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High Country News

August 9, 1993

Vol. 25 No. 14

A Paper for People who Care about the West

One dollar and fifty cents

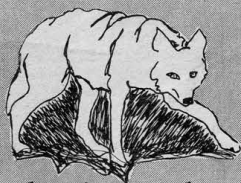
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Now dust is his crop, says Nevada rancher

by Jon Christensen

DIAMOND VALLEY, Nev. — Milt Thompson lives on a lonely stretch of dirt road at the northern end of this remote valley. The view from his stucco house is a classic Nevada scene: a vast emptiness of sagebrush and grass sloping to a glaring expanse of salt flat, framed on all sides by snow-capped mountains.

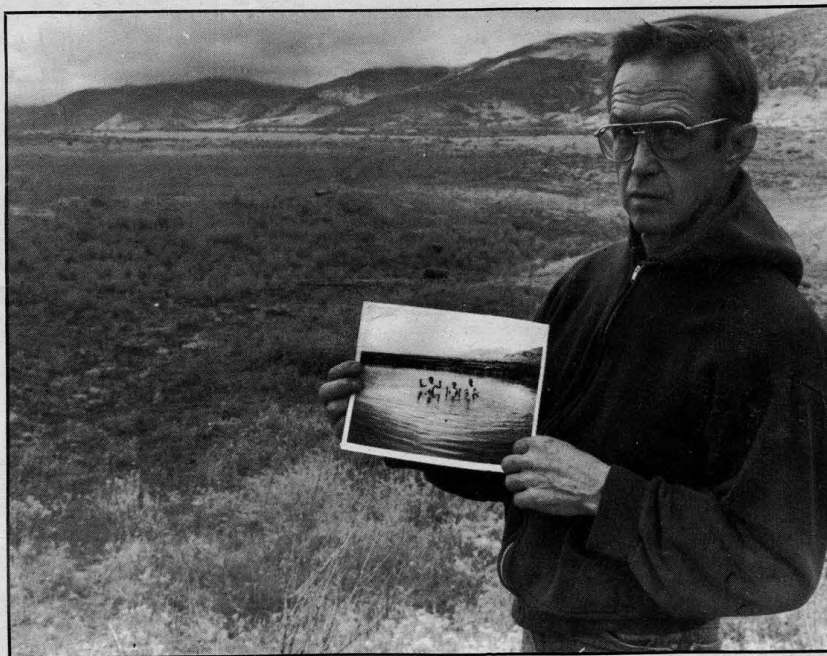
Thompson's place, called Diamond Springs Ranch, was once a watering stop midway across the Great Basin desert on the Pony Express and Overland Stage routes. Shoshone Indians

called it "Pah-hun-nupe," or "water valley." Springs gushed from the base of the mountains, then flowed through the meadows below Thompson's house before pooling out on the alkali.

Nowadays, Diamond Springs Ranch is turning to dust. As Thompson kicks at the dry ground, he talks about the meadow that once was moistened by a high water table. He says it was as springy as a waterbed.

"As soon as they started pumping, the water started dropping," he says, gesturing to the south, higher up the valley.

continued on page 10



Milt Thompson stands near what used to be a pond on his Diamond Valley, Nevada, ranch. The photo he holds shows swimmers there around 1900.



HIGH COUNTRY NEWS

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Printed on recycled paper:
75% post-consumer,
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Dear friends,

Wild Oats sows subs

Until Wednesday, July 28, *High Country News* had 699 subscribers in Boulder County, Colorado. It now has 708, thanks to the Wild Oats Supermarket, the *Boulder Daily Camera* and radio station KGNU.

Wild Oats, a Boulder health and organic food supermarket, made *HCN* the recipient of one of its monthly 5 percent days. That means the paper will receive approximately \$1,000 as its cut of the day's gross.

Thanks to the publicity created by Chris Roberts' news article in the *Camera* and David Barsamian's drive-time interview on KGNU, the newspaper attracted the nine new subscribers and scores of curious who accepted samples and subscription forms from the store-front table manned by publisher Ed Marston, board member Michael Ehlers and visiting journalist Udo Zindel.

We're especially grateful to Wild Oats manager Lisa Shapiro for making *HCN* a 5 percent-day recipient and for then icing the cake by subscribing herself. We also appreciate the many readers who came by to say hello and to do some grocery shopping.

It is unlikely that the selling of subscriptions at malls or on main streets will ever replace direct-mail campaigns. But we can dream. If you own or manage or know of a business in *HCN*'s 1 million square-mile territory that might host an *HCN* subscription drive, please contact Associate Publisher Linda Bacigalupi.

Help wanted

Paonia and its environs need a medical doctor to work with long-time family practice physician Don Ridgway. Benefits include beautiful surroundings, a rural clientele, and early delivery of *HCN*. If you or someone you know might be interested, contact the North Fork Medical

Clinic, P.O. Box 47, Paonia, CO 81428; 303/527-4103.

Visitors

Robert, Nancy, Timothy and Emily Wigington broke up their vacation with a visit to *HCN*'s office. Robert, who does water law for the Nature Conservancy in Boulder, is a former board member of the High Country Foundation.

Greg Durrett, who owns and operates the Italian Underground restaurant in Glenwood Springs, Colo., visited bearing news tips. Jon K. Mulford, who heads the Wilderness Land Trust in Boulder, stopped by.

Jim Henricks of Springfield, Ill., and John Henricks of Boulder, brothers and subscribers in town for the BMW motorcycle rally, said hello.

John C. Twiss, national leader for wilderness management with the U.S. Forest Service, and Dennis E. Bschor, information officer for the Rocky Mountain Region of the Forest Service, stopped in to see one of the nation's major sources of information and misinformation on their agency.

Visitor from afar

Udo Zindel is *HCN*'s first visiting journalist. He is also our first visitor from Stuttgart, Germany, a city roughly 8,000 miles to the east, where he works as a free-lance reporter for public radio and specializes in nature conservation and the environment. In his radio work, he strives to combine nuts-and-bolts reporting with the art of storytelling.

Udo earned a master's in geography several years ago while a Fulbright student at Arizona State University. There he developed an interest in the American West:

"This region to most Germans has remained the Wild West of Geronimo and Buffalo Bill," he says. "I find it fascinating to use rock-hewn symbols like the American cowboy to illustrate the con-



Cindy Wehling

Udo Zindel is *HCN*'s first visiting journalist

flicts in today's rapidly changing West."

He will be in residence at *HCN* for a month.

P.S. A Roundup article July 26 about wolf reintroduction listed the wrong state for one of the meetings. The Dillon meeting Aug. 25 is in Montana.

—Ed Marston for the staff

HOTLINE

Wilderness bill for Colorado advances

Colorado may get 711,170 acres of new wilderness this summer. In July the U.S. House of Representatives approved by a voice vote a bill to create seven new wilderness areas and expand 10 existing wildernesses in the Colorado high country. The bill, which has unanimous support from the Colorado delegation, is now in the Senate Energy and Natural Resources Committee. Carol Knight, press secretary for Sen. Ben Nighthorse Campbell, D-Colo., says it will likely sail through committee, across the Senate floor and onto President Clinton's desk before Congress recesses Aug. 9. According to a compromise worked out last year, the bill will not allow federal reserved

water rights for new wilderness, but instead will bar water development within their boundaries (*HCN*, 2/22/93). The bill protects 226,000 acres, or nearly all of the spectacular Sangre de Cristo Mountains in southeastern Colorado, and safeguards 500-year-old forests in Bowen Gulch. In addition, the bill designates another 55,500 acres as special recreation areas, and gives the Forest Service three years to buy or exchange private inholdings in the Spanish Peaks wilderness study area. The bill also releases for development as much land as it protects.

Biowarfare is back

The Army has resumed tests with disease-causing bacteria and viruses at the Dugway Proving Ground in western Utah after a 10-year hiatus. Researchers are

spraying deadly, infectious microorganisms into an isolated chamber to test a "chemical biological mass spectrometer." The device warns soldiers of biological and chemical warfare agents in the air or on the battlefield. The tests involve bacteria that cause bubonic plague and Q fever, reports the *Salt Lake Tribune*. Such "aerosol" testing was routine until 1983, when the Army concluded that its containment equipment was too old to ensure safety. The biowarfare lab has been renovated since then, and when Utah state officials were briefed on the testing plans last year, they raised no objections. The Army also announced plans to test the equipment's ability to detect five other biological agents in water, including the disease that causes botulism, the bacteria that cause anthrax and a virus that causes encephalitis.

BARBED WIRE

Whatever you call it, the result is still stumps.

Idaho's Panhandle National Forest defines "temporary meadows" as forest openings caused by "clearcuts, group shelterwood or group selection harvests."

A U.S. senator discovers that nature is a Communist.

Idaho Sen. Larry Craig, R, told a symposium on forest management: "Our intent must be to help re-establish resilience in our forest ecosystems, and to stop the ravages of natural forces that are so clearly opposed to the aspirations of human beings."

Bum rap deserves a bum wrap.

Angry at proposed cutbacks in timber harvesting, an Oregon group urges consumers nationwide to buy large amounts of toilet paper. Oregon Lands Coalition spokeswoman Jackie Long told AP: "We need to hit people where they live."

WESTERN ROUNDUP

Grazers and greenies agree on reforms

When two counties near Denver attempted to take water from western Colorado in 1986, ranchers and environmentalists in the Gunnison Valley worked together to keep the river untapped. Now the unlikely coalition is working together again — this time to reform grazing policy on public land.

The High Country Citizens' Alliance and the Gunnison County Stockgrowers Association recently sent a 21-page summary of their proposal to Interior Secretary Bruce Babbitt. It proposes decentralizing management and setting up a school for stewardship.

"The plan is based on community cooperation representing years of dialogue and community-building within Gunnison County," says alliance president Gary Sprung. The coalition would leave the annual fee of \$1.86 — the amount charged to graze a cow-calf pair for one month — untouched but add two surcharges. One surcharge, for each cow-calf pair grazing for one month, would cover the cost of local administration. A second surcharge would serve as a profit to taxpayers for allowing use of the land. Even with the surcharges, the most any rancher could be billed in 1993 would be \$3.72 for each animal unit month.

Stan Irby, a third-generation rancher in the Gunnison area, says that the coalition's proposal is "one of the better ones out there." Irby, who runs about 50 percent of his cattle on public lands, says even if fees were raised high enough to drive him off public land, he could proba-

bly survive on private lands. But many ranchers could not. "That's why the ability to maintain grazing on public lands is important," he says.

The joint proposal calls for a five-person "Rangeland Ecosystems Oversight Council" comprised of two federal grazing permittees, one wildlife representative, one environmental representative and one citizen at large for each national forest and Bureau of Land Management district. The council would review local administration and budgets as well as approve and impose surcharges.

