts timber sales that lose taxpayers' dollars."

The Wilderness Society's report criticized efforts to choke off the Land and Water Conservation Fund, the main source of money for the purchase of parkland. "Every year the administration comes to Capitol Hill seeking a

moratorium on land acquisition," the report said. "As long as critical lands in and around the parks remain in private hands, there is little that can be done to prevent condominium construction and other development." Money in the fund comes mainly from offshore oil and gas royalties. The report also criticizes the Reagan administration for ignoring and downplaying the threats and says "the longer we wait to act, the longer the odds of success."

For a free copy of the 22-page report, write The Wilderness Society, 1400 Eye Street, N.W., Washington, D.C. 20005 (202/842-3400).

--Michael J. Robinson

Despite obstacles, managers say parks are in good shape

MORAN, Wyo. -- It had been 11 years since the men and women charged with protecting the 343 national parks, monuments and historic sites had sat down together.

That 1977 meeting came before Ronald Reagan, James Watt and Donald Hodel. Budget deficits were still only in double digits.

They were together again this June for the first time in the 1980s, gathered for a nationwide conference that turned into a reunion for the survivors and achievers of one of the more respected services in federal government.

"We view ourselves as an elite corps with a noble mission," said Robert Barbee, Yellowstone National Park superintendent.

"There is a real feeling of esprit de corps," said Jerry Banta, superintendent of Apostle Islands National Lakeshore in Wisconsin.

The conference was organized by Barbee at the request of Park Service Director William Penn Mott at a cost of \$600,000.

Superintendents of the larger national parks said during a press conference that their parks are in better shape today than when Reagan took over. But conservation groups said political appointees have forced changes in policies that will weaken the Park Service beyond Reagan's tenure.

Several superintendents and National Park Service leaders took issue with recent charges by conservationists and a study by the General Accounting Office that says the national park system is imperiled. The superintendents played down the problems facing their parks, choosing instead to accentuate the positive.

Managers at Yellowstone, Glacier, Grand Canyon and Rocky Mountain national parks cited recent improvements in park ecology as proof that the parks' health is improving. Two dams were recently removed from Rocky Mountain National Park, wolves have returned to Glacier, removal of burros at Grand Canyon has

allowed bighorn sheep numbers to rebound and the grizzly population is showing signs of improvement at Yellowstone, superintendents said.

"I would contend that in Yellowstone we are better off biologically than we were 75 years ago," said Robert Barbee.

A Wilderness Society report released last month suggested the Park Service remove hotels and most of the recreational facilities from Yellowstone and other large parks. The General Accounting Office, a congressional audit agency, singled out Yellowstone's 423-mile road system as one of the poorest in the park system. It said that inadequate funding was allowing the roadways in Yellowstone and other parks to deteriorate.

Barbee admitted the roads were in poor shape but said the park was working on a road construction program. He said Yellowstone has improved many other park facilities in the last eight years. Despite poor housing and tight budgets, morale is high, he said.

Dick Marks, Grand Canyon superintendent, said he had been able to make major capital improvements despite tight funding.

The GAO report said park managers had reported 1987 capital expenditure needs of \$2.2 billion and funding of only \$308 million. That left a shortfall of \$1.9 billion, which the GAO said was allowing the parks to deteriorate.

"If you were to ask me at any time if Glacier needs more to do the job, I'd say yes," said Gil Lusk, Glacier National Park superintendent. "There isn't a manager here who wouldn't want to make their park the best. But the best is expensive."

In the absence of more funding, Brian O'Neil, Golden Gate National Park superintendent, has used "creative" methods of meeting park needs, such as employing volunteers. "I've been challenged

to meet my mandate within fiscal restraints," he said.

But his brother Alan, Lake Mead National Recreation Area superintendent, said creativity only goes so far. Increased funding will be needed to meet the needs of the agency, he said.

Stanley Collender, a federal-budget expert who addressed the conference, held out little hope that pressure from the budget deficit will be relieved soon.

"Any money for new projects will come from existing projects you want and like," Collender said.

Paul Pritchard, president of the National Parks and Conservation Association, said the Reagan administration has cut funds for acquiring private land within park boundaries and opposed new parks. But worse, he said it has tried to put use of the parks above their preservation.

Many of the attacks have been blunted by field staff, Pritchard said. But the Washington staff is made up today primarily of career bureaucrats who have never been in the field, he said. "The genius in the Park Service is out at the ranger level," he said. "It's not in Washington."

"The Reagan years have been a constant battle against a philosophy that recreation is dominant to all other uses of the parks," said Destry Jarvis of the National Parks and Conservation Association. "The last seven years we've seen attempt after attempt after attempt to make fundamental changes in directions of the parks."

Parks Director Mott disputed Jarvis' claim. "We believe the new management policies do protect the parks," Mott told the superintendents they should speak out in defense of park values and resources.

But a key House subcommittee chairman said Reagan administration officials are using the threat of disciplinary action to prevent park managers from expressing their personal views on park issues. Rep. Bruce Vento, D-Minn.,

chairman of the Interior Subcommittee on National Parks and Recreation, said that political interference takes professionalism out of park management.

William Horn, assistant Interior secretary for parks, fish and wildlife, flatly denied Vento's charges. "The Park Service is a public institution," said Horn. "It's a part of the executive branch ... Every agency from the executive branch on down is expected to honor and carry out the president's budget. It isn't muzzling," he said.

Vento, however, pointed out several instances where Mott privately expressed his differences with the administration and then later spoke the administration line in public testimony.

Horn said he and Mott did have differences but had a good working relationship that resolved the issues. "I think it's creative tension," Horn said. "Bill Mott is no shrinking violet and I'm not either. Some people see that lack of monotheism as some lack of harmony. It isn't."

Vento's subcommittee has approved legislation he sponsored that would give the Park Service limited autonomy. It would establish a park review board appointed by the president for fixed terms to oversee the park budget and operations. It also would make the Park Service director a presidentially-appointed position with a five-year term. The director would take over the responsibilities for the parks now held by the Interior Secretary.

