

High Country News

February 13, 1989

Vol. 21 No. 3

A Paper for People who Care about the West

One dollar

Albert Dickson



An elk and his harem at Mammoth Hot Springs, Yellowstone National Park

Are wildlife unbranded cattle?

by Patrick Dawson

When we conclude that we must bait the farmer with subsidies to induce him to raise a forest, or with gate receipts to induce him to raise game, we are merely admitting that the pleasures of husbandry-in-the-wild are as yet unknown both to the farmer and to ourselves.

Aldo Leopold

BOZEMAN, Mont. — For working people who live in the cities and towns of states like Montana, Wyoming and Idaho, ready access to fishing and hunting has long been compensation for low wages and wild economic cycles. That access is now threatened by the trend toward fee hunting by owners of large blocks of land.

Montana sportsmen are also complaining these days that their access to state and federal lands is restricted by closed private holdings.

From the other side, farmers and ranchers who have seen winter pastures mowed to stubble by elk and deer, haystacks damaged and fences cut by slob hunters, are demanding more economic consideration these days for playing host to the public's wildlife resource.

Closing off private land and charging for access — or even selling shots at selected elk and deer — is the extreme solution to the landowner's complaint. The encouragement of such actions has already brought the wrath of hunting and fishing groups onto Montana Republican Gov. Stan Stephens for his appointments of anti-public-access types to state boards of Fish and Game and Natural Resources.

The complex and emotional debate over fee-based hunting and how it relates to the "public trust" was the focus of a day-and-a-half seminar at Montana State University in Bozeman, sponsored by the Cinnabar Foundation and the Montana Committee for the Humanities. The debate boiled down to private economics and property rights versus the greater public's right to hunt, fish and otherwise enjoy the land. Aside from the legal and economic issues, there ran through the

conference questions of morality and ethics, growing elitism in a democracy, and hints of ecological crisis.

"Wildlife in this country belongs to all the people," said Jim Posewitz of the Department of Fish, Wildlife & Parks. "When this fundamental fact gets ignored or circumvented, we assail the political populism of American wildlife conservation as well as the public trust restraint. Because it belongs to all of us, the state is entrusted with the responsibility to manage it in our common interest. No one person or group is more potentially endowed than another with any right or privilege concerning its use."

For lawyer and ranch owner John Flynn of Townsend, it has become a matter of capitalizing on the land's natural assets: "A rancher raises grass, not cows," he told the gathering. "A rancher doesn't care if he runs that grass through a cow or an elk, as long as he is compensated for it."

Pressing demand by crowds of hunters led the Flynn ranch two years ago to join with other area ranchers in forming Greyson Creek Meadows Recreation Inc., which charges membership fees for access to their lands. Flynn said most of the land is leased to resident hunters and guests, while some out-of-state hunters pay higher fees "to help subsidize the residents."

The growing trend toward the exclusion of resident hunters on private lands, warned Flynn, "is a reality. Once prime hunting ground is leased to an elite few, it will be hard to secure access for resident hunters. More and more private land is going to non-resident hunters. We have to give the landowner economic incentive to tolerate wildlife."

Fellow Rancher John Gilpatrick of Hilger, disagreed with managing land for purely economic motives, saying that the founding fathers, who fled the European tradition of privileged land ownership, "wouldn't approve of the concentrated land holdings today. Our land barons of today are sustained by large, efficient equipment and government farm subsidy programs. This growing concentration of private land will mean less access. It is wrong to deny many of the Lord's blessings to those not fortunate enough to own land."

Gilpatrick noted, however, that "private landowners are not to blame for fee hunting — moneyed hunters are willing to pay." He called upon resident hunters to improve their image and warned his fellow landowners of confrontations and grassroots citizen backlash.

(Continued on page 10)

Dear friends,



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

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

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

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Subscriptions are \$24 per year for individuals and public libraries, \$34 per year for institutions. Single copies \$1.00 plus postage and handling. Special Issues \$3 each.

Snow was general

Snow was general across New Mexico on January 27, as the board of the High Country Foundation converged on Santa Fe for the newspaper's annual budget meeting. In the same way, snow had been general in the Greater Yellowstone area this September, when the paper's board last met. That fall storm spelled the end of the Yellowstone fires that had raged all summer. The New Mexico storm was simply the first good snow northern New Mexico had received this winter.

We had scheduled the winter meeting for Santa Fe in the expectation that a southerly location would bring with it warm temperatures and clear roads. Instead, the board and staff had to slip-slide their way to New Mexico, and then the Denver-area contingent had to slog its way home through the remnants of the same storm, which had dumped 23 inches of snow on the Front Range.

The meeting produced two particularly interesting sights. First, there were four or five board and staff cars Saturday morning at the bottom of the hill leading to our meeting place, the Randall Davey Audubon Center. Drivers and passengers were all busily putting chains on the cars or cussing the car rental firms for not providing chains.

The second memorable sight came that night in the parking lot of the center, which was jammed full of the vehicles belonging to readers who had come to the evening potluck. It looked, one person said, like a Manhattan intersection in full gridlock. Given the six inches of snow on the ground, we thought for a while that the cars would have to remain there, tangled together like spaghetti in a thick white clam sauce, until spring. But High Country News readers are resourceful, and they untangled the lot with, so far as we know, only one crunched parking light.

While we were in Santa Fe, New Mexico was arguing over the appropriateness of its state motto — *Crescit Eundo* or "It grows as it goes." We have no quarrel with the motto, except for our inability to understand it; but we would suggest a change in the state nickname, from Land of Enchantment to Land of Enchantment, But No Plows.

Our survey of New Mexico highways and especially of Santa Fe streets revealed that the state's initial reaction to a storm is to let the snow accumulate to a depth of approximately four inches, and to then apply sand. The sand, by the way, is of a beautiful red color, which goes wonderfully with the white of the snow and leads the visitor to forgive much.

A great potluck

All of the High Country Foundation's three-a-year board meetings are followed by potlucks. The gatherings are always enjoyable, informative events, but this one ranked right up there with two other all-time greats: the potluck two Januaries ago in Boulder, Colorado, and the one last January in Salt Lake City.

Santa Fe subscribers are fine cooks, blessed with an instinctive knowledge of what others are bringing to a potluck, even though the others come from Santa Fe, Albuquerque, Taos, Los Alamos, Questa, Colorado Springs, Boise and Los Angeles.

Only the staff miscalculated by not getting enough wine. On Saturday afternoon, when we looked at the solid ice on Santa Fe's streets and the deep snow in the parking lot of the Audubon Center, we decided that the 120 people who

Steve Ryder



A fire gutted one of Paonia's historic buildings Feb. 4. The Odd Fellows Hall was home to musical reviews, plays, dances,

political rallies and senior citizen dinners during its 83 years. Now, only a brick shell remains. The fire was thought to have started in the kitchen.

RSVPed weren't going to show up. We expected 20 or so at most. Instead, it seemed (no one did an accurate count) that something like 100 people jammed into the center, and at least a zillion cars were out in the lot.

In addition to being good cooks, good company and good drivers on icy roads, the readers proved calm in a pinch. At one point, the lights in the Audubon Center failed, leaving the building as dark as the inside of a cow. Everyone stood calmly in place until David Henderson, who runs the center, got the lights on.

This was the paper's first trip to northern New Mexico and we met people we had known only as voices on the telephone, as well as people we had not known at all. The youngest person there was Noah Bridgers, now going on three months, who came with parents Doug and Roberta from Questa. Tony Davis, who writes for this paper about WIPP, and who had the lead story on Manuel Lujan in the last issue, came up from Albuquerque, where he works for the Tribune.

A person whose name we didn't get, but who works for the New Mexico State Library, made a suggestion we are going to adopt. She said public and school libraries should not be paying the higher, institutional subscription rate. We will make the change as soon as possible.

That was one of scores of suggestions, criticism and information staff and board picked up during the potluck. All were appreciated and will fuel our New Mexico coverage for months.

The HCN board

The board meeting began on Friday evening, with an after-dinner meeting at the Rutgers Barclay Gallery to discuss issues board members saw as important. Tom France, an attorney with the National Wildlife Federation in Missoula, Montana, discussed, naturally, wildlife issues; Robert Wigington, an attorney with the Nature Conservancy in Boulder, discussed various water-related subjects; and Dan Luecke, a hydrologist with the Environmental Defense Fund in Boulder, talked about Front Range development.

Others who attended the initial meeting were Herman Warsh, who related how his ranch north of Yellowstone in Montana had escaped the fires. Other board members at the meeting were Michael Ehlers, an art salesman from Boulder, and Michael Clark, who is the head of the Environmental Policy Institute in Washington, D.C. Mike was the only conservationist to testify against Manuel Lujan at his Senate confirmation hearings for Interior secretary, and he talked about that experience. The meet-

ing was conducted by Adam McLane, a Helena CPA and the board's president.

On Saturday, the Friday contingent was strengthened by John Driscoll, a member of the Montana Public Service Commission; Bill Hedden, a furniture maker from Moab, Utah, who had risked several months' income by bringing thousands of dollars of newly made furniture through the New Mexico storm to a Santa Fe gallery; and Jeff Fereday, an attorney from Boise. Missing were Andy Wiessner, Lynn Dickey, Sally Gordon and Tom Bell.

There were three major issues for the board to consider: the 1989 budget, election of new board members, and election of board officers.

1988 was a good year

Budget discussions are usually long, contentious affairs, but this one went quickly. In part that was due to good 1988 results. Although the preparation of the four special issues pushed the total expense budget from an estimated \$278,000 to an actual \$307,000, income rose even more, from an estimated \$267,000 to an actual \$318,000. That was due to an additional \$20,000 generated by the Renew Early subscription campaign, and to a jump in Research Fund income from an estimated \$85,000 to an actual \$104,000. As a result, on a cash basis, the paper ended the year with a \$12,000 positive margin. (Non-profit organizations don't make profits.)

The 1989 budget projects expenses of \$345,000 and income of \$333,000, for a projected deficit of \$22,000. The paper has adequate reserves to absorb such a loss, should it occur. The budget calls for the paper to send 100,000 pieces of direct mail in search of new subscribers — the same level as 1986, 1987 and 1988. Although we have not increased spending on promotion over the past several years, circulation has grown steadily, from 3,633 in 1984 to 6,155 in 1986 to 6,905 at the end of 1988.

The board voted unanimously to add two members to the board, achieving full strength of 15. The new members are Karil Frohboese of Park City, Utah, and Lynda S. Taylor of Albuquerque. Karil is a freelance writer and a board member of Zero Population Growth in Washington, D.C. She has served as president of the national board and of the Utah Chapter of ZPG.

Lynda is with the Southwest Research and Information Center in Albuquerque, where she directs the radiation, toxics and health project. This fall, she served as field operations director for the Tom Udall for Congress Campaign in Albuquerque.

These appointments add balance

(Continued on page 15)

WESTERN ROUNDUP

WIPP is still a long way from opening

A likely scenario for the Waste Isolation Pilot Plant in 1989 is one of more meetings of top state and federal officials, more promises of action by the U.S. Department of Energy and more delay in getting WIPP opened. Originally scheduled for an October 1988 opening, WIPP has now been put on hold until a land withdrawal bill clears Congress and until DOE takes care of at least a half-dozen unresolved scientific and legal issues.

WIPP's delay prompted Idaho and Colorado officials to close their states to further storage of the plutonium-contaminated transuranic waste that they want to go to the Carlsbad, N.M., dump. That has created a nuclear waste traffic jam that threatens to close down the Rocky Flats nuclear weapons plant outside Denver, Colo., (HCN, 12/19/88).

To try to settle their differences, the governors of Idaho, New Mexico and Colorado held a much-publicized private meeting in Salt Lake City in mid-December. In January, five congressmen from the same three states toured WIPP, Rocky Flats and the Idaho National Engineering Laboratories near Idaho Falls.

After both the meeting and the trip, the various parties issued statements saying their sessions had eased tensions among the three states and DOE, and educated the congressmen about relative safety risks from the three waste sites.

"I saw in WIPP an environment that was ideal for disposition of the wastes," said Rep. Richard Stallings, D-Idaho. "I saw a tremendous emphasis on safety. I was very impressed with the whole operation."

"We came away encouraged about the possibilities of reaching agreement on legislation," said Rep. David Skaggs, D-Colo. "It is as much the human element as anything you can point to in the way of logical evidence." Marc Johnson, spokesman for Idaho Gov. Cecil Andrus, agreed. His boss left DOE's closed-door December briefing "convinced they made a very compelling case relative to the national security necessity of keeping Rocky Flats operating."

Yet behind those statements lie major differences. Skaggs and Rep. Bill Richardson, D-N.M., want to forbid WIPP from opening until the dump meets Environmental Protection Agency standards. But Skaggs would allow WIPP to open earlier if DOE came out with a clear statement of what it plans to do with the wastes at first, and where the department would take the wastes if the site flunked its tests for meeting the standards that are scheduled for five years after opening.

Idaho's Stallings would let "a non-political group of scientists" decide how much, if any, waste DOE should bring to the facility for experimental purposes before meeting EPA standards. That proposal begs a very tough question, since virtually every group of scientists involved in the WIPP controversy is political in some other group's eyes.

Rep. Joe Skeen, R-N.M., says Congress should simply "tell DOE to come up with a plan to recommend (how much waste) they need, justify that need and go on."

"We need to get on with this business of land withdrawal legislation without trying to prove that we are the only guardians of safety when we know nothing about the scientific reports," said Skeen, whose district includes the heavi-

ly pro-WIPP Carlsbad area as well as the dump.

At the December meeting, DOE announced a series of steps to calm governors' fears that the delays at WIPP might prove never-ending. It has started proceedings to withdraw WIPP's land administratively from its current owner, the U.S. Bureau of Land Management, in case Congress repeats its 1988 failure to pass a land withdrawal bill.

It has created a task force to search for short- and long-term alternative disposal sites in case WIPP doesn't open soon. And, it is holding monthly briefings with top state officials on WIPP's progress.

But DOE also has announced its second delay in the opening, from June until August 1989. "The chances of their

opening in late August 1989 and of my flying the next space shuttle are approximately the same," New Mexico Gov. Garrey Carruthers told reporters recently.

"I'd be willing to bet you a cold six-pack of Diet Coke they're not even ready the first of December," said Carruthers.

One of Carruthers' top environmental aides, Kirkland Jones, predicted DOE would need at least until December 1989 to obtain a permit to bury hazardous wastes that are mingled with WIPP's nuclear wastes. That may take longer if environmentalists fight, as expected, against a DOE petition to the state, claiming the hazardous wastes won't migrate into groundwater. And DOE recently announced it plans to redo its 1980 environmental impact statement on WIPP because of a new raft of issues rising in the past decade. The department couldn't specify which issues it will study.