The coalition also proposes the establishment of a stewardship school with required attendance for all permit-holders. It would teach the practical aspects of proper rangeland management, including grassland ecology and prevention of soil erosion, says Sprung.



Alison Bay/Crested Butte Chronicle & Pilot

High Country Citizens' Alliance member Marcia Dowell at a July 4th parade in Crested Butte

For more information, or a copy of the proposal, contact the High Country Citizens' Alliance, P.O. Box 1066 Crested Butte, CO 81224 (303/349-7104).

HOTLINE

More questions for Packwood

The Oregon State Bar is getting into the debate over whether Sen. Bob Packwood, R-Ore., sexually harassed women. Packwood is licensed as a lawyer in Oregon, but has not practiced law since he was first elected to the U.S. Senate in 1968. He has been on "inactive" status with the bar since 1989. The bar will investigate allegations now before the Senate Ethics Committee that he "stole" the election by lying to reporters and by threatening to discredit women who had been interviewed by the *Washington Post*. The *Post* and other newspapers have reported since last November that Packwood made improper sexual advances toward more than 20 women during his Senate career. However, the Rules Committee determined that it could not refuse to seat Packwood based on the allegations. The bar association's code of ethics defines misconduct as "dishonesty, fraud, deceit or misrepresentations." Possible sanctions against Packwood could range from a warning to disbarment, according to Jeff Shapiro, the bar association's general counsel in Portland.

At Utah's Bonneville Salt Flats it's a race for brine

The moon-like Bonneville Salt Flats of Utah are disappearing.

These flat, salt-encrusted expanses of the Great Salt Lake Desert occupy only 19,000 acres — down 3,900 acres since 1960 — and they continue to recede at the rate of about 1 percent a year.

Why? No one knows exactly, says geologist Phil Allard. But Allard's employer, the Bureau of Land Management, isn't waiting for an explanation. On

June 16 the agency approved a plan designed to redistribute salt onto the ancient lake bed west of Salt Lake City.

The plan is the product of an agreement between two traditional adversaries: Reilly-Wendover Industries, which has run a potash operation since 1988, and the Utah Salt Flats Racing Coalition. Both have agreed to set aside their long-standing feud and put a total of \$800,000 toward the project.

The racers, who use public lands north of Interstate 80, still blame mining for transforming areas once covered by a glassy layer of salt into barren mud flats pocked with pot-holes. "Right now the salt flats are a little dangerous," says Larry Volk of the Utah Salt Flats Racing Coalition.

Reilly-Wendover attributes the loss to natural cyclic changes, and the Bureau of Land Management agrees. During a dry period between 1987 and 1992, for

example, water in the shallow basin evaporated quickly, producing an uneven, fissured surface riddled with cavities, says the BLM's Allard. He says when there's more runoff the area stays flooded longer. That allows spring winds to blow briny water across the surface, gradually leaving a uniform layer of salt.

The BLM-approved plan proposes pumping water into four of the company's solar evaporation ponds, which are now filled with salt left over from potash extraction. Pumps would then run the water through a culvert under the highway to the salt flats north of I-80. The redistribution of salt is expected to replace 80 percent of the area lost each year.

BLM team leader Alice Stephenson says the agency is enthusiastic about the project because it tries to do three things at once. If successful it will preserve a unique natural resource, solve a local industry's waste disposal problem, and placate an historic recreational group whose activities contribute millions of dollars to the state's economy. But the plan, which may be implemented in the fall of 1994, has some unknowns. If the pumped water does not contain enough salt, Stephenson says, it could dissolve and remove salt from the flats.

The U.S. Geological Survey is also studying the shrinking flats, though the agency's findings will not be available until the end of this decade. For more information, contact the BLM Salt Lake District office, 2370 South, 2300 West, Salt Lake City, UT 84119, (801/977-4300).

— Peter Mali



Bureau of Land Management

Couple watches the races during Speed Week at the Salt Flats

Peter Mali recently completed an internship at High Country News.

HOTLINE

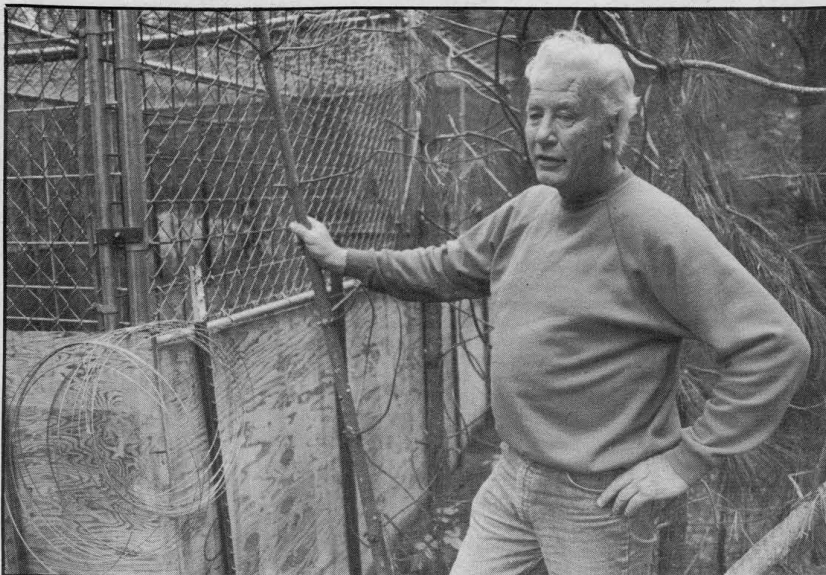
Arson feared this summer

In October 1991 someone deliberately set fire to Oregon's Willamette National Forest, burning 9,000 acres in an un-loggable, spotted owl habitat preserve. As Western timber jobs continue to decline and weather gets drier, more forest fires sparked by arson could flare up, AP reports. Arson is profitable because it creates jobs, first for those who fight the fire and then for those who do the salvage logging. For example, the Willamette fire in Warner Creek took two weeks and \$10 million to stop. Environmentalists say the prospect of employment, especially through the salvage-logging program, encourages people to torch trees. "Here's an agency that puts out Smokey the Bear posters saying 'Only You Can Prevent Forest Fires,' and then they run programs that reward arson," says Mark Hubbard of the Oregon Natural Resources Council. Setting fires for jobs reputedly started during the Great Depression, but proving it has never been easy. The Forest Service concluded the Warner Creek fire was deliberately set, but no one has been arrested. Federal investigators in Washington, Oregon and California have failed to prove any arson-for-profit cases in recent years, but "that's not to say there haven't been some," says John Ruff, a special agent with the Forest Service in San Francisco. Ruff says people who torch the forests in search of jobs cover their tracks better than those who just like watching big bonfires.

A bird, a plane, no, a missile

A Utah congresswoman has launched an offensive against a U.S. Army proposal to test missiles over Utah and New Mexico. Rep. Karen Shepherd, D-Utah, introduced a bill July 16 that could prevent the Army from flying missiles from Green River, Utah, to White Sands, N.M. Residents of Green River have embraced the proposal, but many in Moab have not, mainly because the missiles would drop one-ton boosters onto public lands near Canyonlands National Park. (HCN, 4/19/93, 5/17/93). Shepherd said her primary concern was for the safety of 40,000 visitors who enjoy the region annually and "who could be jeopardized by these massive rocket casings falling indiscriminately from the sky." Shepherd's bill does not address three over-water test routes the Army is considering on the Pacific and Gulf coasts. The Army says "over-land missile intercepts are desirable so that we (the Army) can recover debris for analysis." It says it would remove the casings using "land vehicles on and off roads and helicopters." Deb Nester, a volunteer for the Southern Utah Wilderness Alliance, says hikers in the proposed drop area have found the remains of previous tests from 20 years ago lying on canyon floors and mesa tops. As of July 27, Shepherd's bill had passed the House Armed Services Committee.

Still looking for Trouble



A grizzly bear named Trouble has not been sighted since her escape from a wildlife rehabilitation center near Grants Pass, Ore. (HCN, 6/28/93). Dave Siddon, director of Wildlife Images, stands beside the "bear proof" enclosure she broke out of in May. In his hand is the overhanging sapling that Trouble used to pull herself out of the cage. The grizzly escaped into the Kalmiopsis Wilderness and is believed to be headed home to Montana.

Andy Cripe

HOTLINE

A \$100,000 tortoise

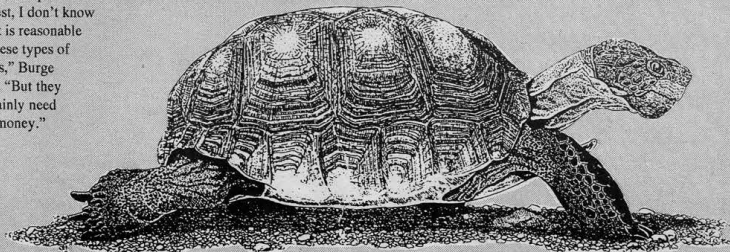
The killing March 23 of an endangered desert tortoise cost a Nevada company \$100,000. The tortoise was apparently run over during grading work at a new subdivision outside Las Vegas, in Green Valley. According to charges filed in state court, Silver State Leasing Co. started construction work in known tortoise habitat before obtaining a permit from the U.S. Fish and Wildlife Service. The permit would have required the firm to do a search for desert tortoises. Although Silver State Leasing refused to admit guilt, it conceded that the prosecution had enough evidence to win its case. The tortoise-killing came to light after a subcontractor reported the incident and then was fired from his job. The \$100,000 settlement includes a \$25,000 court fine and \$75,000 for a county conservation fund to benefit tortoises. Betty Burge, chairwoman of a local tortoise advocacy group, told the *Las Vegas Review-Journal* she was glad most of the money went to provide research and habitat acquisition for the protected species. "To be honest, I don't know what is reasonable in these types of cases," Burge said. "But they certainly need the money."

The last sockeye?

From 1990 to 1992, only five sockeye salmon have survived the 900-mile run up the Columbia and Salmon rivers to their spawning grounds in Idaho's Redfish Lake. 1993 doesn't look much better. Environmentalists, Native Americans and others are holding a "sockeye watch" at Lower Granite Dam at the headwaters of the Salmon, and although watchers counted a possible 10 fish, only three were confirmed as of July 26. Survivors of the remaining 460-mile swim up the undammed river to Redfish Lake will be caught and "hand-spawned" for eggs. If any females make it to the lake, fisheries managers will fertilize the eggs with the nitrogen-frozen sperm of last year's lone survivor and raise the progeny in a hatchery. Idaho Fish and Game officials say catching and breeding the fish is the best way to help the species survive. But the real culprit is federal dams and reservoirs, said Steve Huffaker, fisheries chief for Idaho.