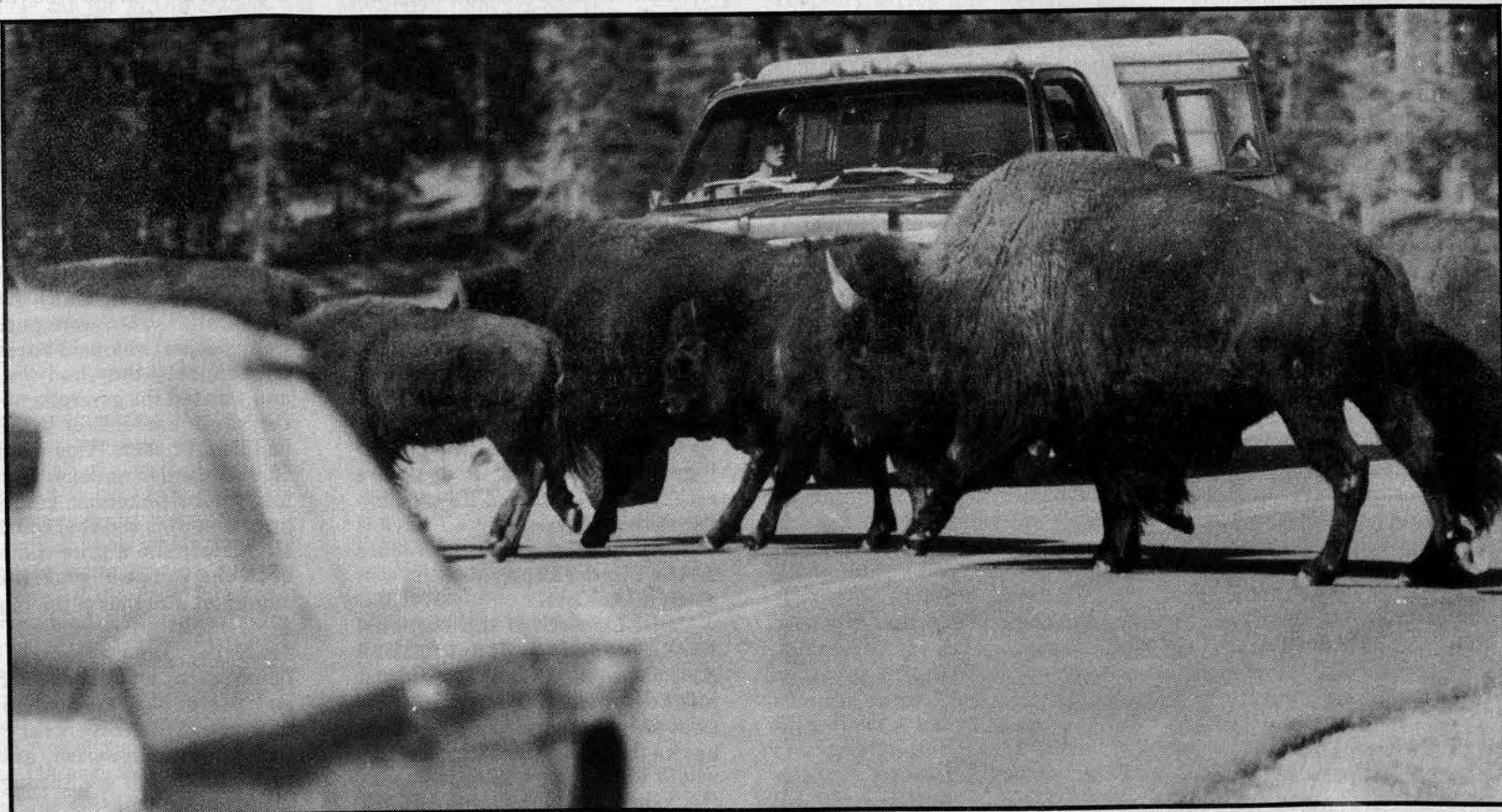
Horn said the bill was unnecessary. "We think the system is working well."

Pritchard said while the superintendents publicly said the parks were in good shape, their own morale was down after eight years of fighting an administration hostile to what Barbee calls a "sacred charge."

There are "a lot of burned-out spirits at this meeting," said Pritchard.

--Rocky Barker

Robert Bouer



A bison-tourist traffic jam inside Yellowstone National Park

Threats from the inside

Inholdings can spell trouble for national parks

—by Michael J. Robinson

• James Thompson and Mary McReynolds owned 160 acres in Wyoming surrounded by Grand Teton National Park. They decided to build subdivisions on their property, but their land lay in the path of an elk migration route. The Park Service went to court to condemn the property, which the agency appraised at around \$3 million. Thompson and McReynolds contested the appraisal and the agency ended up paying more than \$4 million for the land. The elk migration route remained unimpaired.

• Natalie and Bob Valcanoff lived for 28 years in Ohio's pastoral Cuyahoga valley. He built the house they lived in and she operated a florist shop next to their house catering to tourists. Then Congress made the area they lived in a national recreation area, administered by the Park Service. Bill Birdsell, the first superintendent of the recreation area, said commercial operations were not compatible with the park mission, and the Valcanoffs were bought out under threat of condemnation.

Cases like these are not atypical. Scattered throughout the National Park Service's 80 million acres are privately owned cabins, ranches, bed and breakfast inns, mining claims and housing subdivisions. Although native Alaskan corporations claim most of the 4 million acres of non-federal land, hundreds of thousands belong to individuals who use them for business, home or pleasure. Critics say these "inholders," as they are known, threaten to impair the parkland surrounding them and should be bought out by the government. Others insist inholders have a right to remain.

Will Kriz of the Park Service, says inholders can create a variety of problems. The biggest concern of the agency is that harmless uses of private land will be converted into damaging uses.

Kriz cites as an example a small, undeveloped tract of land in Montana's Glacier National Park. The owner intends to build a cabin. The Park Service wants to manage the area naturally and will try to condemn the land to prevent the construction.

Often it is not possible to preempt private impositions on the parks. Zion National Park in Utah, where the Virgin River flows

through a desert canyon, hosts a private cattle ranch. Cattle wander onto the park, upsetting the fragile desert ecology. The Park Service says it plans to trade that inholding for other federal land outside the park.