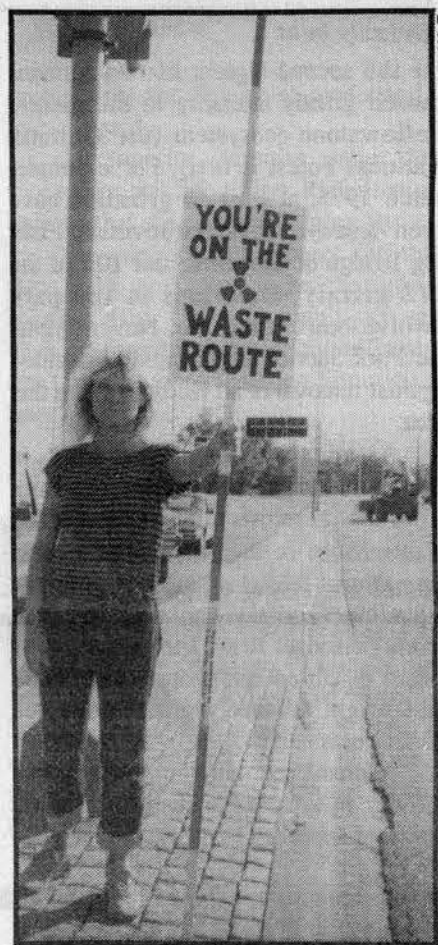
But veteran WIPP critic Don Hancock of Albuquerque's Southwest Information and Research Center ticked off a bunch: transportation, brine seepage into the site, a brine reservoir beneath it, the hazardous waste problem and changes in both the type of waste bound for WIPP and the site's mission.

Meanwhile, the man who started much of the current furor, Idaho Gov. Andrus, remains firm on his ban on shipment of new transuranic wastes into INEL from Rocky Flats, even though the DOE has met one of his two conditions for lifting the ban.

Last week, agency officials agreed to begin an accelerated \$464 million cleanup of the more than 2 million cubic feet of radioactive wastes improperly buried at the Idaho National Engineering Labs. However, Andrus told AP he will not open Idaho's borders until a WIPP land withdrawal bill is introduced in Congress.

That is not likely until the New Mexico delegation works out its differences.

—Tony Davis



WIPP protester in Santa Fe, New Mexico

Reagan tries to break logjam

The Gipper may be gone, but his final farewell continues to cause a stir in the Northwest.

Embedded in the last budget Ronald Reagan submitted to Congress is a proposal to lift a ban on selling logs cut on federal lands to countries abroad. It is not going over well with Northwest lawmakers.

"Mills are closing because they can't get logs," said Oregon Senator Bob Packwood. "To export them is just folly."

"We will not be a tree farm for the Japanese," added Oregon Congressman Peter DeFazio.

Current law prohibits the export of logs harvested from federal lands but doesn't cover those cut on state or private lands. More than 2 billion board feet of unprocessed logs are annually exported to mills in Pacific Rim countries.

As the law now stands, states do not have the right to ban such exports. DeFazio has introduced legislation to give states that right but has run head-

long into officials from Northwest ports, who cite the number of seaside jobs that the exports create.

What's more, some companies are permitted to replace private timber they export with timber from national forests. This practice, say environmentalists, is part of the reason for the imminent timber shortage in the Northwest. And DeFazio has asked for an investigation into reports that some companies are using loopholes to export more logs than the law allows.

On the other hand, timber industry officials say that the timber shortage is caused by environmental challenges that tie up logging. Packwood is threatening congressional action to limit judicial appeals of timber sales.

Reagan's parting proposal may not ignite congressional support. Packwood points out that previous administrations have unsuccessfully tried to lift the export ban, and predicts this attempt will meet the same fate.

—Jim Stiak

HOTLINE

Redwoods face the axe

Some of Oregon's tallest trees may be coming down. The Siskiyou National Forest plans to cut almost half the state's remaining coastal redwoods — more than 300 of the world's tallest trees — over the next two years. Coastal redwoods grow only in northern California and the southwest corner of Oregon, but by some estimates, only 4 percent of them have survived the arrival of loggers some 140 years ago.



A fish story

Their image may not be as rugged as that of the cowboy, but trout farmers could become a new Western hero. Trout farmers in the West say theirs is a growth industry which in many cases has sprung out of economically depressed rural areas. Part of the success of this fish story is that there is a diverse market and high demand for fish in American diets. The five-acre Road Creek Trout Farm near Escalante, Utah, with the help of other ranchers turned part-time fish-farmers, raises over 80,000 pounds of trout annually. Road Creek sells its fish smoked as jerky and in pates, says manager Jeff Peterson. In Idaho, where 80 percent of the nation's trout is raised, the fish is sold fresh or frozen. In Colorado, many fish-farmers have targeted the recreation industry, selling live fish to private fishing clubs and ranches, says Miles McMillan of McMillan Trout Farms in Delta, Colo. Fish farmers have a national organization, called U.S. Trout Farmers Assoc., Box 220, Harpers Ferry, W. Va. 25425.

Suit over Rocky Flats

The Sierra Club has filed suit against the Department of Energy and Rockwell International to shut down operations at Colorado's Rocky Flats nuclear weapons plant. The suit charges that DOE and Rockwell are incinerating mixed hazardous and radioactive wastes without permits required under the Resource Conservation and Recovery Act of 1980; have not monitored the emissions produced by the incinerators; and have never conducted trial burns to ensure the safety of the public downwind. Rocky Flats, located 16 miles from downtown Denver, recycles plutonium from old warheads and hazardous wastes to make triggers for thermonuclear bombs. DOE officials say under the Atomic Energy Act, the Flats' three incinerators are exempt from federal environmental law because they are part of a process used to recycle plutonium for weapons use. Eugene DeMayo, vice-chair for the Sierra Club's Rocky Mountain Chapter, says the group filed the suit because the Environmental Protection Agency and state Health Department have not been able to force a cleanup in operations at Rocky Flats. "We want to know what's going on there and judge for ourselves whether we want to live here," DeMayo said. "Not even the state or the EPA knows what comes out of those stacks." The plant's incinerators have been the cause of several major accidents in the past three decades and, more recently, were closed by DOE inspectors due to repeated safety violations.

HOTLINE

Sudden switch for Clark Fork bill

The Wyoming Legislature is considering a bill that may jeopardize wild and scenic designation for the Clark Fork of the Yellowstone River, says Peg Abbott, lobbyist for the Wyoming Audubon Council. Although a federal bill now in committee would take precedence over state law, conservationists fear a weakened state bill would send the wrong message to Congress. The Wyoming delegation has said that it will follow the lead of the state on the designation (HCN, 6/20/88). Abbott says the original bill, Wyoming H.B. 442, seemed to be noncontroversial, with even local chambers of commerce supporting it, but it was assigned to the House Revenue Committee where chairperson Cynthia Loomis opposed it. By noon the same day an amended bill, written by the conservative Wyoming Heritage Society, was under consideration. Loomis is on the steering committee of the Heritage Society. Abbott says the amended bill urges development rather than protection by minimizing the river's water allocation, taking away the management of adjacent lands from the Forest Service and BLM, and demanding a survey of development potential on those lands. The amended bill also eliminates a council that would search the state for possible additions to the wild and scenic system. One hopeful note, says Abbott, is that due to Wyoming's short legislative session, the bill may die before it is put to a final vote.



Cranes and bald eagles get a break

A water project the National Wildlife Federation says would have jeopardized the survival of whooping cranes and bald eagles was struck down by the Nebraska Supreme Court last month. The Catherland water project would have impounded 125,000 acre-feet of water on the Little Blue River. A canal would have brought water to the reservoir from the Platte River, further reducing water flows at downstream crane and eagle habitat areas. The decision came after years of litigation, and NWF attorney Christopher Meyer, based in Boulder, Colo., says the project is probably not dead yet. The state Supreme Court "missed an opportunity to write new law on the responsibilities of water project developers under the Nebraska Nongame and Endangered Species Conservation Act," Meyer says. Instead, the court ruled on more narrow grounds that the transfer of a water-right application from a natural resources district to a reclamation district was void. The Catherland project is one of many proposed for the Platte River and its two main forks, the largest being the huge Two Forks project on the South Platte southwest of Denver.

Grizzly habitat is being nibbled to death

The Greater Yellowstone Coalition has compiled a 187-page draft report by Dawn Amato and Don Whittemore that brings together in one volume much of the current knowledge about Yellowstone's grizzlies.

The report records the threats to the species, which has been protected since 1975 under the Endangered Species Act. Starting with that year, the authors have documented 127 mortalities in the greater Yellowstone area, only 17 percent attributed to natural causes.

Humans are responsible for 82 percent of all known and probable grizzly deaths. Illegal kills account for 38 percent of these deaths, and are the largest single factor in grizzly mortality.

All illegal mortality occurred on national forest lands, where the authors say the cumulative influence of increasing access and human activity suggests even greater human-bear conflicts in the future. The authors examined national forest plans in the area and found that planned activity during the next five years will directly affect 26 percent of the bear's habitat.

The Gallatin forest plan, for example, allows roading and logging on 46 percent of its identified grizzly habitat. Recent studies cited in the report suggest that logging can significantly affect Yellowstone grizzlies. One Yellowstone bear researcher reported that 90 percent of all radio-collared grizzly bears were found in timber and 75 percent of all locations were within 100 meters of the timber edge. Because of the importance of timber to the bears, the authors say increased logging increases the likelihood of human-caused bear mortality.

A second threat listed in the report is oil and gas exploration and development. Oil and gas leases or applications cover 47,813 acres of occupied grizzly territory; 91,000 additional acres remain open to future leasing. The report identifies three areas where leasing has occurred within essential grizzly habitat:

- 40,000 acres on the Gallatin National Forest's Hebgen Lake Ranger District near West Yellowstone, Mont.;
- Situation 1 (areas needed for grizzly survival) habitat also on the Gallatin National Forest near Yellowstone's north entrance;
- Mount Leidy Highlands on the Bridger-Teton National Forest.

Livestock grazing is a third problem. The report states that 535,830 acres, or 44 percent of national forest grizzly habitat, is still open to cattle and sheep grazing. Since 1975, 20 percent of all known and probable grizzly bear mortalities in the greater Yellowstone area resulted from conflicts between bears and livestock.

The report also notes that grazing may eliminate or reduce plants grizzlies need for food, and lead indirectly to increased mortality, either through starvation or by forcing the bears to forage more widely, bringing them into contact with people. In response to this problem, the report states the Forest Service has taken steps to shift sheep grazing away from prime grizzly habitat.

In developed areas, researchers found that bears are most likely to be killed by forest or park managers. "Management actions" accounted for 21 percent of all known mortality between 1975 and 1987, and were the second leading cause of grizzly deaths after illegal kills. Many of the deaths involved nuisance bears in or near developed recreation sites.

Yellowstone National Park accounts

Buddy Mays



Grizzly bear

for the second-highest known human-caused grizzly mortality in the greater Yellowstone ecosystem (the Gallatin National Forest is first). For example, since 1975, at least 10 grizzlies have been destroyed at the controversial Fishing Bridge development, and 102 of the 272 grizzly relocations in the park involve bears at this site. Nevertheless, the Park Service has tentatively decided against removal of all facilities from this area.

Although Yellowstone Park is important to the grizzly, the authors write that its recovery ultimately rests on maintenance of high quality habitat in the national forests around the park. But the authors also say that "many national forest personnel do not appear to be fully aware of current and proposed activities that might adversely affect occupied grizzly bear habitat."

"Considered individually, any one activity in a particular district or forest may not appear to be significant relative

to grizzly bear welfare ... However, when considered collectively, the activities planned to occur on national forests during the next five years will directly impact at least 26 percent of the grizzly bear habitat within national forests of the greater Yellowstone ecosystem. Either national forest personnel do not understand the concept of cumulative impacts to grizzly bear habitat, or they simply are failing to pursue analysis on an appropriately broad scale, and in a timely fashion, in order to prevent excessive impacts."

The draft report is illustrated with numerous graphs. It also contains an appendix which lists all grizzly bear mortality by location and cause of death, and an extensive bibliography of references. Copies will soon be available from the Greater Yellowstone Coalition office, 420 W. Mendenhall, Bozeman, MT 59715 (406/586-1593).

— George Wuerthner

HOTLINE

Rivers pay the price

The National Wildlife Federation has sued the Western Area Power Administration, charging that federal hydroelectric dam operations are destroying the river environments of the Colorado, Green and other Western rivers. The Western Area Power Administration, part of the U.S. Department of Energy, markets electricity produced at federally owned hydroelectric dams in the West and controls operations at the Glen Canyon Dam in Arizona, Flaming Gorge Dam in Utah, and several other federal hydro projects. The lawsuit, filed Dec. 20 in U.S. District Court in Utah, says the power administration has ignored the environmental and socio-economic impacts of both its current and proposed water and energy policies. The suit asks for an injunction on pending electric contracts until the agency conducts an environmental impact study and considers less damaging alternatives. The National Wildlife Federation, which is joined in the case by the Grand Canyon Trust, American Rivers and the Western River Guides Association, says that the power administration's practice of marketing "peaking power" (power sold when daily energy demands are highest) results in widely fluctuating flows on Western rivers. Federation officials charge that because of the Agency's policies, water levels on the Colorado



River below Glen Canyon Dam fluctuate by as much as 13 feet per day, "washing away beaches and streamside vegetation in the Grand Canyon ... and pushing several species of endangered fish to the verge of extinction." The groups also charge that by selling peaking power, the power administration is promoting increased use of coal-fired power plants, causing regional air pollution and acid rain.

BARBS

Perhaps the governor needs to lose some weight.

Colorado Gov. Roy Romer, D, recently threatened to "roll over" and "crush" people seeking a referendum on the proposed \$3 billion Denver airport.

Forest imperils grizzlies, ex-employee says

Grizzly bears are getting short shift from officials on Montana's Gallatin National Forest in the greater Yellowstone ecosystem, says a veteran biologist with the Forest Service.

Biologist Sara Johnson said several episodes during 1988 convinced her that "the grizzly is interfering with what (Gallatin forest officials) really want to do."

Johnson said she struggled with the Forest Service's management bent throughout her 14-year career with the agency.

But, she added, recent strife between grizzly bear recovery efforts and what she called the "commodity oriented" course of the Gallatin forest led her to take a leave of absence, and later to resign from her post at the Gallatin's Bozeman ranger district.

For example, Johnson said, she was assigned to do a biological evaluation for a series of timber sales planned northeast of Gardiner, Mont., in an area bordering the Absaroka-Beartooth Wilderness.