The toner connection

Arizona Sen. Dennis DeConcini's well-publicized relationship with savings and loan felon Charles Keating guarantees him a tough re-election struggle in 1995. Now *The Wall Street Journal* has made that election a bit tougher by reporting on the Democrat's relationship with a former Republican congressman and one-time leader of the "Christian Right" named John Conlan. According to the July 19 *Journal*, DeConcini amended federal law to require agencies to use recycled toner cartridges for laser printers. And those cartridges must come from a firm certified by a laboratory as being competent remanufacturers. Only Conlan's Virginia firm met that condition when the law was passed, giving him a jump on competition. The story, by Bob Davis and David Rugers, speculates that DeConcini hopes Conlan will throw him Christian Right support in the next election. DeConcini says he was simply trying to help small business and save the government money. At stake is the \$200 million a year the government now spends keeping its laser printers in toner.



U.S. Fish and Wildlife Service

PROFILE

Can Dan Beard reclaim Reclamation?

WASHINGTON, D.C. — The dam is no longer outside Dan Beard's office, and that is no coincidence.

Where once the picture of a mighty Western dam marked Bureau of Reclamation territory on the Interior Department's seventh floor, a more complex display now shows a running river, wildlife, windsurfers and, yes, a dam.

It couldn't be a better metaphor for the meaning of Dan Beard's ascension to the top of the federal irrigation bureaucracy. It's the bureaucracy that built the Central Valley Project in California, that is trying to finish the Central Arizona Project and Central Utah Project, and that's still struggling with the unendingly controversial Animas-La Plata project in Colorado.

But the Bureau is also struggling to evolve, and that's where Dan Beard comes in.

"To me, the Bureau of Reclamation is an environmental organization," Beard said in a recent interview. "As we look out and see the construction budget decline, we'll place a priority on being the pre-eminent water management agency in the world."

Beard, 50, brings undeniable credentials to this pivotal moment in the bureau's history: a Ph.D. in geography, 20 years of Washington experience and a history of skepticism about federal irrigation policies. Most recently, as chief of staff of the House Natural Resources Committee, Beard played a central role in drafting a wide-ranging Western water reform bill that affected projects from Arizona to Wyoming. The environmentally oriented bill is now law, and it suggests how Beard wants to prepare greener, fish-friendly operating manuals for the Bureau's existing water projects.

"Societal values have changed," Beard said, "but the way in which we operated these projects became encrusted with barnacles and became difficult to change."

Beard's willingness to change with the times worries some of the Bureau's old-time employees and traditional water customers. Western farmers and the

Bureau's 7,500 employees are carefully watching this alumnus of Jimmy Carter's Interior Department.

"There's a corps of long-serving (Bureau) employees who are uncomfortable with his presence," said Tom Jensen, a former key Senate staffer and now executive director of the Grand Canyon Trust. "On the other hand, there's a great majority ... who are delighted with the opportunity to shake off the legacy of the

irrigation subsidies to huge corporate farms. But his proposed rules were undercut by higher-ups. And he was made an exile within the agency. So it was a signal of change when Beard made his recent inaugural tour of the Bureau's regional offices and made a point of meeting with Doe in Denver.

"The younger (Bureau employees) recognize that the old Bureau needs resuscitation, and they're hopeful (Beard) is the one to do it," Doe said.

No Bureau employee can dispute the end of the agency's construction era. From about \$1 billion a decade ago, the Bureau's annual construction budget has now dropped to about \$432 million.

Still on the drawing boards is the \$640 million Animas-La Plata project proposed for southwestern Colorado, the very project that Beard's former boss, Congressman George Miller, once compared unfavorably to a Rube Goldberg contraption (*HCN*, 3/22/93). Nonetheless, during his Senate confirmation hearing, Beard pledged that the administration "is going to go forward as expeditiously as we can" with the 1988 Colorado Ute Indian Water Rights Settlement Act.

But that may or may not require construction of Animas-La Plata.

Beard added later that "it is premature to make any conclusions on the continued economic viability" of Animas-La Plata.

Can the Bureau change? Beard's immediate predecessor, Dennis Underwood, oversaw the preparation of a new written

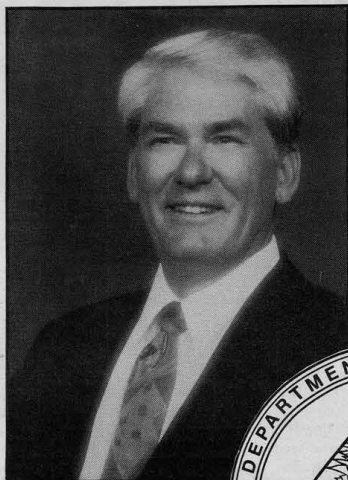
Bureau strategy. But skeptics saw a certain hesitancy in the follow-through.

"It was a little bit like running out to the end of the diving board, and then not jumping off," Beard said.

Now it's Dan Beard's time on the high dive, and all of the West has a stake in how he does.

—Michael Doyle

Michael Doyle is a reporter in the Washington bureau of McClatchy Newspapers.



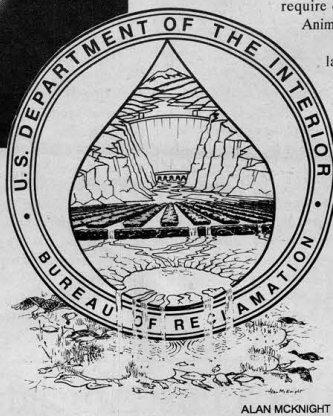
Dan Beard

Bureau's first 90 years."

The legacy includes the construction of 345 Western reservoirs and 52 hydroelectric plants and the "reclamation" of the arid West for human use.

But environmental disasters and coziness with agribusiness taint this vaunted legacy. The disasters occurred at places like Kesterson National Wildlife Refuge in California's Central Valley, where selenium-poisoned irrigation runoff poisoned thousands of birds. The coziness showed in administrative decisions that resulted in tens of millions of dollars in extra subsidies for Western water users. And it was seen in the fate of Bureau employees such as Phil Doe.

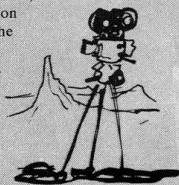
In the 1980s, Doe worked on limiting



ALAN MCKNIGHT

reports. "There's a big difference between shooting a photograph for *National Geographic* and driving a bus off a redstone cliff," Baca said. BLM spokesman Don Banks says the agency has not yet formed a task force to devise the plan, so no criteria exist yet for distinguishing low- from high-impact activities. Until then Banks says the permitting process will continue to work on a case-by-case basis. Scott Groene, staff attorney for the Moab, Utah-based Southern Utah Wilderness Association, says Baca's proposal is "a common

sense approach." But people who work with Hollywood were not pleased. "You can't plan what the weather is going to be six months out," says Leigh Von der Esch of the Utah Film Commission.



HOTLINE

The coyote and the mouse

Would a larger population of rodent-eating coyotes in the Southwest have prevented the spread of the deadly Hantavirus? Maybe not. But a New Mexico rodent expert says one way to control the recent outbreak is to stop killing predators that feed on deer mice suspected of carrying the virus, reports the Santa Fe *New Mexican*. "They're on your team," said biology professor Robert Parmenter, who teaches at the University of New Mexico. Armed with Parmenter's opinion, environmental activists in New Mexico asked the state Game and Fish Commission in July to protect the coyote by reclassifying it as a fur-bearing animal instead of a "varmint." "The unregulated and indiscriminate killing of coyotes is just exacerbating (the Hantavirus) crisis," wrote Pat Wolff of New West Research in a letter to the state commission. "I urge you and Gov. King to take emergency action to protect the public health by reclassifying coyote as a protected furbearer, which is the same classification now given to fox, badger, raccoon and bobcat." Commission chairperson Jamie Koch said a change in the coyote's status would require new legislation. "The commission is against it becoming a regulated animal," Parmenter said the Centers for Disease Control in Atlanta, Ga., is working on Hantavirus recommendations due later this summer that will likely touch on the role of the coyote.

Woman arrested for sitting in tree

Joni Clark, a 35-year-old elementary schoolteacher from Boulder, Colo., spent most of the second week in July sitting in a tree in southern Colorado. Clark and other members of Ancient Forest Rescue were trying to call attention to an almost 8 million-board-foot sale in the 56,000-acre Willow Mountain unroaded area. Clark was arrested when a road-building crew came within range of her tree and the Forest Service closed the area for safety reasons, says Rio Grande National Forest spokesman Ron Jablonski. Activist Marty Walter says road closures are a tactic to stifle dissent. "If you don't agree with the Forest Service policy of cutting the last old growth in America, they shut the forests and then you're illegal." Clark spent a night in jail, paid \$250 bond and had to agree to stay out of the forest for an unspecified amount of time. Clark says she is grieving. "I made friends with that area. And to think of that area being ravaged is really hard for me." Ancient Forest Rescue is trying to stop the logging of 1,484 acres of mature Engelmann spruce and subalpine fir by Stone Container Corp. The Forest Service says the forest was lightly cut in the late 1800s and does not have the characteristics of old growth. Activists say it is an important wildlife corridor to the South San Juan Wilderness and that the cumulative effects of 400 Colorado timber sales in five years are a "policy of extinction."

HOTLINE

Shooting in the West

Bureau of Land Management Director Jim Baca has an idea for solving the time-lag problem of issuing permits for film makers who want to shoot on public lands (*HCN*, 3/8/93). Baca, speaking to film industry representatives in June in Salt Lake City, suggested a two-tiered process in which lower-impact projects would go through a streamlined application process and others would wait the standard 45 days, the *Salt Lake Tribune*

Gold company stymied in Montana's Sweet Grass Hills

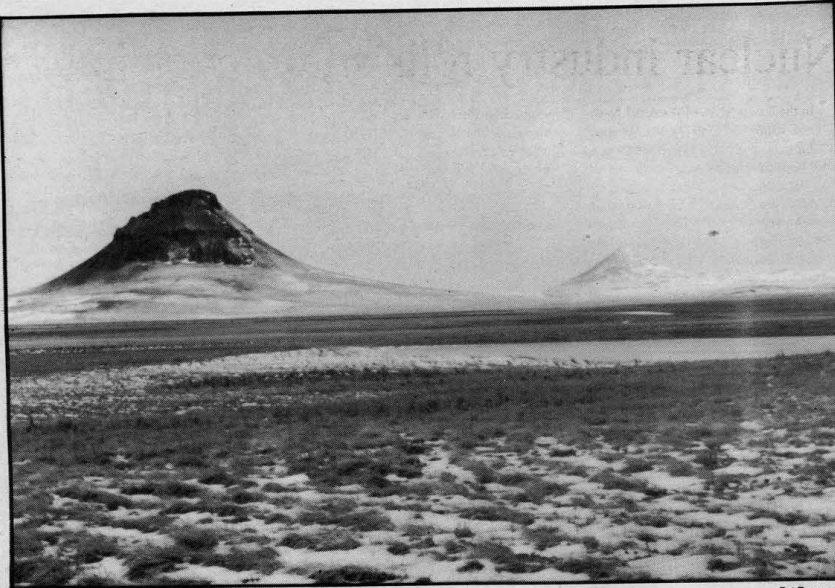
It seemed like a routine request. In February 1992 a gold-mining company asked the Bureau of Land Management for permission to explore its patented mining claims and some nearby public lands in north-central Montana.