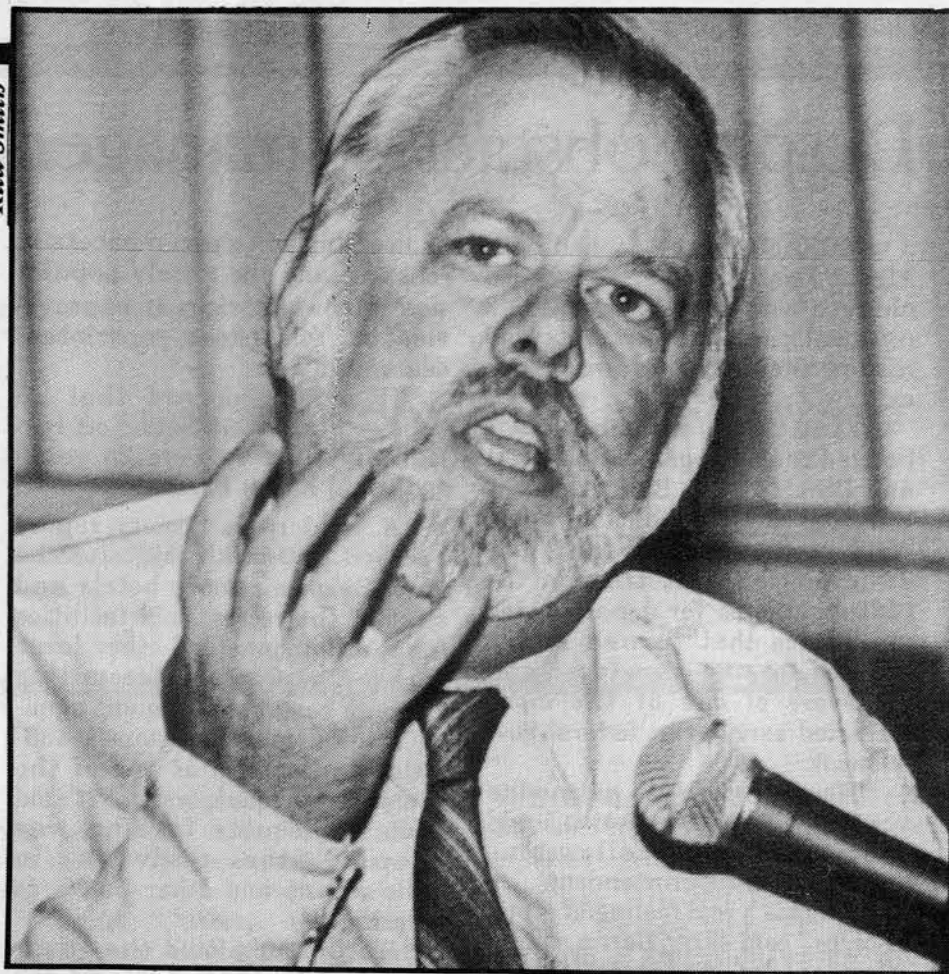
Kings Canyon National Park in California's Sierra Nevada mountains is known for its spectacular granite cliffs rising thousands of feet above turquoise, turbulent rivers. Less well-known is the 300-lot cabin village of Wilsonia nestled in the park. According to Kriz, sanitation problems in Wilsonia have contaminated some of the park's water.

Fifteen thousand inholders around the country are represented by a national association based in the northern California town of Sonoma. Charles Cushman, an ex-insurance salesman and son of a Yosemite park ranger, started the National Inholders Association in 1978. Cushman bought a cabin on private land within Yosemite National Park and fought to keep it after California Rep. Phillip Burton introduced a bill in 1977 to buy up all private inholdings in national parks within four years. "If we were going to save ourselves," he said, referring to the cabin community within Yosemite, "we had to defeat that bill."

Cushman set about to do that. He travelled across the country and met with thousands of other national park landowners who called themselves "inholders." At first, he said, "I was only trying to save my house." But in talking to other inholders he said he discovered a deliberate attempt by the Park Service to eliminate whole communities.

The bill was defeated and Cushman won that battle. Since that effort the National Inholders Association has opposed government purchase of private inholdings on any public lands and has also fought national park proposals that might lead to private inholdings.

The Association has expanded and changed since its beginnings. Its membership has more than doubled since 1982, and Cushman says it has compiled a mailing list of over 1 million, opened a Washington, D.C., office and operates a \$350,000 annual budget. It has also gone beyond representing land owners surrounded by federal



Inholders chief Charles Cushman

land. In 1985, the group fought to keep the livestock grazing fee on public land at its below market level. Cushman says the real agenda behind raising grazing fees is kicking ranchers off public lands, which he says are greatly improved by investments of ranchers.

The group also advocates oil drilling in the Arctic National Wildlife Refuge and logging in the roadless part of Oregon's Siskiyou National Forest, an area burning with a controversy hotter than its forest fire last summer.

Cushman says the inholders group has evolved into advocating multiple-use of public lands, but that a "pro-people" attitude is the common thread with the past. "Good environmentalism has to be supported by a good economy. We have to be able to afford to protect our environment." He says environmentalists "want to keep everyone out of as much of the public lands ... as they can" while his group wants to include people in the environment.

Environmentalists of a different stripe say the association operates cynically. Ron Tipton of The Wilderness Society says the group, and particularly Cushman, "thrive on misinformation ... His forte is to go into an area where there is some discussion (of a new federal designation) ... and play on the worst fears of people in a very misleading way ... No matter what the proposal," he continues, "the arguments from Cushman are the same: You will be forced out; your house condemned." Tipton terms Cushman a "guru" for the inholders who broadened the group's agenda because he "perceived that there was a bigger constituency they could tap." He says the association often goes into a community to find a client who will pay for its services, and that its deceptive attitude has destroyed its credibility with Congress. Tipton says it continues to have some influence on the Interior Department as well as on a local level.

Bill Lienesch of the National Parks and Conservation Association says Congress did not intend inholder communities to exist in perpetuity when it set up parks because that "turns the whole idea of a park on its ears." He concedes that some park inholdings have been bought without sensitivity to the landowners.

But "the record of this program is very good." The abuses Cushman cites represent an "infinitesimal percentage" of the whole, he says.

Lienesch agrees with Tipton about why the association expanded its role. He says in the early years of the Reagan administration, an inholder leader, Rick Davidge, was hired by the Interior Department. During his tenure at Interior, Lienesch says, Davidge -- supported by the department but in defiance of Congress -- stopped almost all national park land acquisitions. Lienesch says that temporary success led the association to its broader role.

Davidge denies Lienesch's charges. He says under his jurisdiction the land acquisition program continued to go forward and that he did not violate the congressional mandate. He says fewer acquisitions were made because the agency paid landowners who had never been compensated for previous acquisitions. He also says inholdings were ranked according to the threat they posed to the surrounding park and acquired accordingly. He says this changed a previous arbitrary buying process which often wasted money on unnecessary acquisitions.

Kriz, of the Park Service, says the unpaid acquisitions Davidge cites were rare. He adds that in general, condemnations comprise between 10-15 percent of Park Service acquisitions. That does not include 46,000 tracts bought within the boundaries of Big Cypress National Preserve in Florida. Those properties, many of which were underwater, were purchased from people who paid excessively for property they had not seen, and wanted the government to pay the same amount for which they had bought them. This resulted in 12,000 condemnations. Kriz says many condemnations result from price disputes and that courts usually determine a price somewhere between the government's appraisal and that of the landowner.

Kriz says the Interior Department's political leadership and three congressional committees must approve every Park Service condemnation, and that only about half get through. He says the Park Service prefers voluntary restrictions rather than

(Continued on page 13)

Coalition maps ambitious plan to protect Yellowstone

The five-year-old Greater Yellowstone Coalition has launched an ambitious five-year plan.