"My job was to determine if any of the activities the Forest Service had planned would impact the grizzly," Johnson said.

"I started out by talking to people who know the area and getting records of grizzly sightings in the area from the Interagency Grizzly Bear Committee (the *ad hoc* body charged with managing the grizzly bear recovery effort in the northern Rocky Mountain region). Everybody I talked to clearly indicated the area was regularly used by bears."

But the proposed timber sales were in an area mapped as "Situation 3" bear habitat, a classification which does not require managers to give the bear priority over other contemplated uses.

Johnson examined the habitat maps and saw that the adjacent Absaroka-Beartooth Wilderness was designated Situation 2 land. That classification gives grizzlies far greater protection.

Moreover, Johnson found, the map line delineating the Situation 2 area from the Situation 3 area precisely matched the wilderness boundary line.

Knowing that recovery guidelines require habitat boundaries to be drawn to match ecological boundaries, not administrative borders, Johnson asked for a review of the lines in the area she was looking at.

"I saw the line didn't fit bear use patterns at all, so in my evaluation I sug-



Sara Johnson

gested that the line be re-evaluated," Johnson said.

Her superior, Bozeman ranger district range wildlife officer Rich Inman, insisted that she delete the suggestion.

"He said the lines were set and that they were not going to be changed," Johnson said. "What he didn't say and what I inferred is that (Gallatin officials) don't want to keep pushing Situation 2 lines farther and farther out."

Inman said Johnson's charges are unfounded. "Our intent is to achieve 100 percent recovery of all the threatened and endangered species we deal with, including grizzlies," Inman said.

"Sara is concerned that we may not be doing everything possible to protect the grizzly," he continued. "I respect that opinion, but the U.S. Fish and Wildlife Service, the agency in charge of certifying our recovery efforts, says that what we're doing is adequate. I leave it to you to judge who is correct."

Inman also refuted Johnson's suggestion that Gallatin officials do not want to re-draw management lines.

"Nothing's static. The management situation lines were drawn with the best knowledge available at the time, but no one is saying they won't someday be changed," he said.

"But somewhere along the line you have to say the lines are good enough for now. Sara's biological evaluation said

that unless the lines were re-drawn, she would conclude that the timber sale could affect bears.

"The position I took was, let's go with what we've got now rather than come up with a 'may affect' decision when we already have a 'no effect' decision from the Fish and Wildlife Service."

Johnson said finding a place where bear habitat lines were poorly located is not what really concerns her.

"There are bound to be mistakes made; I have no problem with that. But you should be able to refine the lines. That's the scary part to me. It's like the lines are cast in concrete," she said.

Johnson cited two other episodes during 1988 that concerned her. In the first, she evaluated a land swap Gallatin officials were considering.

She gave a qualified endorsement to the proposal, but asked that motor vehicles be banned from the area until a specific review of the impact vehicle access would have on bears. But her superiors allowed access before that assessment was begun.

In another instance, another forest biologist was asked to prepare a biological evaluation of a timber sale "on about a week's notice," Johnson said.

On top of short notice, she said the biologist was told he would not be able to visit the site of the proposed sale because there was too much snow in the area.

According to Johnson, evaluating the impact of logging on bears in the area "was just a paperwork exercise. They found out there was a piece of paper they needed ... and they assigned somebody to get it."

Johnson said she now has "no faith" in the habitat lines as they have been drawn in the Gallatin National Forest. And even where the lines are properly placed, she said, forest officials appear to view grizzly bears as little more than a hindrance to achieving other objectives.

If bears get so little respect on the Gallatin forest, Johnson wondered, what is the standing of grizzlies on the other five national forests in the greater Yellowstone ecosystem?

—Joseph Piccoli

The writer covers environmental news for the *Jackson Hole Guide*

HOTLINE



One of the 524 dead horses found in central Nevada

Suspects indicted

Five Nevada cowboys were indicted by a federal grand jury Jan. 25 in connection with the alleged shooting of 40 wild horses (HCN, 11/21/88). Arrested and hauled before a U.S. magistrate were David Morehead, Shannon Brannon, Eugene Thacker, David Thacker and Ronald Hage. Morehead, 37, the ranch foreman for the C. Punch Ranch northwest of Lovelock, Nev., and Brannon, 20, a ranch employee, are charged with shooting 34 wild horses and three burros. Each count carries a possible fine of \$1,000 and two years imprisonment. The Thacker brothers and Hage are charged in the shooting death of five mustangs. The indictments sprang from an investigation that began in August, when a private helicopter pilot happened upon the carcasses of more than 40 mustangs in central Nevada. Since then, additional discoveries have increased the death toll in the case to 524. Bureau of Land Management officials say the investigation is continuing. There are an estimated 25,000 wild horses in Nevada, and about 600,000 cattle. Despite that ratio, cattlemen blame the horses for overgrazing BLM land. Some environmental groups say BLM and ranchers have abused the grazing lands by allowing too many cattle on the lands.

Bottlers bury deposit bill under avalanche of cash

Nearly \$500,000 spent on an advertising campaign helped convince Montana voters in November to reject an anti-litter initiative that would have placed a nickel deposit on beverage containers.

It was the second defeat of deposit legislation in Montana in eight years. Both followed campaigns where more than half of the money came from large, out-of-state corporations. Voters defeated the latest "bottle bill," as it is commonly called, by nearly 4 to 1.

In Montana, the contest pit grassroots citizen groups against container manufacturers, beverage producers, distributors, grocers and recycling centers, whose extensive television, radio and newspaper ads put their message into virtually every Montana living room this fall. Their group, called the Committee Against Forced Deposits, raised more than \$478,000 in cash and in-kind contributions to the roughly \$54,000 raised by

Montanans for Litter Control and Recycling, the Montana Public Interest Research Group and Common Cause/Montana. Most of the opponents' contributions were cash, while proponents relied mostly on in-kind contributions.

"It was David and Goliath, but in this case Goliath was surrounded by a pack of high-paid lawyers and ad men," said Brad Martin, executive director of MontPIRG, the group that spearheaded the initiative.

Five out-of-state corporations contributed 53 percent of the total amount the anti-bottle bill political action committee raised, said C.B. Pearson, Common Cause/Montana executive director who monitored the PAC's financial reports. The five were the Industry Union Glass Container Promotion Program, Washington, D.C.; Coca-Cola Inc., Atlanta, Ga.; Anheuser-Busch, St. Louis, Mo.; the Can Manufacturers Institute,

Washington, D.C.; and Pepsi-Cola Co., Somers, N.Y.

Besides contributing funds, Coca-Cola Inc. of Atlanta sent an employee to Montana who spent at least 17 days helping shape the campaign. Among other actions, the employee met with the state director of the AFL-CIO in an unsuccessful bid to convince the union to oppose the initiative, Pearson said.

Monitoring by Common Cause probably limited the number of out-of-state consultants sent this year, Pearson said, adding that at least 14 came to Montana in 1980 to defeat a bottle bill on the ballot.

Frank Capps, who was treasurer for the Committee Against Forced Deposits, operates two Thriftway groceries in Helena, Mont. He said money spent to defeat the 1988 bottle bill was well worth it.

"That would have been a minimum amount of what it would have cost us to

implement (the bill)," he said. Capps said he saw nothing wrong with corporations contributing to the campaign to protect their business in Montana.

"They are our industry. They are affiliates, you might say. We don't consider them out-of-state money," he said. "If Shell Oil donated money to fight this, I would question it," he said.

While Pearson said he believes that some Montana companies, including recyclers and small convenience stores, genuinely oppose bottle bills, he said they do not object "to the degree that is whipped up by the opponents" from out of state.

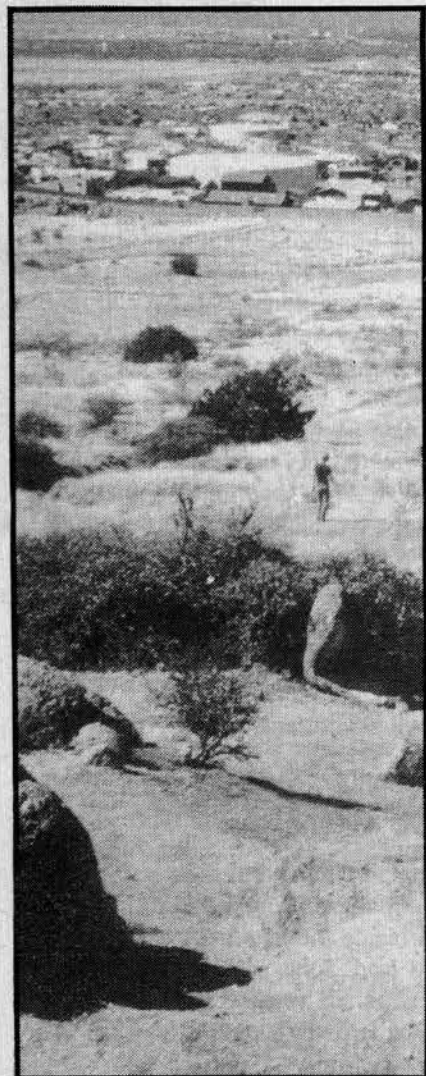
Pearson said his group became active on the bottle bill initiative because "Common Cause has always been concerned about the role of money in elections and what that means to the average voter."

—Tara Gallagher

HOTLINE

Environmentalists back the Forest Service

Six Nevada ranchers sued the Department of the Interior and Forest Service, saying management plans for the Toiyabe and Humboldt national forests call for too much wilderness. The ranchers, who hold grazing permits on Forest Service land, sued to halt implementation of plans that would cut the number of cattle and sheep allowed on the range, shorten the grazing season and protect riparian areas. They were joined by the Nevada Land Action Association, a group which describes itself as "dedicated to the protection of livestock grazing." The ranchers charged that the agency puts unfair blame on livestock for "all perceived problems" in the forests. Environmental groups are planning to join the legal battle on behalf of the Forest Service. Bill Vincent, a spokesman for Citizen Alert in Reno, Nev., says supporters include the National Wildlife Federation, Sierra Club and the Natural Resources Defense Council.

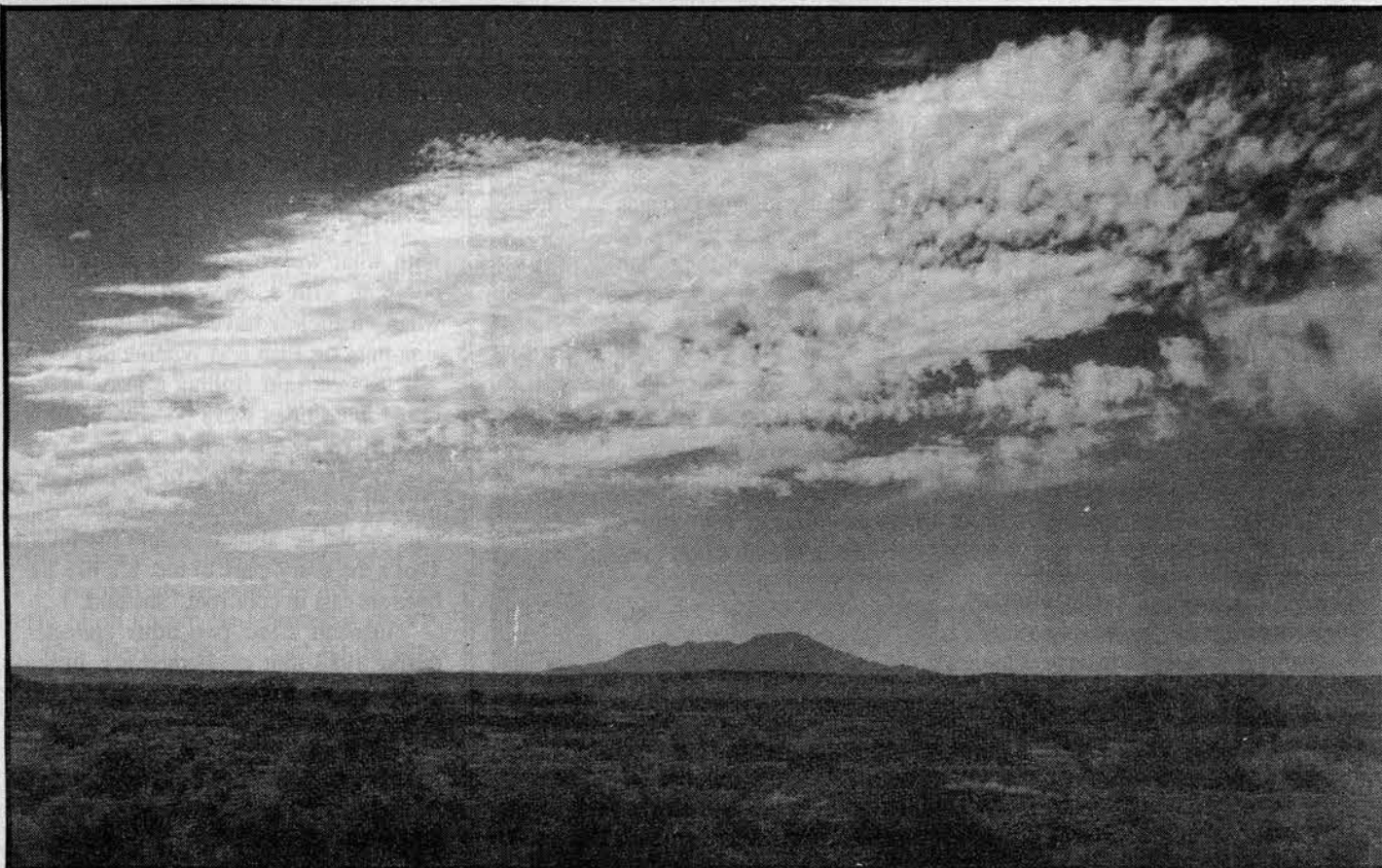


Albuquerque's newest open space

Albuquerque gains open space

Albuquerque, N.M., gained some needed open space thanks to a cooperative effort. The Forest Service and city of Albuquerque bought the 324-acre Rounds Estate, which links city parklands with the nearby Sandia Mountain Wilderness, after the Trust for Public Land arranged for purchase of the land. It had been slated for a luxury subdivision. Although the Forest Service originally owned the tract, it traded the land to private interests in 1964. As the city moved outward, the Forest Service tried to reacquire the land. All attempts failed until 1987, when the Trust for Public Land negotiated an option to buy the property from a local developer. Albuquerque voters then became involved by approving a sales tax to raise \$4.25 million of the purchase price. A congressional appropriation matched the amount and, with a donation from the owner, the Forest Service again added the \$10.7 million tract to its holdings.