Under normal circumstances, the agency would have granted Manhattan Minerals an exploration permit. Then a crew would have scraped 28,000 feet of road and trench to drill 40 test holes in the Sweet Grass Hills. Instead, the company is at least a year away from setting foot on the low mountain which pushes up from the plains close to the Canadian border.

A coalition of Native American tribes, ranchers, environmentalists and historic preservation groups has forced the BLM to conduct an extensive study of the area's cultural and religious significance. And, in a letter sent in early June, Montana Rep. Pat Williams, D, urged Interior Secretary Bruce Babbitt to deny Manhattan Minerals' exploration plan and look for ways to keep other lease-holders in the area from ever developing mines.

Why all this interest in a remote corner of rural Montana? Because, mining opponents say, Sweet Grass Hills is no ordinary piece of real estate.

Several Plains Indian tribes on both sides of the border have used the area for centuries as a spiritual site for everything from vision quests to the gathering of traditional herbs such as sweet grass and sweet pine. Last year, hikers also discovered in a cave two carved-shell ceremoni-



Pat Dawson

Haystack Butte, left, and Gold Butte in the Sweet Grass Hills of Montana

al masks that may have originated in the Gulf Coast area in the 1500s.

The significance of the Sweet Grass Hills is not lost upon state and federal historic preservation officials. Montana's chief archaeologist, backed by the federal Advisory Council on Historic Preservation, nominated the area last May as a historic district.

Adding fuel to mining opponents' fire is the graphic disturbance caused by gold mining of the Little Rockies, another prairie mountain farther to the east also considered sacred by Native Americans. There, the Blackfeet Tribe and environmentalists are fighting to stop the proposed expansion of Pegasus Gold's massive mining operation, which is leaking acid runoff (HCN, 5/3/93).

Area ranchers and farmers are concerned that runoff from a future gold mine in the Sweet Grass Hills could pollute

their surface and groundwater. "We cannot afford to lose our only fresh water source," said Dave Hofer, a spokesman for the Eagle Creek Hutterite Colony, a communal agrarian sect.

Faced with such stiff opposition from the outset, the BLM told Manhattan last June that it must do an environmental impact statement just to get an exploration permit.

"I can't think of another case where we've done an EIS for an exploration permit," said Scott Haight of the BLM's Lewiston, Mont., office. Haight said pending legislation to revamp the 1872 Mining Law and the growing savvy of Native American tribes seeking to protect traditional religious sites have put added pressure on his agency.

But Haight said the BLM's hands are tied by the 1872 Mining Law. "We can

mitigate, but we can't deny," he said. "We can avoid specific areas, but if you're asking the operator to avoid the mountain, that's the same as denial."

At a series of hearings this spring to discuss the BLM's draft EIS, opponents made it clear that no amount of paperwork or mitigation would satisfy them.

"We look at these hills as sacred, as you look at your church," said Curly Bear Wagner of the Blackfeet Tribe. "We want them left completely alone."

According to a BLM ethnographic report based on oral information from the late Art Raining Bird, the Sweet Grass Hills, and, specifically, Devils Chimney Cave, "is where the creator decided the future of the earth and of man. The creator will return here at the end of the world and reawaken the spirits of those who have left." In 1986, Raining Bird told an ethnographer, "No one thought they'd be excavating there. I don't agree with that. If that ever happens, unexplainable things will begin to happen."

Alan Stanfill is a member of the federal Advisory Council on Historic Preservation. He told BLM officials in May that the Sweet Grass Hills warrant permanent protection as a historic district. "There's no way to minimize the damage that is going to occur to this sacred place," said Stanfill. "There is no room for discussion." He suggested that the BLM attempt a federal land-swap with Manhattan.

Ernest K. Lehman, owner of the claims, said he and his associates have over \$1 million invested in the exploration project. "We're not in a position to seek out a new project area," said Lehman. "We want to work with people, to try to mitigate and accommodate. (But) we have certain economic criteria and rights we wish to exercise." Lehman said the exploration work would take two field seasons and that "half the value in the road system is in exposing the geology."

For now, any gold-bearing veins in the Sweet Grass Hills remain covered by native grasses. The BLM says it won't complete a more thorough cultural and ethnographic review of the area until the fall. For more information, contact the BLM in Lewiston, Mont., at 406/654-1240.

— Pat Dawson

The writer free-lances out of Billings, Montana.

Indians ask Congress for a First Amendment

Native American sacred sites, such as the Sweet Grass Hills and the Little Rockies in Montana, are open to mining because of the 1872 Mining Law. Indians can't do much about it because the American Indian Religious Freedom Act of 1978 has no teeth.

Congress is considering significant changes to both laws that could dramatically tilt the balance of power. But even in advance of changing laws, traditionalists have won some victories over development plans on public lands:

- Interior Secretary Bruce Babbitt recently put a one-year hold on oil and gas drilling in the Blackfeet Tribe's Badger-Two Medicine area in Montana;
- The federal Advisory Council on Historic Preservation successfully intervened to protect Wyoming's Medicine Wheel from a Forest Service development plan;

- Native American concern over sacred lands has delayed gold exploration in the Sweet Grass Hills.

But unless Congress changes the laws, these victories are only temporary reprieves for areas destined for development.

The American Indian Religious Freedom Act is a congressional joint

resolution passed as a "policy to protect and preserve for American Indians their inherent freedom to believe, express and exercise the traditional religions" It is more policy statement than binding law.

The U.S. Supreme Court held in a 1988 case, *Lyng vs. Northwest Indian Cemetery Assn.*, that even though the action would "virtually destroy the Indians' ability to practice their religion," the First Amendment religious freedom guarantee in the Constitution could not stop the Forest Service from building a logging road through a mountain-top area in California held sacred by three tribes.

Since that ruling, native groups have pushed for congressional amendments to the religious freedom act that would better define their rights. At a Senate committee field hearing, Walter Echo Hawk, staff attorney for the Native American Rights Fund, said that the law is "inadequate when basic human rights are at stake. It is time for Congress to put teeth into its policy. ... After 500 years since the arrival of Columbus, the time is long overdue for society to grant respect and equal protection to the religious freedom of those who were here first."

The 1872 Mining Law gives claim holders the right to explore and develop their holdings, whether they are in a wilderness area, a national park or a Native American sacred site. A reform bill favored by environmentalists and Interior Secretary Babbitt would "put mining on the same level as other public land uses," said Will Patric of the Mineral Policy Center's Bozeman, Mont., office.

Land managers, pressed more vigorously than ever by tribal leaders and their allies, now find themselves struggling to reconcile native religious and cultural rights with public recreation, mining, logging and other activities.

"It's very hard to maintain that consistent objective position when it seems nobody is ever pleased with what you do," said Gene Miller, associate director for the Bureau of Land Management in northern Montana. "Native Americans are now capable of focusing on what they hold sacred; they become very vocal, and rightfully so. It's a dilemma."

In the future, the Bureau of Land Management could face a far different dilemma: telling mining companies not to even consider mining sacred sites.

— P.D.

Nuclear industry rolls snake eyes in Nevada

In the waning days of the 1993 Nevada Legislature, the state Senate spurned nuclear industry offers to help balance the state's badly out-of-balance budget.

Originally, the industry hoped to convince the state to accept \$10 million a year from the federal government under the Nuclear Waste Policy Act, as part of the ongoing studies of the Yucca Mountain high-level nuclear waste repository. In the end, the Legislature wouldn't even agree to study how much money the dump study might bring to the state. The nuclear industry estimates the amount at \$100 million a year, but dump foes fear that the acceptance of even the \$10 million might weaken Nevada's ability to oppose the dump later.

The eleventh-hour rejection of atomic benefits symbolized how much the Legislature has changed since it first invited the federal government to dump nuclear waste at the southern Nevada site in 1975. The vote capped a legislative session characterized by defense but little significant offense on the environmental front.

The part-time Nevada Legislature meets once every two years. Legislators begin work in January of odd-numbered years and are paid to work for only 60 days. After that they receive an allowance to cover lodging and food until they get their work done. The 1993 session missed setting a new record for longevity by only a few hours, ending on July 2 after spending 166 days and \$9 million.

Lawmakers were preoccupied with a state government reorganization plan, reforming a state workers' compensation program \$2.2 billion in the hole, and balancing a budget hit by a shortfall of roughly \$100 million a year in anticipated sales and gaming tax revenue.

Two years ago, the American Nuclear Energy Council utility group predicted that the state's budgetary woes would force it to accept a "negotiated settlement" in the 1993 Legislature.

"You can't stop the dump," argued ANEC lobbyist Ed Allison during a day of intense buttonholing of legislators. "Let's take what we can get."

However, after months of heavy lobbying the council's goal of breaking state opposition to the dump failed.

Although the move to negotiate for benefits was supported by Senate majority leader Bill Raggio, R-Reno, most legislators weren't biting. "This is what we'll be remembered for in a hundred years," countered Sen. Ernie Adler, D-Carson City, in a hallway debate with nuclear lobbyists. Later, the Senate rejected the resolution 14 to 7.

Bob Loux, director of the Nevada Nuclear Waste Project Office, a watchdog agency that opposes the dump, called the vote a "giant victory." After spending "nearly \$10 million on advertising, lobbying and public relations during the past two years," he said, "the nuclear industry was desperate to win a victory in Nevada."

Earlier in the session, Sen. Raggio led an effort to reopen a low-level radioactive waste dump run by the U.S. Ecology company in Beatty, Nev. The dump was ordered closed in January by Gov. Bob Miller. The company offered the state \$20 million to allow it to continue operating. But Raggio dropped the effort after it was revealed that U.S. Ecology is a client of the law firm where he works when the legislature is not in session.

Appraising the 1993 Legislature as a whole, Joe Johnson, a lobbyist for the Sierra Club, gave a mixed report card. "There was more concern with alligators than with the swamps," he said. "We were largely successful at playing defense against attacks on existing rules and regu-

lations. But there was very little opportunity to make progress on a broad environmental front."

Johnson was an assemblyman in the 1991 Legislature but he lost his re-election bid in a reapportioned Reno district last year. A solid environmental vote when he was on the inside, this year Johnson was closely involved in many of the same battles from the outside. Aside from the nuclear initiative,

But some headway was made on making the state engineer provide more detailed justifications for his decisions on water applications; requirements for due diligence in development of water were strengthened; funding was secured for staff to break a logjam of water adjudication proceedings in the state engineer's office; and an interim study committee was formed to define the "public interest"

bou, fallow deer and Rocky Mountain elk. "Wildlife ranching" will be regulated by the state Department of Agriculture.