Unveiled at the coalition's annual meeting June 4 at Yellowstone's Lake Lodge, the group's new goals are to boost membership to 3,500 individuals and 100 organizations, increase the annual budget to \$650,000 and establish a long-term plan for the 10 million acres surrounding the nation's oldest national park.

The campaign would be a giant step for the coalition, which was in fiscal shambles at its traditional spring gathering only two years ago. At that time it had only enough money to pay its staff for the coming month. Today the coali-

tion has approximately 1,700 individual and 50 organization members and has a 1988 budget of \$300,000.

The forward-looking five-year plan also marks a shift away from fighting environmental brushfires. "The coalition in its early years spent much of its time responding to the immediate threats around the ecosystem," Executive Director Ed Lewis said. "This was felt to be essential to keep Greater Yellowstone from being whittled away or fragmented to the point it could not recover. Now we intend to develop our own agenda for the future."

Lewis told coalition members the effort would include scientifically defining the amorphous "eco-

system" as well as proposing water, air and soils standards to be applied by federal land managers.

The coalition, seen principally as an organization that concentrated on public land issues, will also turn its attention to private property. Lewis said the five-year plan would make an inventory and propose protection for private land in the region by suggesting environmentally sound zoning and land-use rules for adoption by political subdivisions. The group will also urge public agencies to acquire critical, threatened private property in the greater Yellowstone area, work with private conservancy groups and fight to stop adverse developments.

After retreating several years ago from calls for national legislation to protect the entire ecosystem, the group decided to examine that issue again. To achieve its ambitious goals, the group said it needed to create a fund -- possibly an endowment -- of \$350,000 to \$500,000.

New coalition board member Leslie Petersen said, "I think this organization is on the cutting edge in the Northern Rockies." Petersen, a Teton County, Wyo., commissioner said, "One of the biggest challenges is managing for growth. It is very important for Wyoming to have strong involvement in this effort."

--Angus M. Thuermer Jr.

Agency raps parks maintenance

Spiced with pictures of tipped over pit toilets in Yosemite Park and piles of debris at Golden Gate Recreation Area, a federal report on maintenance in national parks shows a system withering under ever-shrinking budgets.

The General Accounting Office, which reviews federal programs, said assets in the national park system are deteriorating -- some may be permanently lost -- because of inadequate funding.

In 1987, the parks required an additional \$1.9 billion to properly maintain the parks, the GAO said. Three-fourths of the shortfall is needed at just 20 parks, 10 of which are in the Rocky Mountain or Western region.

Many park managers have responded to the shortage by putting off maintenance, sometimes leading to health and safety problems. In Everglades Park, for example, neglected underground pipes are leaking toxic substances into the park's water supplies, the GAO said. At Yosemite's crowded campgrounds, no room is left to dig more pit toilets.

Several park managers said they could only react to crises because the fat in the budget has

been "trimmed away long before now." Road, trails and buildings have deteriorated most, the GAO said, with roads in the worst state of repair. The Federal Highway Administration rated half of all park roads in poor condition and estimated it would take 33 years to fix the backlog of repairs at the current level of funding.

Western park roads may suffer the most. Half of all the system's roads are in just 15 parks; 10 of those parks are in the Rocky Mountain and Western regions.

As budgets shrink, so does staff, adding to the deterioration of the system's \$50 billion worth of assets, the agency added. Eighty-one percent of park managers told the GAO that staff levels were inadequate, and many said they have been that way since 1982.

The GAO concluded that the parks may need another major funding program similar to one from 1982 to 1985, which pumped \$1.1 billion into the park system to repair a backlog of neglected maintenance.

The report is available free from the U.S. General Accounting Office, Box 6015, Gaithersburg, MD 20877 (202/275-6241).

--Stacie Oulton

Inholdings...

(Continued from page 12)

outright acquisition of private land.

Rep. John Seiberling, D-Ohio, who chaired the parks subcommittee in Congress, says the association has damaged the Park Service by making false statements and is partially responsible for slowing down park acquisitions. He says elected officials are susceptible to local pressure, and that Cushman capitalizes on that in opposing new parks and new designations.

"In general, politicians don't like to get involved with controversies if they don't have to," says Seiberling. "So if you can create a big uproar about something, people are going to run for cover." He says the association played a role in preventing a scenic designation for the Big Sur part of the Los Padres National Forest in California.

Like many partisan groups, the National Inholders Association seems to exaggerate its power. The association recently opposed creation of Nevada's Great Basin National Park because of its effect on grazing, hunting and water rights. Cushman claims partial responsibility for getting the park's size reduced from what was originally proposed.

Ferrel Hansen is executive vice president of the Ely, Nev., Chamber of Commerce, which supported the creation of Great Basin National Park. "Holy Cow!", Hansen said in surprise when he heard of Cushman's claim during an interview. "As far as I know," he says, "we had only one presentation by Charles Cushman and the Inholders Association." He says the presentation was emotional and concluded with a request for money to continue efforts opposing the park. When that money was not forthcoming, says Hansen, Cushman left and was not heard from again until he testified against the park in Washington, D.C. Hansen says the NIA had "zero influence" on the size of the park.

Cushman says the inholders group came to life because of Park Service "cultural genocide," and is still needed to thwart an environmental movement running roughshod over people in its zeal for preservation. He predicts a tremendous public backlash that will damage even the more sober environmentalism he says he supports. In seeking to protect individuals and communities from preservationists, Cushman says, "NIA ... has become my life."

For information on the National Inholders Association write Box 588, Sonoma, CA 95476 (707/996-5334).

Barlow...

(Continued from page 16)

for four years until he resigned last month. Meantime, Barlow kept on ranching and writing, selling 360 acres at one point, getting rid of the entire cattle herd at another.

"It kept on getting worse without really collapsing," he said. "I was in a hell of a bind. I couldn't sell it and it couldn't generate enough money to take care of itself. I didn't know when the creditors were going to ride up and nail a sign on the door. Then one day Orfila kind of descended out of the blue."

Orfila is Alejandro Orfila, the former Argentine ambassador to the U.S. and secretary general of the Organization of American States. He and Marshall Coyne, owner and operator of the Madison Hotel in Washington, D.C., offered Barlow a price \$2 million less than he had been offered six years earlier. Barlow negotiated, then sold.

The pair continue to run the ranch using less labor and more modern machines. Barlow stayed on as ranch manager but says he soon found out "you don't run your own outfit for someone else."

Auction day on May 21 was the Barlow family's last day at the Bar Cross. But it was not solely a sad time. "I'm the very definition of mixed feelings," Barlow said. "I've already bled for this thing a long time ago. Now I'm delighted to get away. There's nothing more I can do. I feel like I'm absolved of all my responsibilities. It gave me the ability to accept adversity and things that won't change."