Charles Gallagher



Central New Mexico near the Ladrone Mountains

Instream flow proposal is diverted in N.M.

Conservationists pushing for a law preserving instream flows in New Mexico rivers are once more finding a formidable foe in State Engineer Steven Reynolds.

Encouraged by the National Wildlife Federation's Rocky Mountain regional office, the New Mexico Wildlife Federation has drafted a bill that would recognize instream flow as a beneficial use protected by state water laws. But many concede that Reynolds could sink any meaningful measure.

"It's not clear that it's needed," Reynolds said in a Jan. 24 interview. He said all New Mexico rivers already are fully committed to use while remaining free-flowing streams in the state's high mountains are unlikely to be diverted for development.

As state engineer since 1955, the 72-year-old Reynolds has built a reputation as the unchallenged master of New Mexico water law and politics. Usually, Reynolds' opposition has been all that's been needed to persuade the New Mexico Legislature to scuttle instream flow proposals.

Whether the Legislature reverses course this year "entirely depends on Steve Reynolds," said former State Land Commissioner Jim Baca, who now manages the Middle Rio Grande Conservancy District in Albuquerque. "He just seems to have this magic hold over those guys."

Due largely to Reynolds' doubts, New Mexico is one of only three western states, along with Oklahoma and South Dakota, that make no provisions for maintaining instream flow in their water laws. Western water laws based on the doctrine of prior appropriation traditionally recognized water rights only if water was physically diverted from a streambed for beneficial uses. But 16 western states, most recently Utah and Wyoming, have adopted some form of protection for rights to water left in streams for wildlife and recreation.

New Mexico has circled around the issue, however. Former New Mexico Gov. Toney Anaya asked Reynolds and New Mexico Game and Fish Department Director Harold Olson to work out an instream flow bill. They never reached agreement.

Two years ago, the New Mexico House of Representatives approved an instream flow bill sponsored by Rep.

Max Coll, a powerful Santa Fe Democrat who chairs the House Appropriations Committee. But a state Senate dominated by conservatives sidetracked the measure after Reynolds raised questions about the cost of administering instream flow rights.

While Reynolds never came out in direct opposition, "he had sufficient questions that he would not support it," recalls environmental attorney Susan Tixier, who lobbied the 1987 bill through the House. "And that effectively killed it."

This year, New Mexico Wildlife Federation President Fred Gross, a former Republican state senator, is trying to build support for a measure that would allow conservation groups and other private owners to commit their water to instream flow without losing their rights.

But Reynolds' interests lie elsewhere. In consultation with him, New

Mexico Energy, Minerals and Natural Resources Secretary Thomas Bahr has drafted an alternative bill that would restrict instream flow protection to high-altitude streams with no present diversions. The Bahr draft requires the state Legislature to designate stretches where instream flows could be protected, and only the state Game and Fish Department could acquire instream rights.

Bahr's proposal "is absolutely lousy," said David Henderson, the National Audubon Society's New Mexico representative. "What they're saying is let's go out and designate everything that's already *de facto* instream flow."

Bahr is expected to call a meeting with Reynolds, conservationists, farm and ranch groups, and game department officials to discuss a compromise before legislation is formally introduced.

—Tom Arrandale

HOTLINE

Horse deaths have repercussions

Security guards at the Tonapah Testing Range in Nevada who bet on how many wild horses would die of accidental poisoning may have something else to bet on — whether they lose their government contract with the Department of Energy. Last November, Reynolds Electric Engineering Co. spilled urea, an agent used for de-icing roads, into a desert water source frequented by wild horses. After the animals started keeling over, 18 security guards each bet \$1 on the number they thought would die. Fifty-one horses died convulsing and bleeding at the mouth, and 10 more that appeared to be in pain were shot on the advice of a Bureau of Land Management veterinarian. The Humane Society of Southern Nevada, which received an anonymously sent betting sheet, criticized the incident as "morbid, demented and extremely unprofessional." They say they will pursue the issue until Advanced Security loses its contract. In the meantime, the Nevada Division of Environmental Protection directed Reynolds Electric to develop three new springs on the base for other wild horses

and also imposed a \$15,000 fine. The BLM, which manages the wild horses, is waiting for a legal opinion before imposing any penalty.

Resort planned near Grand Canyon

A Phoenix, Ariz., developer and the Hualapai Indians of northern Arizona are planning a large resort and observatory complex on reservation land near the south rim of the Grand Canyon. Developer Tom Kelly's proposal includes a hotel with telescopes in the rooms and sites for 12 to 20 observation points. Tribal Comptroller Brian Deveau told the *Arizona Republic* that the eight-square-mile development near the confluence of Prospect Canyon and Grand Canyon will create jobs for the Hualapais and that work has already begun on roads leading to the area. Though Deveau and Kelly will not reveal the cost of the project, an earlier proposal was estimated at \$60 million. A spokesman for Grand Canyon National Park said the Park Service has not seen any of the plans for what Kelly calls "a scientific Disneyland."

Jobs face off against safety in Colorado

In Colorado, rising concern over the Rocky Flats nuclear weapons plant has sparked a growing debate. It pits the health of Rocky Flats' workers and the safety of the 1.7 million people living in the Denver metro area against the plant's 6,000 high-paying jobs and maintenance of the nation's nuclear arsenal.

The issue dominated an educational forum on Rocky Flats held last month at the University of Colorado's Boulder campus, where featured speaker Colorado Gov. Roy Romer found himself on the hot seat for over an hour as he defended his policies to a crowd of several hundred.

Following Romer, Rep. Hank Brown, R-Colo., and spokesmen for Colorado's other congressional delegates briefly gave their positions and answered questions. Later in the day, representatives from the Environmental Protection Agency, the Environmental Defense Fund, Physicians for Social Responsibility and the Rocky Mountain Peace Center gave informal lectures.

The stormy, day-long event sponsored by the Rocky Mountain Chapter of the Sierra Club was held in a biology lecture hall packed with television crews and other press, state officials and several hundred activists and interested citizens.

Gov. Romer was the man everyone came to hear. He made it clear that being governor during a slow-motion nuclear crisis is no joyride. "I want to share with you where my mind is," he began, telling of his negotiations with the Department of Energy over waste storage and the operation of the aging bomb factory.

Accepting the agency's argument that Rocky Flats plays an essential role in maintaining national security and world peace, Romer said the plant "ought to be used for its useful life," and only then moved to a less populated area. That useful life, he said, would probably last another 10 to 15 years.

Romer then added his conditions: that the plant operate without endangering its employees or neighbors; that it not further pollute plant grounds or the nearby environment; and that the DOE accelerate reclamation work. "We must clean up the pollution that is there," he said. "We cannot accept a national sacrifice zone."

The Governor said he absolutely would not allow further storage of radioactive waste in the Denver metro area, but his hard line softened at the prospect of the DOE shutting down the bomb factory.

"I said (to the DOE), 'I'll work with

you. I don't want you to close this plant down.' There are 6,000 employees there ... and I care about 6,000 jobs."

Romer suggested that all states in the West accept some of Rocky Flats' radioactive waste until the Waste Isolation Pilot Plant in New Mexico opens.

The audience, however, seemed more concerned with safety than with keeping the plant open. The first question from the crowd came as a statement: Denver could not have the 6,000 jobs without further pollution and exposure of workers.

"I take issue with that," Romer responded. "I constantly question my staff and health department, and my evidence is that you can produce with safe levels of exposure to the workers."

From that answer on, Romer had to deal with an increasingly hostile crowd. He bristled at shouted accusations that his staff were apologists for Rocky Flats, and that the DOE and Rockwell International plant managers had lied or withheld information.

"They have done some terrible, dumb things in the past," Romer said. "I think they are people of good conscience. They don't want to endanger the lives of their workers."

Romer repeated his conditional support of the aging bomb factory, but added, "You prove to me that (Rocky Flats) is an unwarranted risk and I'll switch and I'll close it."

Pointing to signs in the audience, Romer said he respected an individual's right to protest, but warned "the way you communicate with me is put the solid evidence on the table."

That elicited a response from a member of the audience, Dr. Charles Southwick, head of the University of Colorado Biology Department.

"Governor, the evidence is solid." He cited several studies showing tumors, high cancer rates and chromosome damage in Rocky Flats workers due to exposure to plutonium.

Romer said that he was working with the DOE to get money for epidemiological studies, and repeated that he did not have a scientific or medical study proving that Rocky Flats is unsafe. He left with a request to anyone concerned to send him their opinions and evidence.

The Governor's comments came the day after Rockwell International reopened Rocky Flats Building 771 — a critical plutonium processing and recovery operation. It had been closed by DOE inspectors for three months due to safety violations and unsafe working conditions.

The Department of Energy has recommended closing and moving Rocky Flats by the year 2010, and says it will take \$1.3 billion over the next 22 years to clean up the 385-acre site. Rep. Hank Brown, a Republican whose district reaches from Denver's northern suburbs to the Wyoming border, said the DOE should move faster to move the plant and begin a cleanup.

Brown, who followed Romer to the microphone, said, "We should begin now on an expedited basis to develop plans to relocate that plant. It's not enough to talk about 10 or 15 years away."

Brown suggested eventually turning Rocky Flats and the Rocky Mountain Arsenal in Denver into parks and open space.

Sen. Tim Wirth's spokesman, Alan Salazar, said his boss would continue his push for independent health studies at Rocky Flats, independent oversight of the DOE and programs for retraining workers when the plant closes.

A letter sent to the meeting by Rep. David Skaggs, whose district includes Boulder and the Rocky Flats plant, called for independent oversight of the DOE and immediate cleanup. "Talk of a national sacrifice zone or the like is absolutely unacceptable. In my opinion, we are much more likely to get funds for cleanup while the plant remains in operation."

Many technical difficulties stand in the way of reclamation. The Environmental Protection Agency's Rocky Flats expert Nat Miullo told the crowd that the agency has located 172 sites contaminated by a radionuclides, chemical solvents, sewage sludge and hazardous chemicals.

"Disturbing the whole mess is a hazard in itself," Miullo said. The agency has listed 30 high priority sites for immediate cleanup, but Miullo said the numbers could change quickly, because the agency is still investigating what's out there.

Meanwhile, DOE officials testifying before Congress last week cited the age of the 27-year-old facility and community opposition to the plant as the main reasons for their recommendation that it be shut down by 2010. However, under pressure from Sen. John Glenn, D-Ohio, DOE spokesperson Troy Wade also admitted that Rocky Flats may never be cleaned up because the technology to do so at a reasonable cost doesn't exist, reported the *Rocky Mountain News*.

— Steve Hinchman

HOTLINE



Land bo!

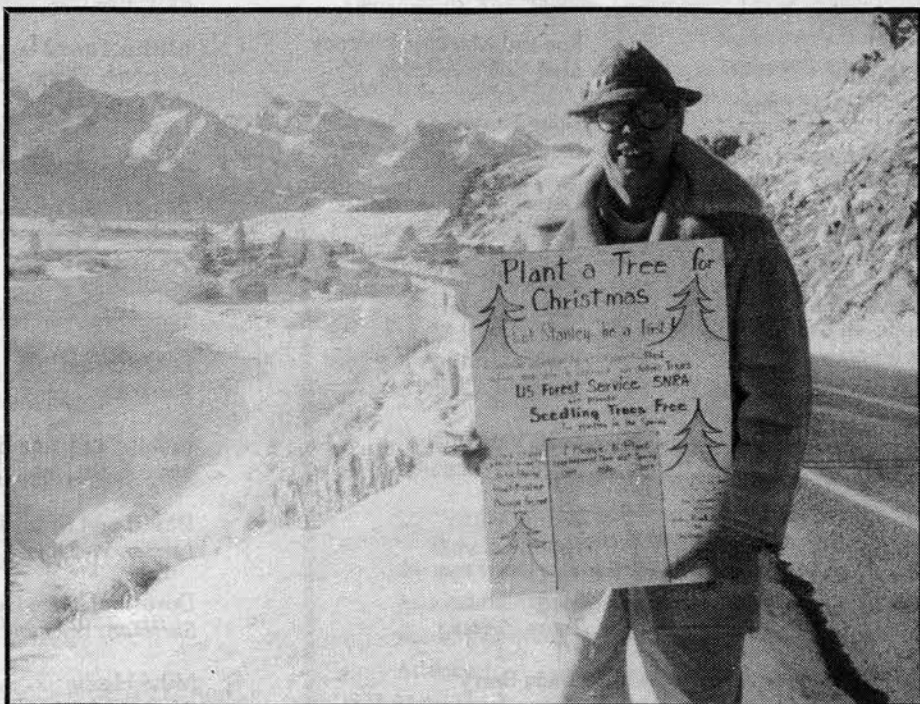
Over a century ago, Minnesota led the nation in attracting people to the state through the 1862 Homestead Act. In Minnesota today, homesteading is back, as Koochiching County in the far north has about 50,000 acres of farmland it wants to give away. The land was abandoned to the county when the owners failed to pay their taxes. Applicants must agree to homebuilding, taxpaying and occupying their new home, and must "maintain an income sufficient" to live there, says homestead program director Bob Schwiderski. "We're not looking for an opportunity to increase our welfare rolls up here," he adds. The Yellowstone Park-sized county has only 15,700 residents. Over 180 people have already inquired about the program and officials hope to hand out the first deeds this month. Federal officials and development experts believe this is the first large-scale land giveaway since the federal homestead program was eliminated, although other rural areas in the country have offered tax breaks and other financial assistance to attract settlers. The town of Osakis, Minn., is offering \$5,000 in cash to anyone willing to settle there, reports the *Idaho Falls Post-Register*.

SIS is still controversial

Department of Energy officials have given the controversial Special Isotope Separation nuclear weapons project final environmental approval. On Jan. 19, DOE Undersecretary Donna Fitzpatrick signed her name to a two-year, 4,400-page environmental impact study that recommended building the SIS at the Idaho National Engineering Laboratory near Idaho Falls, Idaho. The SIS will use laser technology to convert fuel-grade plutonium from the Hanford Nuclear Reservation in Washington state into weapons-grade plutonium. DOE officials hope to begin site preparation this year, major construction by 1990 and begin operations by 1995. Officials say that would bring 300 construction jobs and 750 operating jobs to southeastern Idaho. However, the agency must first convince Congress that the SIS is needed for national security and is technically feasible. Environmental and anti-nuclear groups testified against the project in public hearings in 1987 and 1988, and now hope to block funding for the project in Congress. Liz Paul of the Snake River Alliance says her group may also appeal the DOE's approval of the project's environmental impact study because the document did not adequately address the need for the facility and said nothing at all about adverse effects on tourism or the economy in the event of an accident. Idaho Gov. Cecil Andrus told the *Post-Register* that he was pleased that the DOE had brought the SIS project one step closer to fruition, but warned that it "makes it even more imperative" that the agency answer nearby residents' concerns about storage of radioactive waste at the Idaho National Engineering Laboratory.