In what Joe Johnson called the "most important" environmental legislation of the session, those who testify before the Legislature were granted protection from so-called SLAPP suits. The acronym stands for "strategic lawsuits against public participation," suits filed by developers against people who publicly oppose their projects. Now people testifying before governmental entities in Nevada will be immune from civil liability based on their testimony. The law allows witnesses before the Legislature to make remarks that might be considered defamatory in another setting.

Finally, in a display of Nevada's changing social values, an 82-year-old law requiring punishment for "crimes against nature," or sodomy performed in private, was repealed. Many environmentalists joined the broad-based lobbying effort which led to a more than 2 to 1 majority vote both in the Assembly and the Senate to abolish the law.

Overall, the 1993 Nevada Legislature reflected the changing nature of a state that remains fiscally conservative and generally distrustful of government interference but which is also gaining liberal social and environmental values. Nearly

20 years after inviting the Department of Energy to bring nuclear waste into the state, this Legislature showed a Nevada determined to hold off the advances of the nuclear industry.

But environmentalists were unable to press a unified, cohesive vision in the Legislature this year, conceded Bob Fulkerson, director of Citizen Alert, a statewide environmental group. Fulkerson hopes to change that by leaving Citizen Alert at the end of this year to form a new group to push a broad social and environmental agenda in the state Legislature.

With victories against the dump and the sodomy law, Fulkerson predicted, "the timing is right" for a new progressive coalition to take hold in Nevada.

— Jon Christensen and Patrick Guinan

Jon Christensen is Great Basin regional editor for *High Country News*; Patrick Guinan works as an HCN intern in Carson City, Nevada.



Jon Christensen

Lobbyists including, from left, Randi Thompson and Ed Allison of the American Nuclear Energy Council and Katie Smith of the Nevada Nuclear Waste Study Committee, work the halls in the waning days of the 1993 Nevada Legislature

he said, the 1993 Legislature produced a variety of problems for environmentalists to tackle, including bills designed to protect private property from regulatory "takings," crafting regulations to bring the state into compliance with federal clean air and solid waste management laws, regulation of "wildlife ranching," and a passel of legislation dealing with water management.

Environmentalists took their hardest knocks on water laws. Despite an environmental coalition's lobbying efforts, a law was passed ratifying the state engineer's authority to transfer water rights before they are put to beneficial use. Detractors dubbed this the "Honey Lake bill" in reference to a controversial Reno-area water importation plan the state engineer approved but which faced legal questions the bill was designed to correct.

The power of southern Nevada in state politics was demonstrated in another bill that changes the membership of the state's Colorado River Commission. The commission represents Nevada in negotiations with other Colorado River states, and divides the state's share of Colorado River water. In the past, all members were appointed by the governor. The new law gives three seats on the seven-member commission to the Southern Nevada Water Authority, purveyors of water in the Las Vegas area.

Karen Galatz, the current chairman, complained the move will "pack the commission with members of a single purpose entity" who will "ratify their own decisions."

in state water law. The term is now interpreted loosely by the engineer when considering water applications.

Rural lawmakers introduced six different bills to protect private property from regulatory "takings" under the Fifth Amendment to the U.S. Constitution. Sen. Dean Rhoads, R-Tuscarora, a founder of the Sagebrush Rebellion, sponsored three of them. All but one went down to defeat. That resolution requires the attorney general to prepare a checklist for state agencies to make sure their actions do not constitute a taking. Johnson and other environmentalists agreed that was something agencies should do in any case.

A bill was passed bringing Nevada into compliance with the Clean Air Act. The Las Vegas assembly contingent successfully exempted car owners in Las Vegas from the tougher inspection and maintenance program mandated in the federal law. However, the federal standards are likely to be enforced in any case by the state Environmental Commission.

Legislation was crafted to enable landfills in Nevada to avoid stringent federal laws requiring plastic liners and extensive groundwater monitoring. Joe Johnson said while the bill was not perfect, it would save Nevadans a big increase in garbage disposal costs without compromising the state's already adequate standards for ensuring that dumps do not leak.

This year Nevada joined most other Western states in allowing ranchers to raise "exotic" game species such as cari-

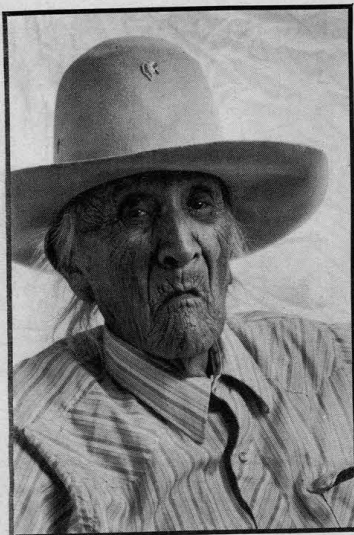
BARBS

Giving new meaning to the phrase: moved him down.

A man in Loveland, Colo., was arrested for hurling his power lawn mower across the fence at a neighbor he has been at odds with for five years, reports the *Greeley Tribune*.

“
 ... I took a map of the United States, and I prayed, and I held a fountain pen over it, and wherever a drip of ink fell, I wrote for a job.
 ”

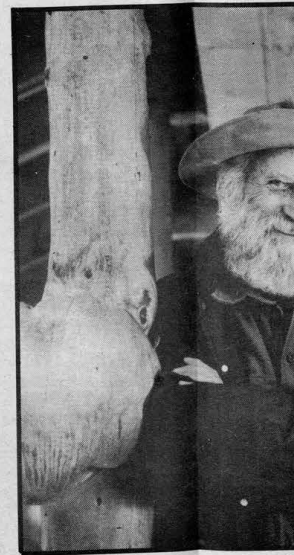
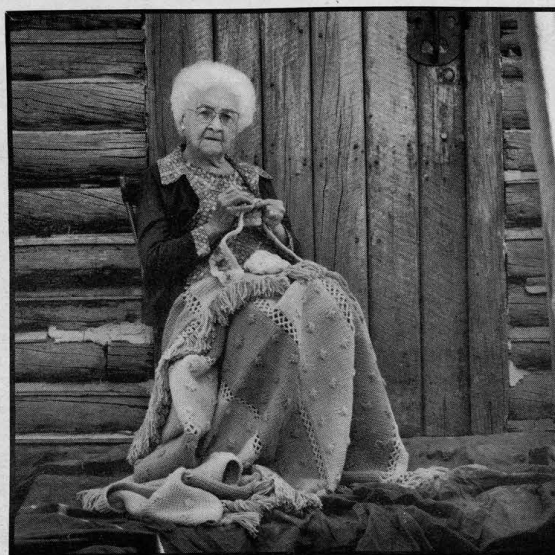
“
 Gee whiz, I always liked this kind of work. I love the whole thing, you know, the cornstalks, the tomatoes, just working the earth.
 ”



“
 Those old cowboys, they could tell some of the damndest lies you ever heard. We didn't tell stories, we told natural lies, boy. We lied till times got better. It was sure a lot of fun.
 ”

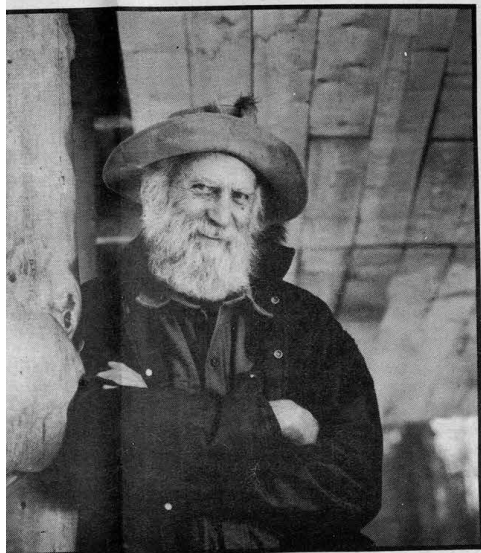
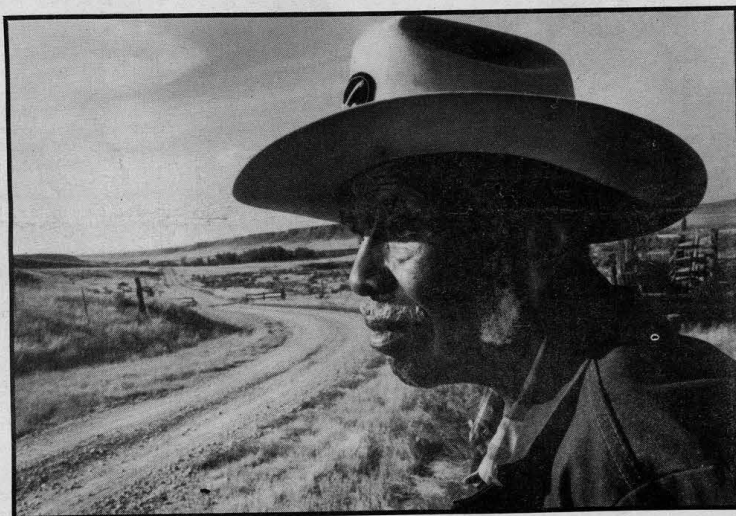
“
 We managed pretty fair, didn't gamble or squander our money. And there's a lot of good neighbors around here. Some of the best in the world.
 ”

“
 When you work in a small town, you have to be good at what you do. If you make a mistake, it's all over town by the next morning.
 ”





QUIET PRIDE



Pictured clockwise beginning top-center: Richard and Winona Haught, Globe, Arizona; Bill Bailey, Edgemont, South Dakota; Myra Spellman, Spotted Horse, Wyoming; Milt Trump, Talkeetna, Alaska; Julia Webster, Kayesville, Utah; Frank Fools Crow, Kyle, South Dakota.

Photos and quotes from *Quiet Pride: Ageless Wisdom of the American West*, Beyond Words Publishing, Hillsboro Oregon. 1992. \$39.95. Black-and-white photographs by Robert Alan Clayton; text by J. Bourge Hathaway.

Dust is his crop ...

continued from page 1

There you can see his enemy: center-pivot sprinklers, each nearly a quarter-mile long, swinging into action again. Just a couple of miles from Thompson's house, alfalfa farmers pump water from deep below ground.

For more than a decade Thompson has railed against his neighbors and state bureaucrats, and dug his ditches deeper in a vain effort to make the water flow.

But even after a very wet winter, the springs offer barely a trickle of water, which disappears before reaching his pastures. Thompson has to tote even drinking water in plastic jugs from his sister's home, 17 miles away.