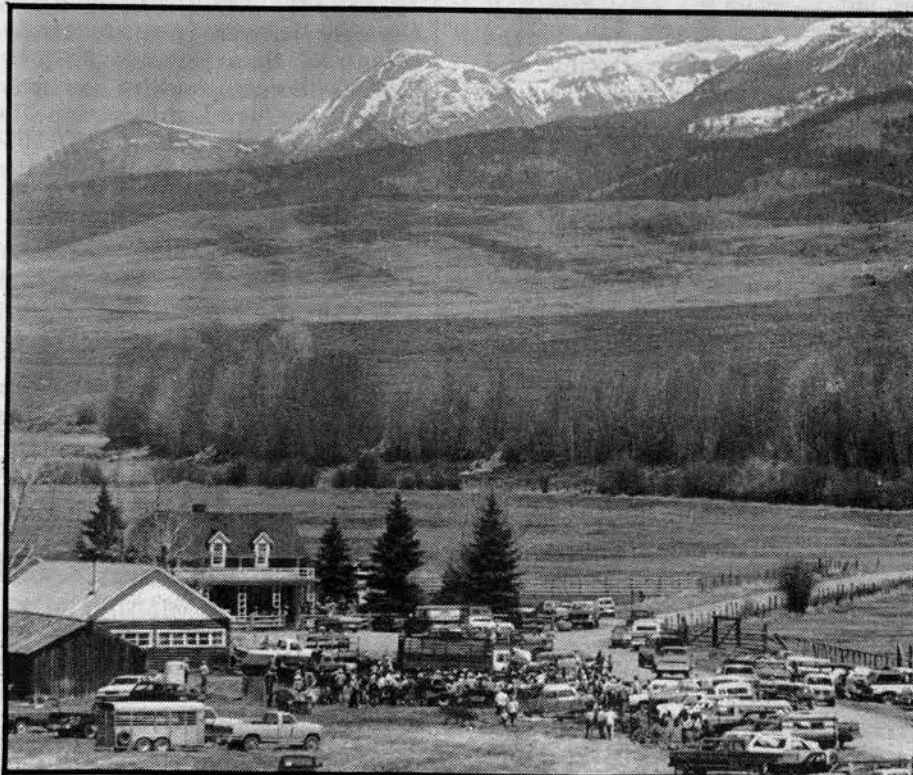
When Barlow grew up on the Bar Cross, he never got the sense his parents wanted him to ranch. Perhaps now he knows why. "Honestly, I don't think I was cut out for ranching. I spent 17 years not being able to say that to myself or anyone else."

Barlow has moved his family to Pinedale where he bought a house and fixed up an office to continue his writing career. One of his prospects is a television series in California -- much like the job he

was headed for when he came back to run the ranch almost two decades ago.

"Part of what I did may have

been my version of writing-avoidance," Barlow mused. "I may have gone for the record. Now I've got something to say."



Auction at the Bar Cross Ranch

LETTERS

INFORMATION?

Dear HCN,

On May 4 I attended a meeting at which spokesman Lee Torrens was to explain the position of the Catalyst Corp. regarding its proposed incinerator at Cisco, Utah. (Torrens is president of Catalyst Waste-to-Energy Corp. of New York, the company that plans to build a toxic waste incinerator at Cisco with CoWest Incineration Inc. of Denver.)

Regarding the scrubbers, Torrens couldn't tell us what kind the installation would have, but they "would be (of) the latest technology." After all, this was an "informational" meeting and he wasn't prepared to go into engineering details.

When Torrens assured everyone that there would be no noxious emissions at the incinerator, he was asked about the proposed discharge of hydrogen chloride at a rate of four to six pounds per hour. He said that we couldn't go into chemistry of the incineration process.

When asked what *would* be burned, Torrens "didn't know." He said that we would have to wait to find out when they applied for a permit.

Can anyone really imagine that a company prepared to invest \$15 million does not know what it is going to do or where its market will be?

Never in my life have I been to an "informational" meeting where I got less information. Why won't he tell us what the company plans to incinerate before the permitting process? If it is so safe, why does he insist on a "buffer zone" between the incinerators and any town?

Should we infer from the evasiveness of the incinerator proponents that they plan to burn nerve

gas or other components of chemical or biological warfare? After all, nerve gas is reportedly being incinerated in Utah already.

Judd L. Perry
Grand Junction, Colorado

Perry is a retired control systems engineer and a member of the Colorado/Utah Alliance for a Safe Environment.

HCN WAS INACCURATE

Dear HCN,

As I told you by telephone on Friday, May 20, 1988, I have grave concerns about the inaccuracies regarding my purported statements on oil shale which you published in the *High Country News* dated May 23, 1988.

First, it is not correct that I wrote or said that "none of the pre-1920 claims is valid" or that in the 1930s "all the claims were abandoned." Your blanket statements misrepresent what I said. I specifically told your reporter that I do not want to take away the rights of any claimant to a valid claim. My intent, however, is to have the government strenuously protect the public domain from divestiture on the basis of invalid claims.

Second, the statement in the first paragraph of the story that "March's critics, who include environmentalists, say he is *obsessed* and opposes a much needed reform," unjustly damages my personal and professional reputation (underlining supplied). To make such a derogatory characterization based on purported statements by *unidentified* persons, with whom I probably have never discussed oil shale, is *unwarranted* and *detracts* from the strength of my informed position on oil shale.

I request that you publish this letter in full along with your complete retraction of the foregoing erroneous and unwarranted statements.

Moreover, inasmuch as your story devoted most of the space to citing the views of others on what was an incorrect and inadequate report of my main factual statements about oil shale issues, I request that you simultaneously publish the enclosed short statement, which I have prepared for the Congress, so your readers may know more of the facts that I have assembled on this matter in the public interest.

Michael S. March, Ph.D.
Boulder, Colorado

Dear Dr. March,

We apologize for the fact that writer Michael Robinson misunderstood your statement on the validity of the pre-1920 leases. We also apologize for the characterization of you. It was unwarranted.

Despite that, the article was fair and balanced, and we do not see the need, nor do we have the space, to print the lengthy statement you included with your letter.

Ed Marston
Publisher

BAD BRADLEY BILL

Dear HCN,

There are two main points for which I fault Peter Carrels' article (*HCN*, 2/15/88). First, the Bradley Bill contains a homestead provision which would open the Black Hills to homesteading by members of the Lakota (Sioux) tribes. There are no restrictions as to how many of these 2 1/2 acre homesteads could be established. Many thousands of acres of heretofore undeveloped land could become yet another generation of private homes.