'Tis the seedling

Idahoan Max Casebeau has enlisted the Forest Service in a grass-roots plant-a-tree project. The idea, he says, is for citizens to plant two seedlings for each tree cut during the Christmas season, one to replace what is cut and another to add to the tree population. The Forest Service has agreed to provide seedlings, along with instructions for planting and care, if citizens will plant the trees in the spring. Retired publisher Casebeau hopes to see his project grow nationwide and has lined up people in more than a dozen communities throughout the Northwest. They will approach their national forests to start the project and spread the word to other towns and cities, he says. For information about how to get your community involved, contact Max Casebeau, P.O. Box 103, Stanley, ID 83278 (208/774-3471).



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Wildlife...

(Continued from page 1)

"Robin Hood was a popular guy with the landless. I believe we have a moral obligation to share with our city relatives. I just don't want to see our land-use decisions based on economics. We are currently being led by extremists on both sides. Agriculture is outnumbered. We must moderate and mediate. Let's not let the Galts represent the average landowner."

Gilpatrick was referring the recent controversial appointment by Gov. Stephens of Errol Galt, 34, scion of a family with large landholdings, as chairman of the Fish and Game Commission. The Galt family is notorious among hunters and state wildlife managers for denying public access to or across its lands.

Another Stephens appointee, Terry Anderson, chairman of the Board of Natural Resources, said he believes that fee hunters "behave differently" than those who hunt for free on private land. Anderson, a professor of economics at MSU and advocate of privatizing many sectors of the public economy, also said he sees nothing wrong with controversial proposals introduced during the last Montana and Wyoming legislatures to allow landowners some direct say in wildlife management, including the issuance of hunting tags.

Gilpatrick countered that once hunting becomes a commodity, then "the marketplace sets the price," and Montana ranches will be bought up by the rich for use as hunting reserves, excluding less affluent residents.

Historian Joan Brownell of Bozeman recounted the 19th-century slaughter of wildlife in frontier Montana, when "the Westerner felt he had a right to the land and unrestricted access to wildlife." She noted that the first wildlife conservation act was passed by the Territorial Legislature in 1865. It restricted fishermen to poles and line only. Another territorial law sought to prohibit the killing of animals for the hide only. It didn't work. And an 1889 law making it illegal to shoot bison for 10 years came too late to prevent extermination of the last of the northern herds.

Brownell noted that the conservation movement gained a foothold in Montana around the turn of the last century with the formation of local sportsman clubs. It took many years of state and federal wildlife laws, hunting seasons and scientific management to reverse the frontier legacy of reduced wildlife habitat and decimated populations of game animals.

The very idea of hunting strictly for sport was challenged by Professor Holmes Rolston, a philosopher and theologian from Colorado State University in Ft. Collins. The former hunter said killing for sport epitomizes "pure evil. The killer for sport has no motive. He prefers death to life, darkness to light. He has the satisfaction that something that wanted to live is now dead."

"I've heard the words 'game' and 'sportsman' used here. Are you having a game, killing for sport? Then you are to be morally condemned. But you are hunters, as well as sportsmen. Hunting is more complex. Meat is important because it removes it from the category of killing only for sport. The hunter that does not weep when he kills, does not know how the world is made."

Rolston also said he was disturbed by the use of the terms 'crop' and 'harvest' in connection with wildlife. "Are they the right words in the end?" he asked. "If you are after the wildness of

'The hunter that does not weep when he kills, does not know how the world is made.'

the hunt, then you don't want to think of the words crop and harvest."

He acknowledged that his son is a hunter, and, "I insist that he eat what he kills. He has entered into the food chain of the universe. He has seen an animal alive and well, he has killed it and eaten it. I would like to see all our graduates at CSU be required to shoot something and eat it. It might put them in touch with the way the world is made — more than any philosophy class."

"It's the same with the hunting clients who come here from out of state. The experience ought to teach them the way the world is made, that life feeds on life. What will fee-based hunting contribute to this educational process? Will putting hunting on the market lead to more killing for sport?"

"Montana has more integrity of the biotic community than most states. I suggest that Montana could be the one state in the Lower 48, for all time to come, to have the best mix of nature and culture than any other state in the Union. But it cannot include a lot of killing for sport."

While Montana remains sparsely populated, and conservation awareness has grown, "There has been a slow erosion of opportunity over time," according to Glen Erickson of the Department of Fish, Wildlife and Parks. The amount of elk habitat accessible to the average

Kent and Donna Danner



Deer

hunter, for instance, has decreased dramatically in the past 25 years. As more private lands are closed for fee hunting, he said, "traditional game management plans become unworkable." And the more private landowners are plagued with the headaches of big game and dealing with hunters who want on the

place, the more likely they are to turn to a fee-based system of access.

Pat Dawson is a freelance writer in Billings, Montana.

Can the Public Trust contain fee hunting?

BOZEMAN, Mont. — The Public Trust Doctrine relates to the protection of public resources like air and water or property in which all people have an interest. It is considered a legal way "to protect public expectations from destabilizing influences."

The most likely assault on fee-based hunting will invoke the Public Trust Doctrine, a concept which has already been used in the past to successfully argue on behalf of environmental issues, including Montana's stream access case. That case defeated the efforts of ranchers on the Beaverhead and Dearborn rivers to prevent floaters from passing by their land.

Perhaps the country's chief critic of the Public Trust Doctrine is Richard Lazarus, of the Justice Department in Washington, D.C. He argues that the Public Trust Doctrine should have little influence in deciding the legal points of fee-based hunting, because he sees no precedent that would place wildlife as a common resource under it.

Montana's stream access case, Lazarus said, was won by a persuasive public trust argument to the Montana Supreme Court. But he doubts the argument would wash in federal courts. "The Public Trust Doctrine is a creature of state, not federal law. The right to exclude people is considered to be a fundamental right of a property owner." A challenge to fee-based hunting should be resolved by legislative, not court action,

said Lazarus, because, relying on the Public Trust Doctrine "is arguing to the courts not what the law is, but what the law should be."

In the stream access case, the ranchers argued that they owned the streambeds which bisected their lands, that they had the right to erect barriers against floaters, and that ruling against them would be an unconstitutional taking of property.

Bozeman lawyer James Goetz, who won the case for the recreationists, said, "When the government takes important things from the people, we should use the Public Trust Doctrine to hold the government's feet to the fire." Wildlife, like water, said Goetz, occupies a place of "important public interest."

He also said no one is arguing that the public has a right to cross, trespass or hunt on private land, or that a landowner shouldn't charge an entrance fee. But the public resource of wildlife and its management should not be tampered with, nor should private landowners be allowed to block access to public lands.

Goetz warned against attempts to privatize wildlife in Montana. Such a system would harken back to old England, when the king owned all the fish and wildlife and peasants arrested for poaching the royal deer were subject to the death penalty.

"We have in this state a strong populist tradition of hunting and fishing," said Goetz. "Any attempt to privatize wildlife will only commercialize and cheapen the resource. The state should

not abdicate its responsibility to manage wildlife. We shouldn't measure hunting by the size of your pocketbook. We should continue our tradition."

State wildlife official Jim Posewitz said, "The Public Trust Doctrine is used to protect the majority from the concentrated interest of the minority. Fee-based hunting operations, no matter how humble they start, will eventually seek allocation privilege."

Oregon law professor Jim Huffman disagreed, saying the Public Trust Doctrine "doesn't have much to do with wildlife," and to rely on it in wildlife cases like fee-based hunting "is bad law."

Huffman said the Montana Supreme Court in the stream access case "confiscated the rights of thousands of Montanans," because the court did not find that granting such public access "was a taking of personal property rights." He argued that emphasizing the Public Trust Doctrine "has taken the focus off viable alternatives for wildlife management," and that the doctrine "does not extend to wildlife management."

Huffman added hunting in the future will not be free, and that society must come to grips with the problem and devise a workable system. Those who would rule out private-sector managing of hunting, Huffman said, "are cutting their own throats."

□

BULLETIN BOARD

THE SHORTGRASS PRAIRIE

Ruth Carol Cushman Stephen R. Jones



AN OCEAN OF GRASS

The shortgrass prairie, driest of the grasslands extending east from the Rocky Mountains, has a rich geological and cultural history. Writer Ruth Carol Cushman and photographer Stephen R. Jones combined their talents with a love for this often-overlooked ecosystem to produce *The Shortgrass Prairie*. The book is an in-depth look at grassland ecology and the growing threat of pollution, overgrazing and urbanization. Jones' color photographs illuminate the arid plains of eastern Colorado, Wyoming and New Mexico, where the blue grama and buffalo grasses are home to a wide array of wildlife. Cushman's portrait also examines the impact of homesteading and Indian culture on the ecology of the plains.

Pruett Publishing Company, 2928 Pearl St., Boulder, CO 80301. Paper: \$18.95. 118 pages. Illustrated with color photographs.

NEW GROUP IN ARIZONA

A fledgling environmental advocacy group in Flagstaff, Ariz., recently received a \$5,000 grant to work on issues concerning uranium mining in northern Arizona. The grant came from the Grand Canyon Fund for River Conservation, which was established by a coalition of Colorado River rafting companies concerned about environmental quality in the Colorado River basin. The coalition includes AZRA, Canyon Explorations, Oars Inc. and Grand Canyon Dories, and the recipient, Citizens for Environmental Responsibility, says the grant money made possible an action plan for 1989. That plan includes documenting uranium-related soil and water contamination in the Grand Canyon and its surrounding environment and educating the public about uranium development in northern Arizona. For more information contact Jacques Seronde at CFER, 323 N. Leroux St., Flagstaff, AZ 86001 (602/772-1070).

A CONTROVERSIAL GOLD MINE

A public meeting will be held Feb. 23 in Alamosa, Colo., to discuss a controversial gold mine proposed for south-central Costilla County. Battle Mountain Resources seeks a permit from the state's Mined Land Reclamation Board for a gold mining operation along Rito Seco Creek. A meeting was set for Jan. 25 in Denver, but the applicant had not come close to addressing some 90 questions and concerns the state had about the project. A new group called the Costilla County Committee for Environmental Soundness has been formed to oppose the project, citing technical concerns such as groundwater contamination, flash-flooding, porous soils and possible cyanide discharges into the creek. The group is also concerned about the effects of short-term mining on the small community of San Luis. In addition, an earlier operation near the Battle Mountain site damaged Rito Seco Creek, says Donna Koch, a member of the citizens' group. Steve Renner, reclamation specialist for the Mined Land Reclamation Board, says the earlier project would never be permitted these days under the 1977 Colorado Mined Land Reclamation Act. To operate, Battle Mountain also needs an air quality permit from the state Health Department and a permit from the Army Corps of Engineers. For more information contact Steve Renner, Mined Land Reclamation Board, 1313 Sherman, Denver, CO 80203; or Donna Koch, CCCES, P.O. Box 625, San Luis, CO 81152.

A ROCKY MOUNTAIN ALLIANCE

Two Montana conservationists have formed a coalition to preserve wilderness in the Rocky Mountains. Frustrated by limited environmental representation in Congress, Cass Chinske and Mike Bader started the Alliance for the Wild Rockies, an umbrella group that hopes to give greater lobbying strength to member organizations in Idaho, Wyoming, Oregon, Washington and areas in Canada. Chinske says the Alliance hopes to improve communication among existing groups and consolidate their influence. The group, composed of 17 local and regional organizations, has identified environmentally sensitive federal lands throughout the Northern Rockies. For more information, contact the Alliance for the Wild Rockies, Box 8731, Missoula, MT 59807 (406/721-3621 or 406/549-0882).

LEASING WILL PROCEED

The Forest Service and Bureau of Land Management have rejected appeals aimed at delaying the oil, gas and carbon dioxide leasing of the Antone Bench and other environmentally sensitive areas in southern Utah. Antone Bench is almost surrounded by the Phipps Box-Death Hollow Wilderness Area. State BLM Director James Parker said the Antone Bench area was specifically left out of the wilderness boundary "to allow for leasing of carbon dioxide." A total of 34,291 acres within the Dixie National Forest and 719 acres of BLM land will be offered for oil and gas leasing Feb. 28 at the state BLM office in Salt Lake City. In addition, over 2,000 acres of Dixie National Forest will be offered for carbon dioxide leasing at that time. A minimum acceptable bid is \$2 an acre. For more information, contact the BLM State Office, 324 S. State St., Salt Lake City, UT 84111 (801/524-5330).

Steve Wood



RIVER REFLECTIONS

For more than 300 years, writers have reveled in the power, pleasure and fury of this country's rivers. In this paperback edition of *River Reflections: A Collection of River Writings*, edited by Verne Huser, 43 American authors tell us about their experiences on the nation's waterways. Authors include Edward Abbey, Norman Maclean, John McPhee, A.B. Guthrie, Wallace Stegner, and Ann Zwinger, and their writings range from meditative to pragmatic. Norman Maclean tells us "stories of life are more like rivers than books;" Joel Vance reminds us that some people view rivers "as a convenient dump for beer and soft drink cans, old refrigerators, bed springs, automobile bodies and the detritus of civilization."

The Globe Pequot Press, Box Q, Chester, CT 06412. Paper: \$12.95. 268 pages. Illustrated with drawings.

SEVERANCE TAXES ARE RAIDED

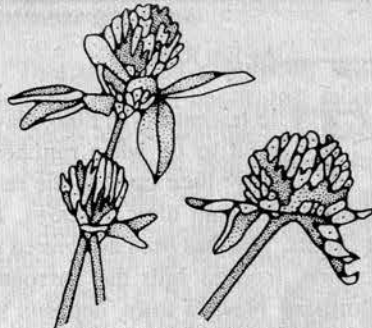
When the Colorado Legislature created the Severance Tax Trust Fund in 1977, it promised that 50 percent of the revenues from the tax would go into the fund — a "perpetual trust" held as a replacement for depleted natural resources. Since 1985, the Legislature has diverted these monies to the state's general fund to help balance the budget. Colorado is not unique: All trust funds created by state legislatures, with the exception of Montana's Parks and Cultural Trust, have been raided. A new report by the Western Organization of Resource Councils, *For Current and Future Generations: A Comparison of Non-renewable Natural Resources Taxation in Colorado, Montana, North Dakota and Wyoming*, compares and contrasts the natural resource taxing policies of four Western states. The purpose of the report is to provide "background information for citizens, state legislators and policy makers," and is designed to help citizens keep the benefits of natural resource production in their own states and local communities. Copies of the \$10, 118-page report are available from Western Colorado Congress, P.O. Box 472, Montrose, CO 81402 (303/249-1978), or the Western Organization of Resource Councils, 412 Stapleton Building, Billings, MT 59101 (406/252-9672).