Because the ranch at Diamond Springs began to use water around 1859 — before Nevada became a state — Thompson owns some of the oldest water rights in the state. But that has not helped him influence the Byzantine bureaucracy that controls Nevada water.

Thompson has been waiting 12 years for the state engineer to adjudicate, or ratify, his early water rights in state court. As long as the state water engineer delays, Thompson has little recourse but to watch his land blow away. He tells anyone who will listen that the same thing could happen all over rural Nevada.

Thompson, now 53, lives alone on his 2,700-acre ranch. His parents have died. His sisters have married and moved off the ranch. Thompson hasn't

run any cattle on the ranch since 1981, when 25 got stuck and died in ponds that had dried into muddy bogs. He has worked off and on in a nearby mine and occasionally leased some of his land to other ranchers. But he spends most of his time and much of his savings trying to get his water back.

The loss of his water and all that

the center. At the high southern end of the valley, the rundown historic mining town of Eureka sits on U.S. Highway 50 in the middle of Nevada, 250 miles from Carson City.

With a population of 597, Eureka is the only town of any consequence, and the county bears its name. A sign outside town boasts: "Eureka — the loneliest

son at the valley's 6,000-foot elevation produce a slow-growing, premium alfalfa prized by California dairy farmers. And underneath the valley is an aquifer estimated to contain 2.8 million acre-feet of water — which explains how the south end of the valley came to be tattooed with a crazy quilt of giant green circles, alfalfa sheds, farmhouses and trailers.

Since the late 1950s, Diamond Valley has witnessed a rush on land and water that Thompson compares to the "big land swindles of the 1800s." But this land-office business took place in the late 20th century. Thompson remembers returning from college in Reno in 1962 to find farmers plowing the first alfalfa fields in what used to be sagebrush-covered grazing land.

The widespread availability of affordable well-drilling technology after World War II made it possible to tap underground water for irrigation throughout the arid West. Local, state and federal agencies soon joined in a campaign to promote the development of arable lands under various homesteading laws that were still in force.

The most widely used law was the Desert Land Act of 1877. It allowed a husband and wife to obtain a 640-acre, square-mile section of land for a filing fee of \$1.25 per acre — if they proved they could irrigate at least a quarter-section. For its part, the state routinely gave the farmers permits to pump enough water each year to cover their new crop-

The 1950s saw a land rush as farmers mined the underground water and proved up on desert homesteads

was beautiful and productive about the family ranch has left Thompson bitter. Most nights you can find him alone, looking over photo albums. Sometimes he watches home movies of family and friends splashing in ponds on the place.

"It was peaceful and pretty with all that water," he says. "We had all kinds of birds. Now, everything is gone except for me."

Diamond Valley is an expansive valley in the dead center of the Great Basin. It stretches 56 miles from north to south and 20 miles wide in

town on the loneliest road in America."

High and dry, in the middle of nowhere, Diamond Valley seems an unlikely place for large-scale irrigated agriculture. Aside from the meager Simpson and Cottonwood creeks just north of Eureka, the only sources of surface water are a few ephemeral creeks and springs. They emerge farther north at the lower end of the valley and drain on to the nearby salt flat. The valley receives just seven inches of precipitation a year.

But cool nights and moderate days during the average 92-day growing sea-



Center-pivot sprinklers use pumped groundwater to irrigate a new crop at the south end of Diamond Valley

Jon Christensen

land with four feet of water, all for a filling fee of about \$1 per acre-foot.

With 87 percent of its land under federal control, Nevada had a special incentive to encourage privatization. Rural counties such as Eureka saw a chance to add private property to their tax rolls, and many local people were able to get in early on the rush. There was so much speculation that some farms changed hands five or six times while they were being developed, according to Pete Morros, a contemporary of Thompson at the University of Nevada. Morros came to work for the state engineer's office in 1962.

At the time, says Morros, "there was a conception that underground water, trapped in layers of saturated sand and gravel, was unlimited, that all you had to do was punch a hole, put a straw in it and suck it out."

Yet the state Division of Water Resources had evidence as early as 1960, that the average annual recharge to the aquifer beneath Diamond Valley was no more than 30,000 acre-feet and possibly less than 20,000 acre-feet. About half of that water was already being used by the Thompson ranch and others near springs across the valley.

The annual recharge is considered a safe yield that can be used year after year without depleting the aquifer. Although the state engineer is not prohibited by Nevada law from allowing pumping over the safe yield, state policy has explicitly discouraged it for many years. This contrasts with California and Arizona, where until recently there were little or no controls on groundwater pumping.

In Diamond Valley, however, the Nevada engineer issued permits for up to 87,000 acre-feet of water, around three times the safe yield. Because of the apparent over-allocation of the groundwater resource, Diamond Valley was briefly closed to desert land homesteading in 1962. But political pressure from Nevada Sen. Alan Bible, D, and others soon forced more land and water to be given away. By 1964, the state engineer had issued permits for more than 150,000 acre-feet of water, at least five times the annual recharge to the aquifer. By the 1965 growing season, more than 200 new wells had been drilled.

The limitations of the underground source did not become obvious until the mid-1970s, when a rural cooperative extended electricity to Diamond Valley for the first time.

Electric pumps were much cheaper to run than the diesel pumps the farmers had been using and pumping rates rose exponentially to double and triple the perennial yield. In response, the water table started dropping, and springs began to dry up. These days, around 170 wells are still active, pumping approximately 66,000 acre-feet of water to irrigate around 22,000 acres on 90 farms. The result: The water table is still declining, and many farmers have had to drill deeper wells to keep their fields green.

This was not an unexpected outcome. State Engineer Elmer DeRico provided a justification for the policy in a 1963 letter to the Bureau of Land Management: "In nearly all groundwater basins it is essential to lower water tables in order to prevent

leakage and evapotranspiration losses."

According to state Division of Water Resources reports, the idea was to divert water from streams and springs into underground aquifers. This would prevent "worthless vegetation" such as rabbit brush, greasewood and willows from tapping underground water. These plants, called phreatophytes, suck up underground water like a wick in the hot sun.

Nevada water law is silent about the value of plants or springs or streams. But the law is supposed to protect people who own water rights. In Milt Thompson's case, the law failed.

Thompson was once offered a well permit to replace his springs. But he refused, believing it was a ruse to trade a newer, lower priority permit for his old, vested water rights.

"They figured these old ranches with vested rights would eventually have to drill wells," he says. "Then when it came to a crunch, with the water table dropping, they would come in here and look at the wells and say, 'Hey, fellas, don't come cryin' to us. You're part of the problem.' Well, I never did that. Now I'm the only one who can go after them."

And go after them he has. Thompson dogs state officials with persistent, probing, accusatory correspondence. He plies anyone who will listen to his case with copies of his voluminous files document-

ing the deliberate policy of over-allocating groundwater that led to the loss of Diamond Springs.

Thompson spreads the blame to federal agencies: the Bureau of Land Management for giving away the land, the Rural Electrification Administration for subsidizing cheap electricity, and the Farmers Home Administration for providing loans for land, buildings and equipment, including the center-pivot sprinklers that now straddle the landscape.

But Thompson's wrath is primarily reserved for the state water engineer, who issues and administers water rights.

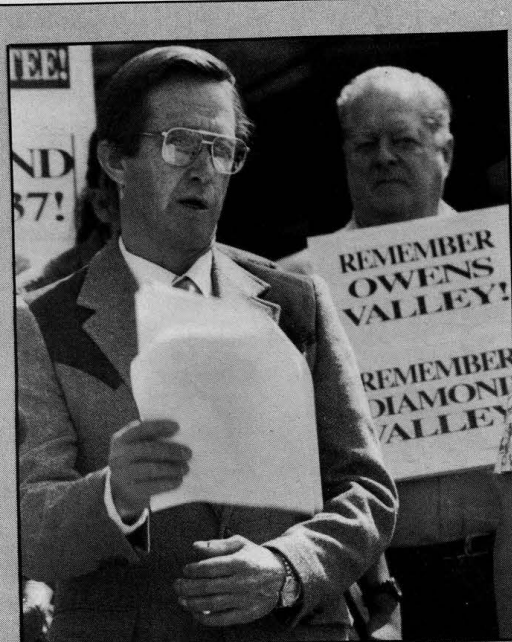
Many of the people who got desert land entries and water on paper in the 1960s, Thompson says, were allowed to delay developing their farms until well into the 1970s and even into the 1980s, long after the standard five-year period during which the land and water were supposed to be put to beneficial use. The engineer routinely granted farmers extensions and changes in the point of diversion and place of use on their water applications.

Once a water permit has been granted, the state engineer's office usually has looked favorably upon any effort to develop that water. The corollary is that the state has been reluctant to revoke water rights, even if they have not been used for more than five years.

But when Diamond Springs began to dry up in the early 1980s and Milt Thompson protested, Pete Morros, who had become the state engineer by that time, held hearings on a proposal to install water meters and curtail pumping in Diamond Valley.

This was not a popular position. At the hearings, other farmers insisted no problem existed. Most signed a petition saying there was no need for the engineer to intervene, and some blamed Milt

continued on next page



Kit Miller

Milt Thompson, left, joins a protest before the Nevada Legislature over water rights legislation

Rancher joins coalition to fight 'water grabs'

Until recently, Thompson fought a lonely battle against the Diamond Valley water pumping that dried up his ranch.

He was as wary of potential allies in the private property-rights movement — some of whom struck him as religious zealots — as he was of environmentalists. He believes some want to take away property rights.

But lately Thompson has gingerly become part of a movement. Grandiose statewide plans to tap underground water have aroused rural residents and county governments, Indian tribes and environmental groups such as Citizen Alert and the Sierra Club.

The groups have joined in a sometimes fractious coalition to stop these "water grabs" and rein in the state engineer. The rural-environmental coalition criticizes both the engineer's czar-like powers and the political pressure he faces as an appointee who serves at the whim of the governor. Problems don't just stem from past decisions, they warn. They say the greater threat comes from projects in the pipeline that will be decided by future state engineers.

In one controversial water case, the state of Nevada faces a lawsuit that may shed some light on the current administration's style of decision-making. Earlier this year, Tom Gallagher, a hydraulic engineer who works for State Engineer Michael Turnipseed, told Faith Bremner of the *Reno Gazette-Journal* that the state agreed to nearly double an estimate of groundwater available to export to Reno from Honey Lake Valley, a rural basin 40 miles north of the city.

The state engineer's office says the amount is within the perennial yield estimates of the U.S. Geological Survey.

In addition to the doubling of

yield, the project involves questionable desert land homesteads and transfers of paper water rights that have never been perfected by being put to beneficial use. And it has generated widespread local opposition.

Thompson has watched these controversies with a great deal of interest. Last fall he invited Bob Fulkerson of Citizen Alert out to his ranch, the first time he had an "environmentalist to the ranch," he says.