Carrels' article purported to identify key provisions in the bill but chose to omit this important item. It is significant because, under the provisions of the Bradley Bill, existing private property holdings would remain in current own-

ership. The Black Hills are full of private property, much of it descended from old mining claims. This property and all subdivisions and tourist attractions on it will remain under present ownership. The homestead allowance, then, means additional development for the Black Hills.

The other problem in the article was the consistent description of the Sioux as if they were still a culturally homogeneous people (The Sioux see things this way. The Sioux believe that way.) Sen. Bradley also does this repeatedly in the text of his bill. The truth is that the Sioux are a diverse people. The days of cultural homogeneity grow fainter every day. Sioux people worship in a variety of ways, live in a variety of lifestyles. They watch TV, drive cars, visit Mt. Rushmore from time to time, and even buy Hong Kong bow and arrow sets for their kids. Being able to lump the Sioux together as if they were of one belief may be convenient and may appeal to Americans' romanticized notion of native peoples, but it is not an accurate way to describe them.

Sen. Bradley is also guilty of this stereotyping. He asserts that his proposed land transfer will "preserve the sacred Black Hills from desecration." The bill itself

(Continued on page 15)

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POSITION AVAILABLE: The Alaska Wildlife Alliance is seeking candidates for a Staff Representative position located in Anchorage. Interested persons should contact the Alliance in writing and submit a current resume, letter of interest and references. Please include a writing sample, preferably wildlife-related. Alaska Wildlife Alliance, P.O. Box 190953, Anchorage, AK 99519 (3x11p)

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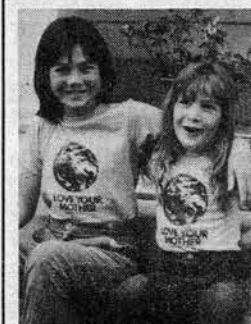
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(Continued from page 14)

does little to mandate any type of land management, other than to say that the land will be managed according to the principle of "respect for the earth." Unfortunately, this principle is without any sort of legal definition. It therefore fails to prescribe a legal, measurable standard of management or protection for the land.

And it must be remembered that, when we speak of the Sioux, we are speaking of a racial group, not a cultural group. Through all the bureaucratic intricacies of Indian law, it remains that without a certain blood quantum, a person cannot belong to an Indian tribe. When someone claims that the Sioux (or any other racial group) feels a certain way about the land, they are saying that a man's beliefs depend on the blood flowing in his veins. This is simply wrong. Further, for all the talk of how the "Sioux Nation" or the Sioux people will benefit from this bill, it is the tribal governments who would receive and manage the land.

What it comes down to in the Bradley Bill is that the senator proposes to turn over public lands to a racial group, based in large part on his perception that this racial group has an inherent love for the land. This myth of Indian as environmentalist is just recently being discussed critically. How does this apply to the Sioux? I've talked with Sioux who wanted to see the Black Hills mined for uranium and who wanted to exterminate prairie dogs with 1080. Some other examples:

The executive director of United Sioux Tribes used his name and title in 1980 to assist a campaign for uranium mining in the Black Hills. In a public vote on the issue that same year, a majority of voters on the Pine Ridge Reservation voted against a measure which would have given the Black Hills added protection against such mining.

A year later, leaders of the Oglala Sioux conducted a "spiritual retreat" at Wind Cave National Park in the Black Hills. One group spokesman said, "Respect us, this is our church." The tribal chairman added that the camp was also aimed at proving something to white residents. "We want to show you we can comply with regulations and take care of the natural resources." After the group broke camp in the middle of the night, National Park Service workers hauled away four truckloads of trash, including toys, food, lawn chairs and auto parts. Also left behind were a dead dog (shot to death) and the remains of an elk that had been poached in the park.

In 1983, the U.S. Fish and Wildlife Service indicted almost 50 people in "Operation Eagle." Most were from South Dakota and most of these were Sioux. The operation broke up a black market ring in which up to 300 bald eagles and other federally protected birds were killed to supply a market that extended all the way to Europe.

In June 1987, the Tribal Council of the Cheyenne River Sioux Tribe passed a resolution exploring the possibility of attracting a high-level nuclear waste dump to the reservation. The resolution was withdrawn a few weeks later following citizen protests.

Each of these instances is but

anecdotal in nature, but the point of reviewing them is simple -- that race is no basis for land management policy. An on-the-ground fact in South Dakota's environmental conflicts is that Indian organizations have tended to involve themselves on behalf of the land only in the context of Indian land claims.

Last year, a Sioux tribal councilman commented on the Bradley Bill to a local television reporter. His remarks, however, were directed strictly to the potential for economic development. The Bradley Bill also seeks economic development in the area. In fact, when the bill's purposes are listed in its opening paragraph, economic development is mentioned first of all.

Spokespersons for the Bradley Bill have made great efforts to stress how sacred the Black Hills are to the Sioux, that money is an unacceptable trade. However, where politics are involved, Bradley Bill proponents are a lot more willing to use the Black Hills as a dealing tool. Thousands of acres of Black Hills National Forest land have been excluded from the claims made under the Bradley Bill for the simple reason that they are in Wyoming and not South Dakota. The Wyoming part of the Black Hills was quickly dealt away in order to prevent yet one more congressional delegation from becoming active in opposition to the Bradley Bill. (In fact, the Ft. Laramie Treaty of 1868 involved parts of 5 states, but proponents have pared the other states' lands from this legislation so as to politically isolate one state and its three-man congressional delegation.) This cynical strategy may show lots of political savvy, but it destroys the philosophical honesty of the bill. Are the Black Hills sacred or not?

If I were interested in the protection of the Black Hills (which I am) and if I were sitting on somewhere close to \$200 million (which the Sioux are), I know I could protect a lot of land. I know that it wouldn't matter so much who owned the land as long as it was protected. If any environmental group were sitting on that much money, a tremendous amount of land protection could be effected.....