OUTDATED LAWS

Oil and gas exploration and hard rock mining — two of the most lucrative industrial uses of public land — are regulated by weak and outdated laws and have become major causes of ecological damage in the West, says a new environmental group. Called the Mineral Policy Center, it was founded in Washington, D.C., to lobby Congress for reform of the 1872 Mining Law and federal oil- and gas-leasing policy. Its president, Philip Hocker, a former Jackson, Wyo., architect and ex-treasurer of the Sierra Club, says the center will also act as a Washington contact and information bureau for grassroots citizens' and environmental groups. The center also plans to educate federal and state officials about conservation problems arising from the 116-year-old mining and mineral leasing law. The center's board of directors is chaired by Stewart Udall and also includes Thomas Kimball (honorary president, National Wildlife Federation), J. Michael McCloskey (chair, Sierra Club), and Thomas Troyer (Washington, D.C., attorney). Membership is \$25, which also pays for the center newsletter and updates on mineral issues. For more information, contact Philip Hocker, Mineral Policy Center, 20 West Chapman St., Alexandria, VA 22301 (703/683-0506).

FROM FARM TO TAP

Unused irrigation water may be sold to thirsty cities along the Wasatch Front of Utah. A final environmental impact statement concerning the Weber Basin Project in northern Utah studies a request to change the use of up to 33,000 acre-feet of water in Willard Reservoir from irrigation to municipal and industrial. The reservoir is located northwest of Ogden and is a popular recreation spot for people living along the Wasatch Front. After the Weber Basin Water Conservancy District found itself with some water allocated for irrigation it couldn't sell, it asked to market its unused water to cities or industry. But the conversion will mean secondary or perhaps even tertiary treatment before the water can be used for drinking. The loss of 33,000 acre-feet from Willard Reservoir will affect recreation and wildlife, as fresh water discharged from the reservoir usually helps to maintain a brackish water marshland on the Great Salt Lake. For more information contact the Regional Director, Bureau of Reclamation, 125 S. State St., P.O. Box 11568, Salt Lake City, UT 84147 (801/524-5580). Ask for "Final Environmental Statement, Change of Water Use in Willard Reservoir, Weber Basin Project, Utah," No. INT-FES 89-2.



KNOW YOUR WEEDS

If you've ever wondered just what those plants were that seem to attach themselves to socks, pants, sweaters and dogs, the universities of Wyoming and Utah State may be of help. *Weeds and Poisonous Plants of Wyoming and Utah* will introduce you to over 130 plants in 37 families. This wire-bound book covers such favorites as stinging nettle, curly dock, halogeton, larkspur and sagebrush. Each entry has three photographs and a description of its appearance and traditional use. For example, Curlycup gumweed was used by Indians to treat asthma, bronchitis, colic and skin rash. Extracts of the weed are used in today's medicine to treat bronchial spasm, asthma, whooping cough and poison ivy.

Cooperative Extension Service, College of Agriculture, University of Wyoming, Laramie, WY 80207 (307/766-5124). Paper: \$13.50. 282 pages. Includes a concise glossary.



Drawing by Ken Collier

A TRUST FUND FOR BLACK-FOOTED FERRETS

A trust fund has been established in Wyoming to help save the black-footed ferret from near-extinction. The fund opened with \$71,000, thanks to \$22,227 from the Wyoming Game and Fish Department and \$21,573 from the U.S. Fish and Wildlife Service. The Wyoming Wildlife Federation, which sold a painting of ferrets by Vivi Crandall, raised another \$27,200 for the fund. In addition, wildlife artist Ken Collier of Sheridan, Wyo., says he will donate proceeds from the sale of his pen and ink drawing of ferrets

to the fund. Black-footed ferrets were considered extinct until a small population was discovered near Meeteetse, Wyo. The Wyoming Game and Fish Department initiated captive breeding programs and hopes to restore ferrets to the wilderness in 1991. The trust fund will be administered by the U.S. Fish and Wildlife Service under the auspices of the National Fish and Wildlife Foundation. For more information, write Ferret Fund, c/o Wyoming Game and Fish Department, 5400 Bishop Blvd., Cheyenne, WY 82002.

Invisible gold fuels Elko's boom

by Jim Robbins

The busiest day in Elko, Nev., used to be when ranchers drove their cattle to the railroad here and paid their cowboys. In recent years, gold has been discovered in the brown, treeless hills that surround the northern Nevada town, deposits so rich that some of the world's largest mining companies have flocked here.

And now every day in Elko is like the day they shipped cattle.

In the gathering dusk, each motel along Idaho Street, the main street, has the red "no" or "sorry" glowing in front of the vacancy sign. Housing developments and mobile home parks bloom in profusion in the desert around town. There are long lines at the Dairy Queen and McDonald's, the five legal brothels here do a brisk business and inside the casinos it's tough to find a seat at the banks of slot machines or a poker game. The population has swelled from 1980's 8,000 to more than 15,000 this year; another 7,000 are expected by 1990.

Not everyone is pleased. "We're getting big city ways, big city crimes," said Police Chief and Elko native Gordon Fobes, who just hired his first narcotics detective. "But it's progress," he allows, in a tone that suggests he doesn't really believe it, "so I guess it's good."

The discovery of rich gold deposits in the brown Tuscarora Mountains northwest of Elko has ignited a latter day gold rush, and similar rushes are on elsewhere in the West. Small towns are changing, mining companies are reaping generous profits and the balance of world gold production is shifting. High gold prices, in tandem with a low-cost processing technology, have fueled the boom.

The Nevada deposits and many of those in states like Montana, Idaho and California are known as micro-gold, or no-see-um gold — the particles are visible only through an electron microscope. ("I've worked here 19 years," says driller Alvin Randall, "and I never have seen any gold.") The wide-scale application of the heap leach method has helped quintuple the nation's gold production to 5 million troy ounces, nearly 54 percent of it from Nevada, and has pushed the United States into third place among the gold producing nations, behind South Africa and the Soviet Union.

For Newmont Gold, a pioneer in the micro-gold, the Nevada play has been a bonanza, enabling the company to overtake Homestake Mining as the nation's largest gold producer. Until this year, Homestake has led producers since it was founded in 1877.

The engineers of Newmont dug a pit, 27 miles northwest of Elko, and named it Gold Quarry. It sits atop the Carlin Trend, a 38-mile-long geologic formation that contains the largest known deposit of gold in North America, and has become one of the nation's most profitable gold mines.

The five square miles of the Gold Quarry are sterile and arid, even by the standards of the desert. Much of the vegetation is gone, and wind spirals dust devils high into the air. Some two dozen metal buildings on the surface house crushers, furnaces and other processing equipment. The pit itself looks like an amphitheater for giants — 3,000 to 4,000 feet wide and 500 feet deep. Wide benches are carved into its red and gray stone to prevent collapse.

Seven days a week, 24 hours a day, black diesel plumes rise from exhaust stacks and back-up alarms shrill as colossal dump trucks jockey into position beneath towering steam shovels. The sound is deafening. Each truck carries 140 tons of rock, and each ton of rock, on average, contains .04 ounce of gold. So each truck load is worth \$2,200.

"It's the ideal mine," said Joe Rota, an intense 29-year-old geologist at Gold Quarry. "It's cone-shaped, full of gold and there's hardly any waste."

The Carlin Trend looks to the eye like any other part of the Tuscaroras. But there is a difference. It is dotted with what geologists call "windows," areas of older, gold-bearing rock surrounded by younger rock with no precious metal content. In addition to Newmont, the Carlin Trend and nearby deposits have drawn such major mining companies as Echo Bay, American Barrick and Freeport McMoran.

The frenzy of mountain moving has spread to other states with a history of gold mining. Marsha Berkgigler, a spokeswoman for Freeport McMoran in Reno, says the company has 40 exploration geologists scouring the West. "If there's five or 10 or 20 or 30 why shouldn't there be 800 mines? It's a real fight out there. Any company with money is looking to purchase."

Production from the West has become significant. In 1980, South Africa accounted for more than 55 percent of the world's gold; the United States produced 2.5 percent. Last year, South Africa's share stood at 36 percent, while the United States provided 9.5 percent, nearly all produced from micro-gold. Since 1980, world output has grown by a third.

South Africa has remained dependent

on traditional mining of visible gold veins. "Their costs are going up, ours are going down," says Fred Carillo, state mineral officer with the Federal Bureau of Mines in Reno. "It looks like we're going to be in the gold business for a long time."

Last year, Newmont, headquartered in New York, mined 589,000 ounces, about a tenth of the nation's total. The company's "proven and probable" reserves are an incredible 15 million ounces, worth \$6 billion at the current price of around \$400 an ounce.

"We are the boom," says a smiling Robert Zerga, Newmont's executive vice president.

The direction in which Gold Quarry will expand and the depth to which it will go, possibly 1,200 feet, depends on what the drillers find and on the market conditions. When the price of gold is up, Newmont can both process low-grade ore and stockpile better-grade ore. Then, when prices drop, it can process the more profitable higher-grade ore. This strategy avoids profit fluctuations and may help to head off mining's usual boom-bust scenario.

Every day at noon, while the miners are eating lunch away from the pit, a section of Gold Quarry is blasted. The explosions shatter the brittle, gold-bearing rock into bathtub-sized pieces. High-grade ore is broken into nine-inch chunks by a jaw crusher, then fed into a huge rotating drum that contains steel balls the size of cannon balls. As the drum spins, the balls crush the rock into powder.

"What we're doing," says Rota, "is turning a mountain into dust." A solution of water and chemicals is added to the powder, creating a slurry. The slurry flows through a series of tanks from which a gold-bearing solution is extracted for final processing.

The heap leach method is reserved for the low-grade ore that comes out of the pit, much of which used to be ignored. These rocks are run through a series of crushers that reduce them to one-and-a-half inch chunks, which are added to a pile that covers some 160 acres and rises to a maximum height of 200 feet. A solution of water and cyanide from irrigation hoses trickles down through the pile, dissolving the submicroscopic specks of gold. When the liquid reaches the bottom, it is collected by the plastic liner that underlies the pile.

The liquid is then pumped through activated carbon, which absorbs the

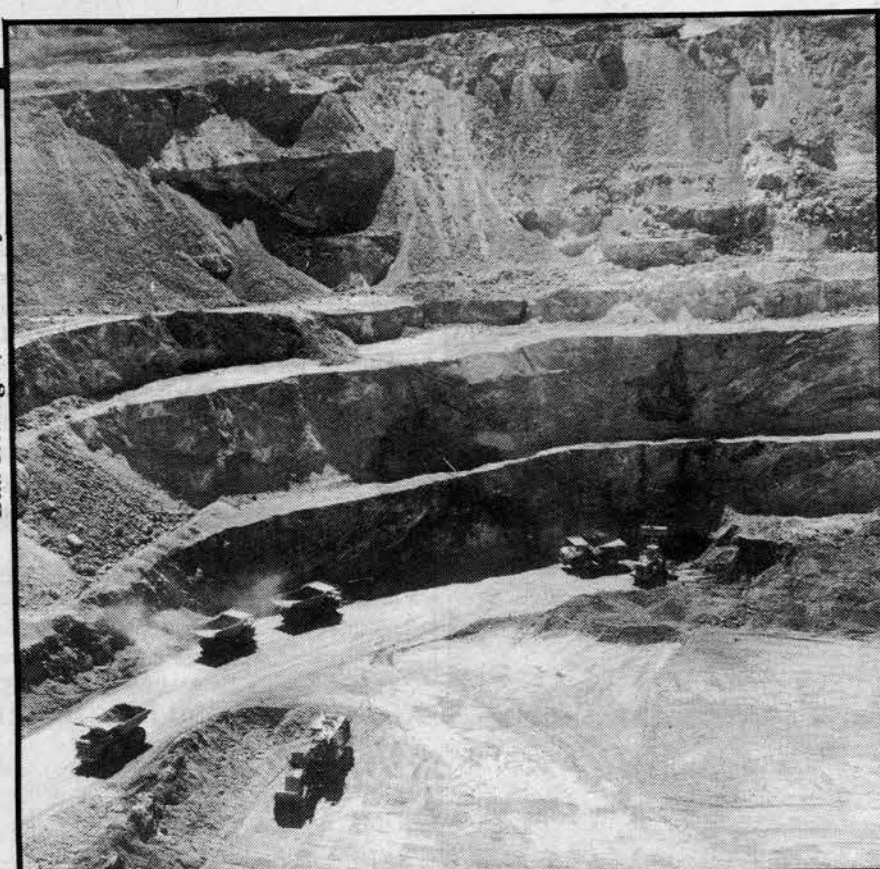
gold. After being separated from the carbon, the gold undergoes an electroplating process, and then is melted and poured into 60-pound ingots.

These processes bring the cost of producing gold down to about \$200 an ounce compared to some \$300 an ounce for traditional milling and deep mining.

Not all gold is of the invisible kind. There are still deposits of gold to be found in the outback that rival the stories that lured prospectors to the West in the early days of the boom. The AMAX Sleeper Mine in the Slumbering Hills of northern Nevada, some 40 miles northwest of Winnemucca, has gold in visible veins. The Sleeper ore in some rare cases contains 100 ounces of gold per ton of rock, which the company has mined at an extremely low \$105 per ounce. Start-up costs at the Sleeper were \$21 million and the facility paid for itself in less than six months.

But there are other costs associated with the gold boom. When Gold Quarry and other micro-gold mines on federal land are abandoned, they must be restored in line with the minimal Bureau of Land Management reclamation regulations. Buildings must be demolished, roadways eliminated and waste piles

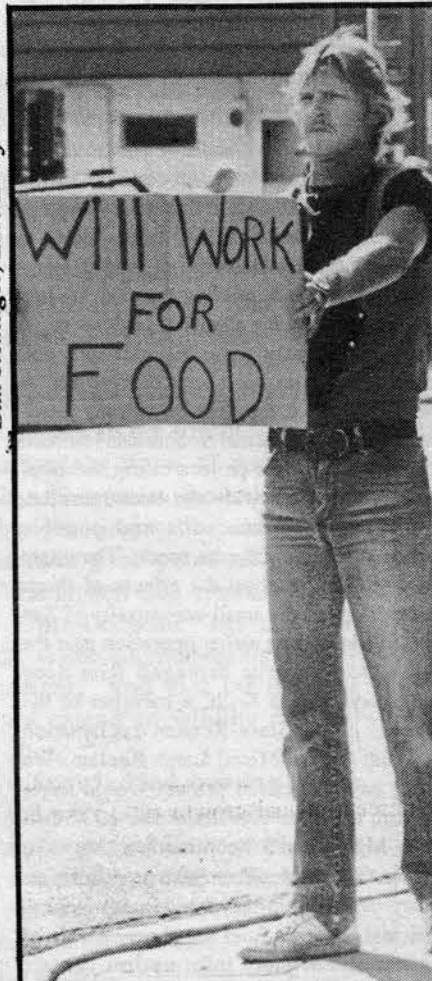
Dan Steninger, Elko Daily Free Press



Barrick Goldstrike area's #3 mine employs 700 and produced

119,000 ounces of gold in 1988

Dan Steninger, Elko Daily Free Press



Lots of people come to Elko to work at a gold mine, but not all of them have what the mines want

seeded. But the giant moon-like craters will remain. Forever.