Since then, Fulkerson has talked about what happened to Thompson as an example of what could happen elsewhere in Nevada.

The reform coalition has mounted significant opposition to these new plans to tap underground water. Prevention may be the best cure, because once pumping is permitted, as it was in Diamond Valley, solutions become complex and inevitably painful for some.

"It's a tough one," admits Fulkerson. "There's going to be a lot more pain in this whole thing because if they curtail pumping there is a great possibility that you wouldn't see alfalfa and people living and working in the north end of the valley. And that has to be taken into consideration. There definitely has to be curtailment of groundwater pumping. But there has to be some consideration of the consequences too."

This spring, Thompson traveled often from his central Nevada ranch to speak at protest rallies and testify before the state legislature. But after each trip he returns to Diamond Valley more pessimistic than ever about any change making a difference for his home.

"There's laws on the books they ignore," Thompson says. "The laws don't need to be changed. They just need to enforce them."

—J.C.

Dust is his crop ...

continued from previous page

Thompson for stirring up trouble. Soon after that, Thompson says, somebody took pot shots at his car parked at a crossroads.

Although by now the water table under Diamond Valley has dropped by 100 feet in some places, many farmers continue to deny there is a problem.

"I don't see any foreseeable problem," says Leroy Etchegary, a county commissioner and owner of a 310-acre farm. The water under his place has dropped about 15 to 20 feet, Etchegary says, so he pumps water from 120 feet at a cost of about \$4,000 per month.

"I'm more concerned about the price of electricity," he says. "It's making it very expensive to grow alfalfa." Etchegary estimates that he could draw water from 200 to 300 feet before pumping became uneconomic.

For other farmers, pumping has already become too costly. County clerk Joan Shangle and her husband also own a farm in the southern end of Diamond Valley, but they haven't had the money to deepen their wells for a number of years. She says they face forfeiture proceedings on their water rights and could lose their farm to foreclosure.

The state engineer has only recently moved to revoke water rights that are not being used. Tens of thousands of acre-feet have been forfeited, according to the state engineer's office. But water permits in the valley still total around 133,000 acre-feet. Actual use is estimated to be around 66,000 acre-feet, still more than double the perennial yield.

The difference between 133,000 and 66,000 acre-feet, according to Hugh Ricci in the state engineer's office, is the result of a formula that permits the farmers up to 4 acre-feet of water per acre of crops — more than most actually use — as well as the inclusion of water for the corners of square parcels which aren't irrigated by center-pivot sprinklers. Still the math comes out with around 24,000 acre-feet of surplus water for which there are permits but which don't show up when land is surveyed. The water is not in use at this time.

"I can't figure out where all that land could be," Ricci concedes. The department doesn't have the staff it needs, he says, to monitor water use or crops on the ground throughout the state. The burden of proof for any nonuse that might lead to a forfeiture rests with whoever brings the action.

The current state engineer, Michael Turnipseed, readily admits "mistakes were made." He says state officials were acting in good faith on bad hydrology.

"It's not a matter of policy to encourage groundwater pumping to dry up surface water," Turnipseed says. The state allowed farmers to drill on so many desert land entries on the assumption that only 2 percent would succeed. Although that figure held across the state, he says, in Diamond Valley it turned out to be wildly inaccurate.

"In hindsight, we never should have issued that number of permits," says Turnipseed. "Since we got burned in Diamond Valley we're a lot more careful." He also says no more irrigation permits will be allowed in Diamond Valley.

That has done nothing to restore

Diamond Springs. Milt Thompson continually points to sections of Nevada water law which state the new appropriations and changes in water use must not "impair the water rights held by other persons."

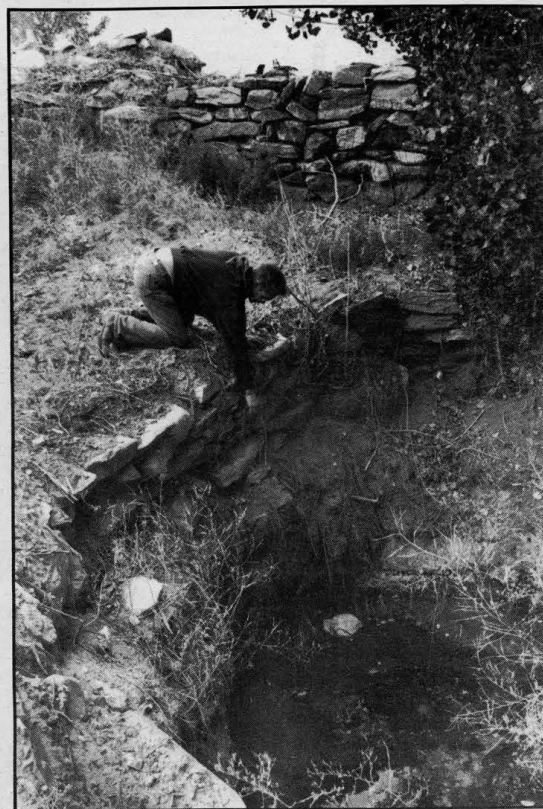
Thompson has threatened to sue the state engineer and his boss, Pete Morros, the former engineer who is now head of the state conservation and natural resources department. But so far he hasn't been able to find a lawyer he can work with. "Dirty, rotten, crooked shysters," he says, "they're in cahoots with the state engineer. You shouldn't have to go through life with a lawyer in each pocket to protect your rights."

According to Peggy Twedt, the deputy attorney general who works with the state engineer on water cases, Thompson doesn't have a case against the state.

"He could do a civil action," but who would it be against? asks Twedt. "Everybody who pumps in the valley? He has no basis for suing the engineer. The statutes are clear. We can't distribute water rights until it is adjudicated." Since the vested water rights of the Diamond Springs Ranch predate the state water permit system, she explains, those rights must be quantified through a court adjudication before Thompson has any standing and the state engineer has the authority to protect his water rights.

But with inadequate staff and funding, Twedt admits, adjudications are a low priority.

Thompson suspects that the state



Jon Christensen

Milt Thompson indicates with his hand where spring water once pooled before flowing into his pastures

engineer is in no hurry to adjudicate his rights, since then he would have to protect them.

"It's a Catch-22," says Thompson.

"They know I can't do a damn thing until they say I can. The engineer is like a little god. He's a lawyer, judge and jury all in one."

State engineer Mike Turnipseed says he is trying to deal politically with overpumping. But he doesn't favor trying to use the strongest tools he has available — revocations of water permits not being used and curtailing rights based on priority. What has happened in Diamond Valley, Turnipseed points out, will not happen again.

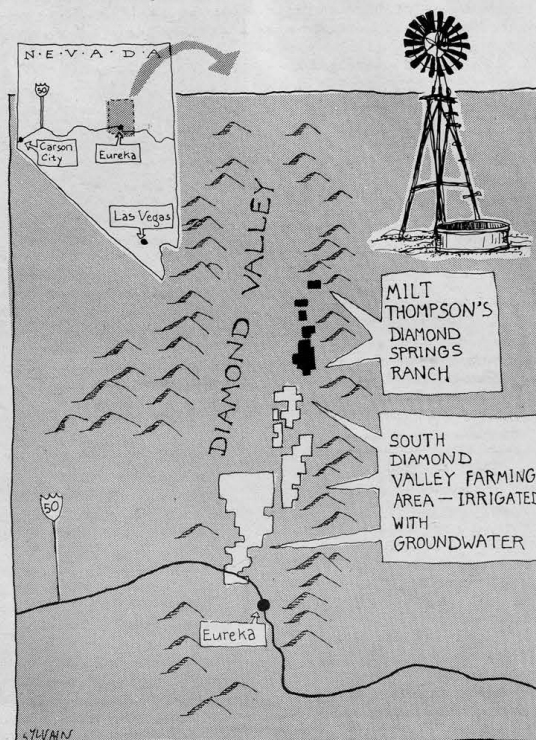
Despite the engineer's reassurances, Thompson asserts that a "miner's mentality" about water still prevails.

Referring to a plan by the Las Vegas Valley Water District to tap underground water in four rural counties north of the city, Thompson warns, "They're planning on mining this whole state."

Plans do exist to develop underground water across Nevada. To serve the growing suburbs of Reno, Washoe County has filed applications on water under dozens of rural valleys. And a project called Eco-Vision has claimed underground water in a wide swath across northern Nevada, including water that flows underground to Diamond Valley.

Virtually all of Nevada's unappropriated underground water has been claimed over the last few years. Although none of the new claims has been developed, many appear to be based at least in part on the same principle that guided development of Diamond Valley — lowering water tables below the level that feeds springs, natural meadows and plants called phreatophytes, which once were, and perhaps still are, considered worthless. ■

Jon Christensen is Great Basin regional editor in Carson City, Nevada.



BULLETIN BOARD

WHITE STURGEON NEEDS HELP

The giant Kootenai River white sturgeon may get help before it becomes extinct. In a proposed designation as endangered in the July 7 *Federal Register*, the U.S. Fish and Wildlife Service estimates that just 880 sturgeon remain in the river, which crosses northwestern Montana and the northern tip of Idaho before flowing into Canada. Approximately 80 percent of the fish are more than 20 years old since few reproduced after the 1974 construction of the Libby Dam (HCN, 5/31/93). The dam holds water for power production and flood control, and scientists say it alters spring flows needed by the fish to spawn. In a test this June, the U.S. Army Corps of Engineers released an additional 20,000 cubic feet per second over 20 days, says Fish and Wildlife field supervisor Chuck Lobdell. The result was two eggs found at one sample site. But Lobdell says the eggs and any others probably died from desiccation after the experiment ended and the river flow dropped back down to 4,000 cfs. Lobdell says listing the sturgeon will force the Army Corps and the Bonneville Power Administration to dramatically increase flows from Libby next spring. "It won't be an experiment next year, it'll be for real," promises Lobdell. The U.S. Fish and Wildlife Service has scheduled three public hearings on the proposal: Aug. 24 in Libby, Mont.; Aug. 25 in Bonners Ferry, Idaho, and Aug. 26 near Sandpoint, Idaho. For details, contact the U.S. Fish and Wildlife Service, Boise Field Office, 4696 Overland Road, Room 576, Boise, ID 83705 (208/334-1931).

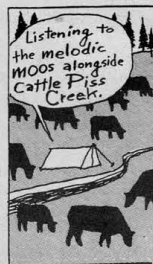
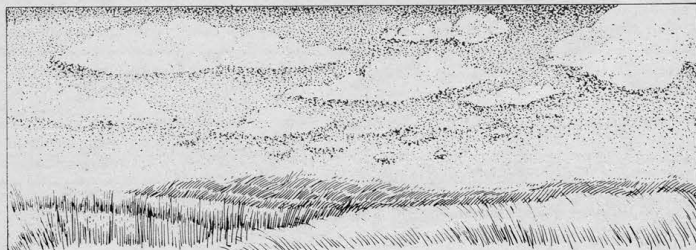
WAKE UP, CHRISTIANS
Meanwhile, God's people must fight the good fight on behalf of His Creation.
 Ephesians 6:10-13; Philippians 1:4-6.