Steve Paulson
Rapid City, South Dakota

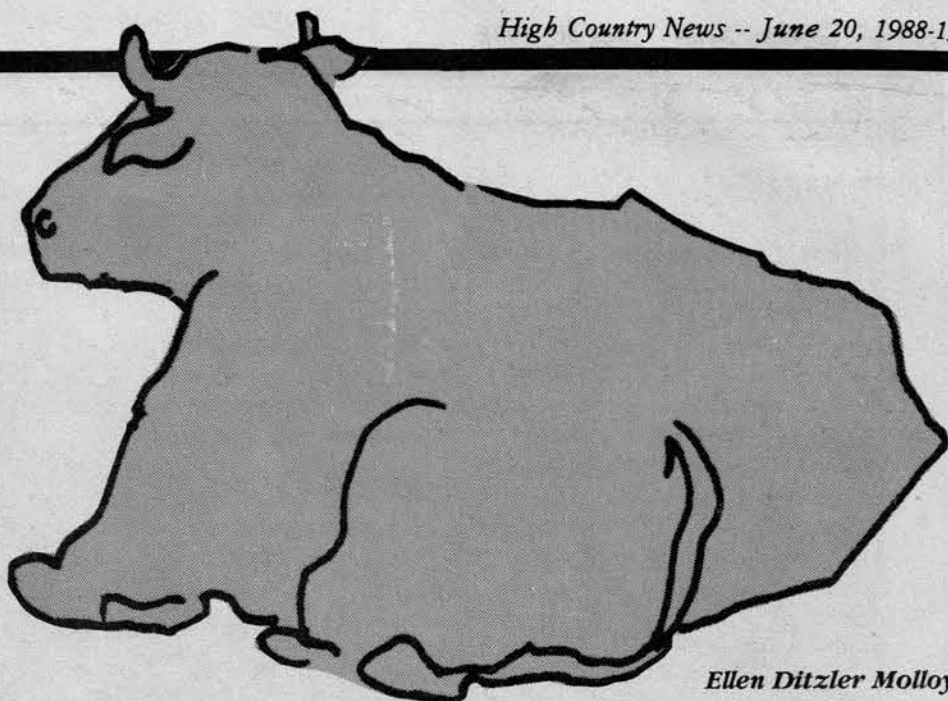
COWS WON'T HELP

Dear HCN,

The two letters to HCN (F.A. Barnes, Feb. 29, 1988, and Kirk Gadzia, May 23, 1988,) make interesting reading because of the monumental importance of the topic and because of the contrasting views regarding the cause and correction of land degradation in the high desert Pinion-Juniper Canyon region of southeastern Utah.

Gadzia generally agrees with Barnes that the cause of land degradation can be largely attributed to a century of severe overgrazing, although he points out several other activities of the early settlers that may have also contributed in a minor way to the land devastation. However, Gadzia disagrees strongly with Barnes' conclusion that "any grazing is overgrazing" for this particular region of southeast Utah.

Gadzia then sets forth the proposition that cows should not be removed from these and other



Ellen Ditzler Molloy

devastated public lands of the West because cows, if managed by Holistic Resource Management (HRM), provide the greatest hope for rapidly restoring these lands. He states that there is clear evidence that cows can function as restoration tools by citing a couple of examples without supporting data. He even appeals to the authority of Aldo Leopold to strengthen his case for cows as a restoration tool.

The fact remains, however, that there is not a shred of scientific evidence to support his proposition that cows introduced from Eurasia can restore the ecosystems of Western public lands -- lands where the vegetation did not coevolve with cow-like critters as did the grasslands of the Great Plains. In fact, the scientific evidence is to the contrary -- that putting cows on fragile Western range is like putting a bull in the china closet.

To support his proposition, Gadzia draws a number of incorrect conclusions from invalid observations. Contrary to his stated observation, the ungrazed is generally much healthier than the grazed ecosystem. The decimation on the cow-side of the fence can be seen everywhere you drive in the West. Also using stabilized mulches on steep slopes to restore vegetation has been a very effective technology, as is well documented in the literature. Again, you can see this technology working along steep roadside embankments all over the West. Gadzia has trouble with the time scale in stating that "50 years is a long time" with reference to the removal of cattle and the apparent lack of ecosystem recovery. Barnes indicates that cows in one century destroyed 4000 years of natural soil building. Fifty years is just about one percent of 4000; thus, one should not expect any discernible improvement in the soil

habitat for plants in such a short period of time.

Western public lands should now be restored to meet the rapidly increasing recreational needs of the public. Removing non-native livestock and fences is the first step. Reintroduction of native plants and animals is the second step and maintenance of the improved ecosystem under recreational pressures is the third. Fortunately, there are many scientifically proven methods for rapid land restoration, contrary to the views of Gadzia, but to use a bull to restore the broken china is utter nonsense!

Aldo Leopold set forth the proposition that "the first prerequisite of intelligent tinkering is to save all the parts." Tinkering with cows in a non-cow ecosystem for 100 years has destroyed many of the essential parts, including the topsoil habitat itself, along with soil microbes, cryptophytes and perennial grasses. Restoration necessarily involves the replacement of these parts as exactly as possible.

Ann Carr
Tucson, Arizona



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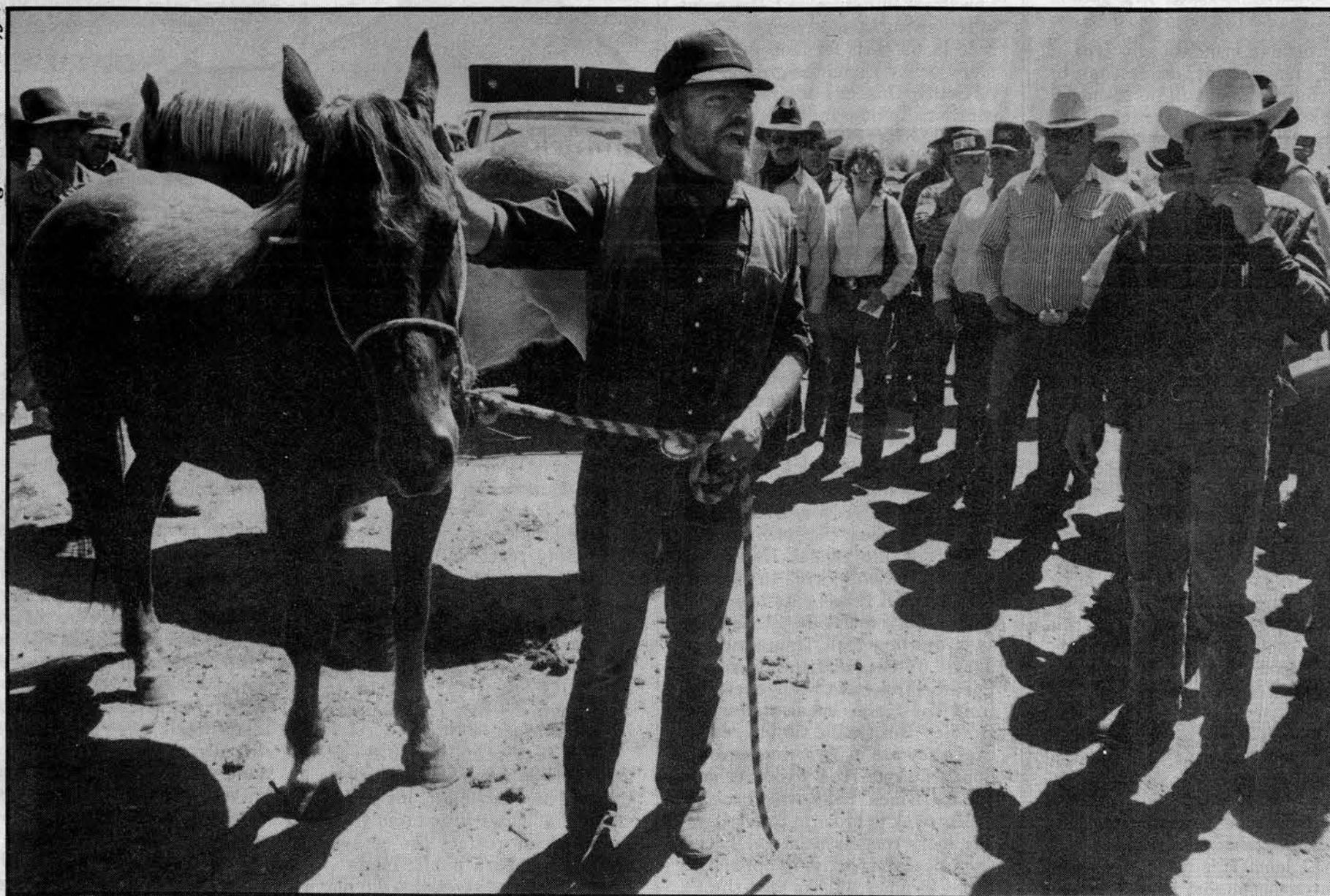
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16-High Country News -- June 20, 1988