"Within 30 years," says Glenn C. Miller, an environmental chemist with the University of Nevada in Reno and a representative of the Sierra Club, "we'll have more than 200 open pits here. Part of the cost of doing business should be to bring this land back to productivity."

Companies working private land are exempt from federal regulations and Nevada has no reclamation law of its own.

The most serious environmental problems caused by gold mines come from the small- and medium-sized companies. While companies like Newmont are in business to stay and can afford reclamation, so-called "rape and run" companies make their profit and leave, forfeiting their usually modest bonds.

Cyanide is also a problem. Although the solution is weak, the chemical can contaminate groundwater. Cyanide contaminated several private wells near a gold mine in northern Montana, and the company was forced to buy the water rights.

The high price of gold is not the only reason Nevada is experiencing a gold rush. Under the Nevada constitution, mining companies pay no more than 3 percent in taxes on their net proceeds. Last year, with gross proceeds of more than \$1.2 billion, the industry paid state and county taxes of only \$12 million. By contrast, the taxes on Nevada's gaming industry, with gross revenues of \$3 billion, were \$180 million.

"They're getting away with murder," says Marvin Sedway, a Democrat and chairman of the Ways and Means Committee of the Nevada Assembly. "The Hilton Hotel in Las Vegas paid more in real and property taxes last year than the whole mining industry paid." Sedway promises a fight to increase revenues to the state from mining.

To head off calls for higher taxes, the Nevada mining industry is behind a constitutional amendment to raise the tax from 3 to 5 percent. Voters earlier rejected such an amendment, but the miners are back with an expensive public relations campaign with the theme, "Mining: It Works For Nevada," that touts the 10,000 jobs the industry estimates it has created.

Newmont's Zerga is angry over moves to increase taxes. "Everybody," complains Newmont's Zerga, "wants to fleece the fattened sheep."

In Elko, the boom has been good for the butcher, the baker and practically everyone else. The value of property for tax purposes has soared from \$46.5 million in 1979 to \$121 million last year. "There's no doubt it's been good. A little bit rubs off on everybody," says Eddie Gammel, as he sits at the small bar in Mona Lisa's, one of two brothels that Gammel's wife owns. "Now we get business every day instead of just on payday and weekends."

Trailer and double-wide mobile home developments are scattered throughout greater Elko. All around town you can hear the pounding of hammers and the whine of power saws as new homes and apartments bloom crazily in the high desert. Recreational vehicle parks are going in. After two decades of around 2.5 percent annual growth rate, Elko is now growing at about 15 percent per year. Last year, however, the growth rate was 20 percent. "We've approved more subdivisions in the last 10 months," says City Manager Terry Reynolds, "than we have in the past 10 years."

Newmont and other large gold companies have been active in trying to help Elko keep up with the boom. American

Barrick and Newmont provided \$850,000 for water tanks and lines. Newmont built 120 apartments for the help, and is building another 80. Near Carlin, the company built huge aluminum dormitories — called "man camps" — for several hundred construction workers. It has also loaned money to contractors to build homes.

Another mining firm, Freeport McMoran, has built 90 homes and will eventually have 300, and has also built a city park, made loans to the school district and bought portable classrooms until new schools can be built.

Eight hundred new students showed up for classes last September, and another 800 are supposed to show up next fall. Newmont donated the salaries for two city policemen to Elko and bought patrol cars for the Elko County sheriff and the police department of the tiny town of Carlin, just south of the Newmont mine.

Despite the help, Elko's blooming rose has sharp thorns. Traffic on Idaho Street, the main thoroughfare, has gone from 10,000 cars a day to 30,000. The cost of a two-bedroom apartment, when one can be found, has gone from \$250 a month to \$400 or more. Low-paying jobs, like those at fast food restaurants and casinos, go begging.

Kathy Jaynes is in charge of recruitment for Elko General Hospital, a job she says is especially frustrating. "It doesn't matter how well you recruit. If you have no housing, you have no staff," she said. Some new staffers were forced to live with their families in tents or travel trailers for months while awaiting an apartment. Available rental units in Elko last no longer than several hours.

Those with a mining job can afford high rents. The average annual wage, with benefits, company officials say, is \$36,000; overtime can bring it to \$50,000. That's what brought Susan Mattingly, who makes 28 daily trips from the mine to the mill with 140-ton haulage trucks, to Nevada from Salt Lake City. "It's a good job," the former construction worker says. "I don't know where I'd do any better than I do here."

Ron Glunt had operated heavy equipment at a mine in Gabbs, Nevada, when he heard about the boom at Elko. More precisely, he heard about the pay at Elko.

Glunt contacted Newmont, he says, and they expressed interest. But when they found out he had a serious back ailment, "they cut me off," he says. He'd already quit his job in Gabbs, so he decided to stay in Elko to look for work at the other mines, perhaps at one where the physical wasn't as stiff.

Nearly out of money, Glunt was sleeping in the back of a battered pickup truck on a dead-end dirt road in a hid-

Dan Steninger, Elko Daily Free Press



Newmont Gold Co.'s Rain Mine is expected to produce one

million ounces of gold over its eight-year life span

den gulch just outside of Elko, one of many ad hoc campgrounds serving Elko's homeless. He shares the unimproved camp spot with Weeden Marchbanks, a heavy-set, red-faced cowboy from Prescott, Ariz., who had pulled his tiny, ancient trailer to Elko in search of work. These two men, and others like them, go down to the Texaco truck stop for \$1 showers and use the restroom at the city park. The city park is off limits to the homeless at night, but at first light people who have spent the night in cars make their way to a picnic table. There they spend their day until darkness forces them back into their vehicles.

The dust at Glunt's campsite is like four inches of flour, and is so fine it hangs in the air for several minutes after it is disturbed. A big white "E" for Elko is painted on the hill above the campers. Around Glunt and Marchbanks are other trailers and tents, also belonging to people who had come to Elko in search of a modest dream of hard and honest work that paid more than \$30,000 a year. Some had found a job, but were still unable to find a home. Many others had spent their savings to get to Elko, but lacked the skills to get hired.

"This is Woody Guthrie stuff," Glunt says with quiet bitterness, taking a pull on a plastic milk carton full of water. "These people aren't bums. They're Americans. There's no winos or derelicts. They want to work and they're trying to hang on."

"This isn't what everybody said it would be, that you could pull in on a Wednesday and be working by Friday."

"There's a lot of people bumming," said Marchbanks. The red light of sunset shining through a pine tree casts a mottled pattern on his bare chest and ample stomach as he sits on the stoop of his tiny trailer. "They come up here with money and gamble it off and now they're living by the river."

As a result of the influx of people, the crime rate in Elko has soared. But arrests have declined, as policemen no longer have time for investigative work. Drug trafficking and spouse abuse are serious problems. Criminal complaints filed by the district attorney are up 22 percent over last year, while county complaints are up 37 percent. Drunk driving arrests are up 50 percent.

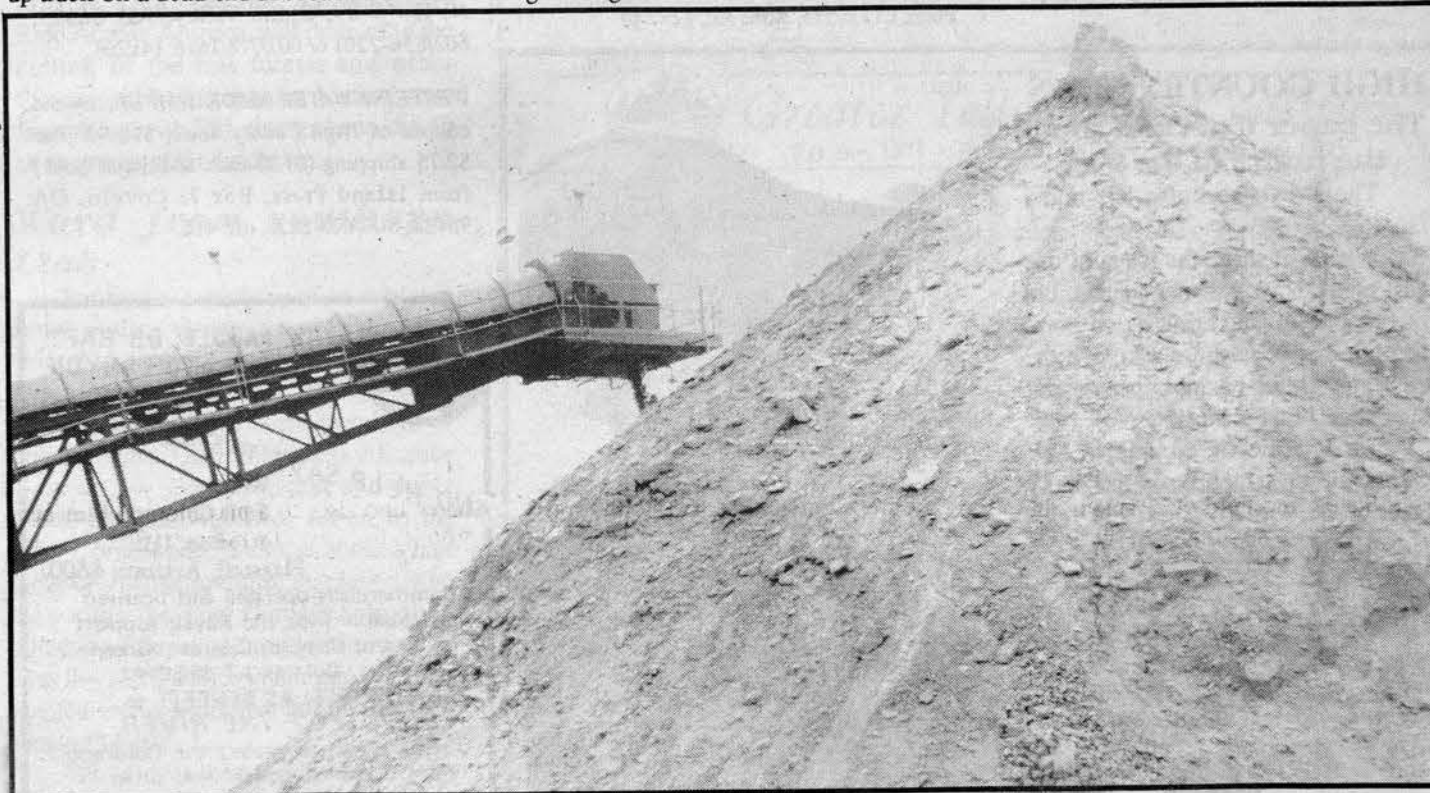
"Before the boom, if we saw out-of-state license plates in town we'd follow them, thinking there was a robbery," said Police Chief Fobes. "Hell, now there's more out-of-state plates than anything."

In spite of the drawbacks, it appears the boom is here to stay, so long as the gold and the price hold out. The West has grown up blessing the boom and cursing the bust, and from appearances things are not likely to change soon.

□

Jim Robbins is a freelance writer in Helena, Mont. This article was published in the *New York Times Magazine*.

Monty Roessel



Processing ore at the Chimney Creek Mine near Elko, Nevada

14-High Country News — February 13, 1989

OTHER VOICES

The path to cactus destruction is paved with good intentions

by Barbara Tellman

A group of beautiful, blooming rainbow cacti dominated the hillside but something else was visible around the curve — a bulldozer. Survey markers showed that those cacti were in the path of progress.

With the workers on their lunch hour, I was faced with a dilemma. If I dug up some of the nicest specimens, I would be breaking the law and subject to a hefty fine. If I didn't dig them up, they would be destroyed, legally, by the bulldozers.

Arizona's native plant law allows "protected" plants to be bulldozed with impunity, if the plants are not sold or transported off the land.

In order to legally salvage those same plants, I would have to travel to the office of the Agriculture and Horticulture Department, apply for a permit and pay fees for each plant. This would take more money and time for travel than I had. The workers would also be taking their chances with the law if they were to give me the plants.

Something has clearly gone wrong with a far-sighted law that was intended to protect those very plants. Passed in 1929, Arizona's plant protection law — one of the first such laws in the nation — led to the preservation of thousands of acres of land.

Along the way, the plant law was amended to include an innocent provision. It allowed a landowner to clear plants from his or her land to build a home. Modern technology has now changed that innocuous provision into a vehicle of mass destruction.

Although the bulldozer was developed six years before the plant law was passed, few people back in the 1930s dreamed of a day when the mass-produced subdivision would be the standard method of homebuilding. That didn't come until after World War II, when thousands of returning veterans bought homes in the newly created suburbs. Technology and veterans' benefits had made home ownership more than just a dream for the masses.

The "landowner clearing land for a home" was now a developer who owned hundreds of acres and built thousands of homes. This revolution in homebuilding coincided with the beginning of mass migration to the Sunbelt. The practice of bulldozing acres of saguaros and other unusual plant life had begun and was fully legal.



Bulldozing land in Arizona for new homes

The 1980s brought more technological change. It had always been fairly easy to salvage small plants. Salvage techniques developed in Phoenix now make it possible to salvage much larger plants — even large ancient trees.

As water shortages began to loom in Arizona, conservationists and government agencies alike began to encourage desert landscaping. This has increased the demand for plants large enough to provide instant landscaping.

At a time when desert plants are in great demand, plant removal (both legal and illegal) in remote areas has become economically attractive. Non-Indians are

even using federal mining laws as a basis for land claims on Indian land, from which they may legally harvest cacti. At the same time, plants are being destroyed in urban areas as land is cleared for construction. Ironically, plants may then be brought in from those remote areas to landscape the cleared land.

The plant protection law, however, didn't change with the times. Plants may be salvaged from land that is about to be cleared, but only if certain procedures are followed and permits obtained. The plant salvage companies are willing to follow these procedures, but it is often too much of a hassle for the average

developer or government agency. It's much easier to bulldoze in a day than to provide for salvage in conformance with the law. Some responsible homebuilders do make major efforts by stockpiling plants to be replanted after construction. But there are not enough "cactus cops" to monitor remote areas where illegal activity occurs.