Angus M. Thuermer, Jr.



John Barlow auctions off a favorite horse

Ties to ranch cut

John Barlow ends 17 years of writing-avoidance

—by Angus M. Thuermer Jr.

John Perry Barlow was walking among three generations of ranch equipment at the Bar Cross north of Pinedale, Wyo., when a young, chip-shouldered cowboy came up to him. Barlow had prepared himself for such an encounter. It occurred at an auction that would finally cut his family's ties with the expansive ranch near the Wind River Mountains.

Like a specter sent to seek an answer, the cowboy approached Barlow and asked, "How are you?" Barlow said, "Fine." "Why?" the cowboy wanted to know.

"I'm happy to get out of agriculture," Barlow replied. "Don't you feel bad about losing your land?" the cowboy pressed. Barlow said he couldn't understand how something as permanent as land could belong to something as temporary as a human being.

"The ownership of land is probably folly to start with," he said later. "I count myself to be lucky to have visited as long as I did. I feel lucky to have the visit over and have time to start a new life."

The cowboy turned and apparently left. He was never spotted looking at the livestock, never seen holding one of the 160 numbers issued to bidders. He had come for an answer, not for goods. He took the unexpected response and disappeared.

The auction started at the Bar Cross ranch house with old kitchen ware, clothes and furniture. Then they sold the pitchforks, wire stretchers, saws, hammers, teams of horses and single mounts. Saddles, harnesses and other tack

drew outfitters into the barn for spirited bidding. A long row of tractors and trucks was last.

Barlow got into the driver's seat of each machine, fired it up and told its history. "This one arrived on the ranch the day I did," he said of the old, rusting "Diamond T" truck. "I want a \$1,000 minimum bid for sentimental reasons." He got it.

Barlow's roots stretch far into the history of the Upper Green River Valley where the 5,800-acre Bar Cross lies. More than 100 years ago his great-great uncle, Amos W. "Piney" Smith, became the first white man to winter in the area surrounding Pinedale. His family had ranched there ever since and Barlow and his wife, Elaine, were watching the liquidation auction as their fifth-generation Wyoming children ran among the bidders.

Barlow's grandfather, Perry W. Jenkins, bought the actual Bar Cross property back in 1914. He had become tired of his neighbor down the New Fork River shooting at him and decided to move upstream. A former mathematician and astronomy teacher at Columbia, he chose the brand by flipping the plus/minus symbol upside down so the minus was on top. "That's where it belongs in ranching," John Barlow said. The brand was emblematic of the economic trials that were to come.

Barlow left the Bar Cross when he was 14. "Mr. Honda's motorcycles had turned me into a juvenile delinquent overnight," he recalled. He managed a straight F-average his freshman year at Pinedale

High School, a feat which required a certain zealotry.

None of this sat well with the local folk. They told father Norman Barlow, who represented Sublette County in the state Legislature from 1945 to 1963, that he would never win re-election if his son continued to race around the sagebrush-covered ranges. John Perry was packed off to a prep school for the uncooperative in Colorado Springs. Something worked. He went on to Connecticut's Wesleyan College and learned to write. Barlow had changed, but so had things back at the Bar Cross.

In 1966, his father suffered a crippling stroke. His mother tried to run the ranch, but it began to deteriorate. Barlow had an offer to write television scripts in California but decided to deal with his heritage first. In 1971, at age 23, he returned to the Bar Cross.

"Things were in deplorable shape," he said. "I didn't have the alternative of turning my back on it. My responsibilities were clear. I was to get things straightened up and get it sold. I was planning on it taking six months; it took 17 years."

When Barlow took the reins of the Bar Cross, the ranch was \$600,000 in debt. It was money his parents borrowed on the land to invest in commodities, which is a game only the home team wins, Barlow said later. When his father died the IRS sought another \$260,000. "We were packing a killing load right from the start," Barlow said. "I always had this sense whatever I was doing was a holding action."

Meanwhile, Barlow went to

work: writing songs for the rock group called the Grateful Dead, doing his best work with guitarist Bob Weir at the Bar Cross. "It's a damn good thing I got that gig because I came out of the Bar Cross with my dignity and not much else."

He also made his first excursion into environmental politics.

The ogre he faced was an alliance between the nuclear and natural gas industries. The proposal was named Project Wagon Wheel. The bull's-eye was 20 miles south of the Bar Cross. "It was like Dr. Strangelove," Barlow recalled. "They were going to set off five 500-kiloton nuclear devices (underground). There would be five, seven-point earthquakes over the course of 25 minutes." The object was to fracture underground structures to promote the recovery of natural gas.

Barlow revolted again. He and the Pinedale gang went to Washington. They got on the Today Show and appeared in Nicholas Von Hoffman's column. "I realized it didn't make much difference if you were only a bunch of yokels," Barlow said. "Anybody who could use a little theater and the media could make his point. We whipped that snake."

Project Wagon Wheel died and Barlow moved into other environmental disputes. As one who knew both conservation and ranching, he first mediated disputes over wild horses; then, in 1979, earned appointment to the Wyoming Outdoor Council as a director. He served as the council's president

(Continued on page 13)