Changes are needed to bring the laws into the 1980s. The law must make it at least as easy for people clearing land to arrange for legal salvage as it is to destroy. Making more salvaged plants available will cut down on the demand for plants taken from unspoiled areas, preserving those habitats, as well as saving the salvaged plants. Several groups, including the Arizona Native Plant Society, Nature Conservancy, Boyce-Thompson Arboretum and Desierto Verde, a plant salvage company, are working with agency staff to revise the present law.

In addition to drafting the needed legislation, the groups are urging Arizona citizens to write legislators asking them to support the proposed changes.

□

Barbara Tellman is a freelance writer and photographer and president of the Tucson chapter of the Arizona Native Plant Society. Her address is 127 East Mabel St., Tucson, AZ 85705.

ACCESS

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Dear friends,

(Continued from page 2)

and diversity to the board. Lynda is the first board member ever from New Mexico and Karil is only the second board member from Utah. By comparison, there are four Colorado board members, three from Montana and two from Wyoming. The board expects to next add an Arizona member. *High Country News* was founded in the northern Rockies, and has only gradually expanded into the southern parts of the region.

In addition to adding two members, five incumbent members were elected to three-year terms. They are Jeff Fereday, Tom France, Sally Gordon, Bill Hedden and Herman Warsh. Mike Clark resigned. Mike joined the board in 1984, and has played a central role helping *HCN* to obtain foundation grants. He said his current location in Washington and his workload makes it difficult to attend meetings, but that he will continue to work with the paper. Staff and board will miss him.

The board also elected officers for 1989: Andy Wiessner as president, Herman Warsh as vice-president for board development, Bill Hedden as vice president for fund raising, Lynn Dickey as secretary and Michael Ehlers as treasurer.

In other action, the board voted its thanks and a lifetime subscription to Judy Moffatt, who served as development director from 1983 through the beginning of 1988. It was under Judy's direction that circulation and income both more than doubled. More important, she created a strategy for increasing circulation through direct mail and adopted the present Research Fund approach, which includes such things as offering contributors free gift subscriptions as a way to build circulation.

Judy achieved all this from afar — she worked from her home in Glenwood Springs, 70 miles from Paonia. Toward the end of her tenure with *HCN* she began to study photography, and now works in Aspen with a professional photographer and as the development person for the Aspen Center for Environmental Studies.

Welcome, Linda B.

Her position has been filled by Linda Bacigalupi, who joined *HCN* in June 1988. Because Linda is in Paonia, she has become part of the paper's administrative machine, as well as doing development work. It is because of Linda that we have stopped complaining about the computers and begun to use them. She is our systems engineer.

She is also knowledgeable about the region, having worked for the last several years as an economic development consultant to Indian tribes and other entities. Her last trial by fire was in Dubois, Wyoming, where she prepared a report on how that town could diversify its economy away from past dependence on the now-closed Louisiana-Pacific mill.

It is with a certain trepidation that we recognize that *High Country News* is now a different entity than it was a few years ago. The larger circulation and higher budgets have forced us toward more formality and more organization. In 1983, when there were three people in the office, there was no need for meetings, personnel policies, divisions of labor, and the like. Everyone made bank deposits, answered the telephone, filed used photographs, did the bookkeeping, paid the bills.

Over the past year, the paper has become fully staffed; as a result it needs

to have meetings (three people working in one room don't need meetings), written personnel policies, and other things a family didn't need. The purpose of the spring board meeting, to be held this June in Boulder, is to gnaw away at the problem of creating a formal organization out of informality. The challenge will be to retain what is good about the informal processes we have developed while minimizing the disorder that comes with growth.

Thank you, Santa Fe

The Santa Fe meeting was a challenge because the paper does not have a board member in the town. However, Utah board member Bill Hedden undertook to make some arrangements, Linda Bacigalupi combined her Thanksgiving vacation with a scouting visit to the town, and David Henderson of the Audubon Center proved wonderfully helpful, allowing us to hold both the day-long Saturday meeting and the evening potluck there. He even went up to the center early Saturday morning, and broke trail with his four-wheel-drive vehicle on Upper Canyon Road.

Santa Fe is not a cheap town, so staff is very grateful to the people who put us up: Tom Wolf and Cynthia Hermes, Norma McCallen, Gary Epler, Michelle Merolla, Jane Gann, Alison Sanders, John and Edie Pierpont and Dale Doremus.

We are also grateful to Rutgers and Leslie Barclay, who loaned us their art gallery Friday evening as a meeting place. It was a wonderful setting for the discussion of regional issues.

That Sunday, the Barclays hosted a luncheon, this one for EPI's executive director, Mike Clark, and its board president, Herman Warsh. Mike and Herman talked about EPI, which is in the process of changing from a Washington-based research and lobbying organization to one that has members and an international presence. EPI has just mushroomed, thanks to its merger with Friends of the Earth. Leslie Barclay, a board member of EPI, arranged the luncheon when she realized Mike and Herman would be in her town for the *HCN* meeting.

Get a horse

In the early 19th century, the only way to cross America was by foot or on horseback. Today, no one knows if it is still physically possible to cross America on horseback. This year, Lucien Spataro will answer that question by attempting to ride an Arabian horse from California to New York. The ride, sponsored by Ride Across America, will dramatize the cutting of the rain forests and other threats to the natural order. Lucien, who is working with EPI, also spoke to the 40 or so guests at the luncheon.

Word from southern Utah

Paonia is something of an isolated town, and so visitors are welcome anytime, but especially in the winter, when there are few of them. So we were pleased to have two board members of the Southern Utah Wilderness Alliance drop by — Bert Fingerhut and Janet Ross, on their way from Aspen to the Four Corners area. It took us about a half hour of visiting to realize that Janet, who now runs the Four Corners School of Outdoor Education outside Monticello, was the BLM staffer whom Ray Wheeler quoted in his series this fall on the Colorado Plateau.

We didn't know whether to be amused or horrified at the stories she

told of the BLM's conduct of its wilderness review in southern Utah in the 1970s. Her most telling anecdote had to do with a survey of 500,000 acres of potential wilderness. To get this gargantuan job done in the allotted day, three staffers were to be ferried about by helicopter. Unfortunately, the helicopter pilot couldn't find two of the staffers after the first drop, and so what little work could have been done wasn't, and the area, accessible mainly by helicopter, was not recommended for wilderness because it lacked opportunities for solitude. One result of that BLM effort was to convince Janet of the suitability of

southern Utah's land for wilderness, and she is now chair of the SUWA board.

SUWA, Bert said, is now in the closing weeks of its work on a complete wilderness review — a study that will provide the factual base for the environmentalists' testimony to Congress, when that body considers how many acres of BLM land in southern Utah should be made wilderness.

— Ed Marston for the staff

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there was nowhere to turn.
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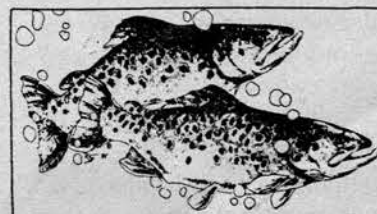


Illustration by Robert Spanning

16-High Country News — February 13, 1989

BOOKS

*The hero of Abbey's new novel is a man, not a 'guy'**The Fool's Progress:*
an honest novelEdward Abbey. New York, New York:
Henry Holt and Company Inc. 1988.
485 pages. \$19.95, cloth.

Review by Ed Marston

There are similarities of scale between European adventurer Napoleon Bonaparte and Western writer Edward Abbey. Both thought in terms of immense geographic distances. Napoleon attempted to conquer Europe, Russia and part of the New World. Abbey has set his sights on land of roughly the same size, the American West.

The differences between the two are also striking. Napoleon went where the people were. Abbey cares only about land empty of people. Had Abbey been in charge of Napoleon's Russian campaign, he would have ignored Moscow and headed for Siberia. Abbey would have asked why anyone would want to control a dung-clogged antpile like Moscow when he could be a free man and roam uninhabited, wild Siberia.

Although their tastes in geography are different, Abbey shares with Napoleon a thirst for power. Only the weapons are different. Napoleon fought with armaments; Abbey fights with myths.

Abbey knows what he is doing. In today's West, myth translates into power. Stetson hats and pointy-toed boots are potent forces in a county courthouse, state legislature or congressional hearing room. They are the sartorial incarnations of the dominant Western myth, and those who wield those symbols automatically wield power. One expert (myself) estimates that a Western rancher has the political weight of 100 Western non-ranchers. The United States Supreme Court is said to have ruled: One man, one vote. In the rural West, that ruling is only a distant rumor.

The ranching community's political strength rests on substance — the control of vast tracts of private and public land — and on myth. The myth was created by Owen Wister in *The Virginian* and embellished by Louis L'Amour in pulp Westerns and by John Wayne in celluloid Westerns. Writer Wallace Stegner says that Wister and others took what had been a poorly paid swineherd on horseback and converted him into a hero.

Abbey has set himself the job of converting the cowboy hero back into a swineherd. His long-range goal is to have schoolchildren in the mid-21st century howl with disbelief when they see a textbook photo of Ronald Reagan, chapped and Stetsoned, on horseback.

They will howl because those 21st-century kids will, like us, have been raised on Westerns, but on Abbey-type Westerns rather than Wister-type Westerns. The Abbey Westerns will idolize hard-drinking, denim-clad men in workboots who spend their work time torching billboards that block views of the mountains, cutting ranchers' fences so snow-bound antelope can get to feed, and disemboweling D-9 Caterpillar tractors moments before they trundle into a Utah desert canyon in search of mineral wealth.

In their fun time, these pickup riders of the purple sage will be shown guzzling beer, insulting ethnic minorities, and chasing after young women whose common characteristic is their "round



Cartoonist C. W. Crumb, left, and writer Edward Abbey

compact heart-shaped bottom like an inverted Valentine."

While most Abbey Westerns will be set pieces pitting heroic eco-saboteurs against loggers, roadbuilders and dambuilders, there will be more sensitive films — the High Noons of the new genre — dealing with the burning of the last piece of kitsch in Santa Fe, the legalization of throwing beer cans from windows of moving pickup trucks, and finally, triumphantly, the destruction by dynamite of Glen Canyon Dam, with the subsequent rapid draining of Lake Powell, or Lake Foul, as its detractors call it.

Abbey has set himself a tall task. But with the publication of his *Monkey Wrench Gang* in 1975, he took a long step toward its accomplishment. That book was about a group of eco-saboteurs who have now become part of the Western mythos and spawned a group, Earth First!, modeled in part on Abbey's Hayduke, Doc Sarvis and Seldom Seen Smith, and in part on Ned Ludd and his Luddites.

From a distance, Abbey may seem an environmentalist, but it must be a long distance. He cares fiercely about the land, but he sharpens his teeth chewing on values generally associated with environmentalism. Environmentalists, for example, generally give at least lip service to the rights and values of Native Americans. Abbey lumps Indians with other "minorities" — women, Hispanics, Jews, well-to-do Wasps — as purveyors, or at least consumers, of destructive cultures and as enemies of the land and of its rightful inheritors: Appalachian hillbilly white trash.

There has always been an anti-social tinge to Abbey that disturbed many who applauded his anti-development, anti-rancher writings. The assumption by some was that the nativist tone was protective coloration — a tough-guy stance, the way the Nature Conservancy cloaks its deep green beliefs in three-piece suits.

But his latest book shows that the nativism and hostility are as much a part of Abbey as his love of the Western landscape and sky. The book is titled *The Fool's Progress*, with the subtitle

"An honest novel." In it, Abbey moves from landscape and wildlife to introspection and autobiography. The long novel is part pun — "the enema within," part wisecrack — "unhappy divorces are unhappy each in a different way," part ethnic slur — the Mexican credit card is a "leettle robber hose" for siphoning gas and "they don't make Jews like Jesus anymore," and part a voyage across Abbey's Western America.

But it is also, as advertised, "honest," and to the extent the novel is autobiographical, Abbey reveals that he is what he seemed in *The Monkey Wrench Gang*, a Redneck who cares about the land because it reflects his wildness, solitude and anger.

Abbey's hero in *The Fool's Progress* is in a continual state of irritation. Because of some grim cosmic joke, he is fated to be surrounded and intruded on by hordes of people who live in ways he finds inexplicable or hateful. But the book's true villains are the women liberators, the Germaine Greers and Gloria Steinems, because they threaten what Abbey's fool, Henry Holyoak Lightcap, needs so badly: young, beautiful, accepting women.

Somewhere in the book, Lightcap/Abbey, an omnivorous reader and half-hearted pursuer of a graduate degree in philosophy, says he cares little about plot or character. He is interested only in how a writer's mind works. Despite that prejudice, *Fool's Progress* is well plotted. But its most striking features for me are the phrases of great contempt and anger leveled against the world Abbey hates. Of those phrases, the best comes after Henry and his brother Will have run off two young men for shooting a hawk from an all-terrain vehicle:

"They're part of the new breed, Will. Not exactly men, not exactly women, but something in between they call 'guys.'"

This book is not about a guy. Henry Holyoak Lightcap is a man, and a fool, because he can't force himself to do what those around him do so easily: settle into an unsatisfactory marriage, get

a Ph.D., get a job, make money, suck up to society.

It is about a furious, over-educated hillbilly. Despite his vast reading and intelligence, he is simply another Lightcap: the latest in a line of economic loners who have been avoiding the time-clock and other social collars since Adam Smith propounded his monstrous theory of pinmaking.

There is nothing unique about the Lightcaps. They were among the many uncivilized Europeans who fled Smith's industrializing continent for the wilds of Appalachia. Then, in the 20th century, when development reached Appalachia, many of them, like Henry, fled again, this time to the rural West to make a last stand.

Lightcap/Abbey, then, is not your typical environmentalist, in search of hiking trails and well-run national parks and wilderness areas. Nor is he a Jeffersonian, in search of calm, measured, agrarian democracy. He is first and last a wild man, interested in landscape and wildlife that match his wildness.

Will *The Fool's Progress* be of interest only to Westerners? Is it Western regional literature, and therefore of no interest to someone from this nation's Midwest region, or New York region?

It lacks the magical descriptions of air and land and the joy of destruction that brought *The Monkey Wrench Gang* to life. And it is uneven. I skimmed the short chapters describing his trip homeward to Appalachia to get back to the interleaved, much longer chapters describing his younger years.

But Abbey has achieved his goal. I came away knowing how his "fool" thinks and feels; he breathes for the reader, immersing us in vapors of alcohol, inconsistencies and fury, until finally, in scenes with his wife, Claire, and his Appalachian family, he is redeemed by love.

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