A new newsletter from Oregon called *It's Not Easy Being Green* says it's a "wake-up call" for Christian environmentalists. God's embattled Creation needs help, says the seven-page summer issue, but shamanism, pantheism and channeling aren't the answers. "Anti-environmental forces are using isolated instances of eco-spirituality gone wild to tar all environmentalists with the New Age/pagan brush," says editor Bill Cook. The quarterly's premier issue also reviews books such as Tony Campolo's *How to Rescue the Earth without Worshiping Nature* and analyzes the ethics behind the wise use movement's mixing of legal and religious goals. For more information, contact the non-profit Christian Environment Project or Bill Cook, P.O. Box 80092, Portland, OR 97280-0092.



TRUST IN THE LAND

Activists in the real estate arm of the conservation movement will descend on Big Sky, Mont., when the Land Trust Alliance holds its national rally Sept. 29-Oct. 3. The alliance is an umbrella group providing education, support and lobbying for over 100 U.S. land trusts, which identify significant land resources and design measures to protect them. Associate Director Kathy Barton promises the event will be "more than just a dry training experience." She says conservationists will get the chance to share experiences and strategies and gain energy for the work ahead. The conference features over 70 workshops. Topics range from land appraisal to using land trusts to protect Native American lands and cultures. Montana Gov. Marc Racicot will give the welcome address; other speakers include Winona LaDuke of the White Earth Land Recovery Project, and Land Trust Alliance President Jean Hocker. Registration for the full conference before Aug. 13 is \$175 for members, \$250 for others. Contact the Land Trust Alliance at 1319 F St. NW, Suite 501, Washington, D.C. 20004-1106 (202/638-4725).



MINING POLLUTION SOLUTIONS

Mining industry leaders from around the world will converge on Snowmass, Colo., Aug. 24-27 to discuss "Pollution Prevention in Mining and Mineral Processing." Hosted by the Colorado School of Mines, the conference features federal and state regulators, consultants, environmentalists and pollution experts from Japan, England and Canada. They will outline lessons from past disasters and explore ways that new technologies, citizen participation and early planning can reduce pollution. The EPA's Steven Hoffman will talk about some of this country's most controversial mines, including the proposed New World Mine near Yellowstone National Park. Other participants include Maxine Stewart, chairwoman of the Colorado Mined Land Reclamation Board, Paul Robinson of the Citizens Mining Information Network in New Mexico, and biochemist Glenn Miller from the University of Nevada. For more information, contact Kathleen Anderson, Mineral Economics Department, Colorado School of Mines, Golden, CO 80401 (303/273-3979).

DOES THE SKI INDUSTRY PAY ENOUGH?

Most skiers don't know they're barreling down mountains that ski resorts don't own. The land usually is leased — some say for a pittance — from the U.S. Forest Service. By law, the Forest Service is required to get "fair market value" for the use of its lands. But in an April report, auditors from the U.S. General Accounting Office found that the agency collected permit fees totaling just 2.2 percent of the ski industry's \$737 million gross income in 1991. Of the highest grossing ski areas in the West, Jackson Hole, Wyo., paid the highest fees that year, doling out 3.2 percent of its \$69.5 million gross earnings. Sun Valley, Idaho, paid the least with just 1.4 percent of its \$6.8 million making it to the federal coffers. Senior GAO evaluator Ned Woodward says states make more money from sales tax on lift tickets than the federal government does from leasing the land. The report stops short of saying the Forest Service has failed to get "fair market value" from ski operators. But it calls on the agency to thoroughly revamp its antiquated fee-assessing system. The GAO says the Forest Service has failed to consider land values in setting fees, relying instead on a complicated rate structure designed in 1965 to encourage ski development.

To order a copy of the GAO report, *Little Assurance That Fair Market Value Fees Are Collected From Ski Areas*, write: U.S. General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20884-6015, (202/512-6000). Single copies are free.

—Orna Izakson

NEW REDEYE PROPOSED

Colorado's Air National Guard has revised its plans for training F-16 pilots in the state's San Luis Valley after withdrawing its controversial Redeye proposal last year (HCN, 3/8/93). But the National Guard's preferred alternative moves a flight path directly over a ranch and lowers the permissible flight altitude from 5,000 feet

to 300 feet. It also increases the number of flights through the San Luis Valley from 100 to 254 per year. The flight path through the valley would cross over the newly established San Luis Lakes State Park and through an international migratory route for birds. Planes would also pass only three miles south of Great Sand Dunes National Monument. Members of the Crestone, Colo.-based Open Space Alliance oppose the plan, saying that at best it doesn't adequately protect them from maverick jets buzzing their homes, cars and schools. For more information about the Colorado Airspace Initiative, call the Colorado Air National Guard at 303-397-3000 or the Open Space Alliance at 719-256-4030.

In preparation for an environmental impact statement, the National Guard will hold scoping meetings: Aug. 10, Las Animas High School in Las Animas, Colo.; Aug. 11, Greeley County High School in Tribune, Kan.; Aug. 12, Town Hall in Kit Carson, Colo.; and Aug. 17, Prairie School in New Raymer, Colo. All meetings begin at 7 p.m., with information meetings starting at 4 p.m. Send written comments by Oct. 1 to: Harry Knudson, Environmental Support, ANGR/CEVS, 3500 Fitchet Ave., Mail Stop 18, Andrews AFB, MD 20331-5157, with copies to Gov. Roy Romer, 136 State Capital Building, Denver CO 80203.

FUTURE FORESTS

Some of the most creative minds in forestry will discuss the future of forests at a symposium in Portland, Ore., Aug. 24-26. "Creating a Forestry for the 21st Century" will examine forest ecology, timber management and ways to build sustainable forests, economies and communities. Speakers include Forest Service biologist Jack Ward Thomas, Pacific Northwest regional forester John Lowe, and University of Washington ecology professors Jim Agee and Jerry Franklin. The get-together also includes displays, demonstrations and field trips to experimental forest-management sites. Contact University of Washington, College of Forest Resources, AR-10, Continuing Education Program, Seattle, WA 98195 (206/543-0867 or fax, 206/685-0790).

Unclassifieds

OPENING FOR ATTORNEY. Sierra Club Legal Defense Fund, in Juneau, Alaska. Applicants should have knowledge, interest and experience in environmental issues and litigation. Three or more years' experience preferred. SCLDF represents national, regional and local environmental groups, other organizations, and individuals in litigation and other actions to protect the environment. The Alaska office is active on: logging of national forests; major hard-rock gold mine projects; threatened species protection; management of national parks and refuges; state lands protection; pulp mill air and water pollution; wolf control programs; and other issues. SCLDF offers excellent benefits. Salary DOE. Send résumé, writing sample and references to SCLDF, 325 Fourth St., Juneau, AK 99801. Minority candidates encouraged to apply. Phone 907/586-2751 for information. Applications accepted until position is filled. (1x14b)

SIERRA CLUB LEGAL DEFENSE FUND seeks attorney, Denver office. Must have strong litigation background/court experience. Send résumé, writing sample, references ASAP. Minorities/women encouraged. 1631 Glenasm, #300, Denver, CO 80202.

PUBLIC LANDS COORDINATOR. Colorado Environmental Coalition (CEC). Duties: Manage grass-roots involvement and form coalitions on variety of public-lands issues, including wilderness and river protection, oil and gas development threats, and ecosystem protection on BLM lands; coordinate and articulate CEC's positions on these issues; monitor land management agencies. Qualifications: excellent communication skills; grass-roots organizing experience; knowledge of public-lands issues affecting Colorado; B.A. or M.A., preferably in related discipline; proven environmental advocate; ability to work independently. Salary: \$16,000-\$20,000 per year plus health insurance and other benefits. To apply: By Aug. 20, send résumé with cover letter and three references, plus a copy of a written work representing literary skills, to: PLC Search Committee, CEC, 777 Grant St., Suite 606, Denver, CO 80203. (1x14b)

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**A New Paradigm for
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Environmental Writers**

sponsored by
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Economics and the Environment
(FREE) of Bozeman and Seattle

FREE's 1993 seminar with writers features Don Snow of the Northern Lights Institute; Datus Proper of Montana; and Tom Wolf and Steve Bodio of New Mexico. Writers will meet with environmental economists and analysts to explore innovative models for Western environmental policy and society. The seminar, involving fourteen participants, runs August 27 to August 30, 1993, in Big Sky, Montana.

Lodging, meals and modest travel support are provided to participants by FREE. A \$250-\$500 honoraria will be awarded for articles exploring the conference theme.

Established environmental writers interested in attending this program please contact Tim O'Brien at FREE, 502 S. 19th #1, Bozeman, MT 59715 (406/585-1776). Send 150-300 word commentary outlining the issues you would like to address and a brief biosketch. Sample articles are welcome.

EXECUTIVE DIRECTOR. The Sierra Nevada Alliance, a new non-profit organization, is seeking an executive director who will be the chief staff person responsible for the operation and management of the Alliance, pursuant to policies established by board of directors. *Qualifications* include experience in managing a minimum \$200,000 budget and staff of at least three people; demonstrated fund-raising success; excellent communications; prior knowledge and experience with Sierra Nevada environmental issues; experience with local activists, grass-roots organizations, government officials; live in Sierra, where office will be located. *Salary* negotiable. *Applicants should send* cover letter, résumé, supporting materials, list of at least three references (with phone numbers) to: Sierra Nevada Alliance, P.O. Box 43, Mammoth Lakes, CA 93546 (FAX: 619/934-2926). Application deadline, 5 p.m., Aug. 27, 1993. (1x14b)

THE ENDANGERED SPECIES COALITION seeks outreach coordinators for northeast and southeast U.S. to recruit and mobilize activists and work with local media to strengthen the federal endangered species program. Grass-roots experience and willingness to travel required. Salary: \$25,000. Send résumé to: Grass-roots Coordinator, Endangered Species Coalition, 666 Pennsylvania Ave., SE, Washington, D.C. 20003. (2x14b)

CAMP CONFERENCE ON WOLVES and wolf hybrids, Sept. 24-26. Topics include: Mexican wolf recovery; wolf sightings in northern New Mexico; public issues and training of wolf hybrids; wolf in Indian folklore; veterinary practices; etc. Information: Becky Farris, 461 Cheryl Ave., White Rock, NM 87544 (505/672-3920). (2x14p)

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EXECUTIVE DIRECTOR. Salary: \$38,000-\$42,000 DOQ. Application deadline: Sept. 1, 1993. The Association of Forest Service Employees for Environmental Ethics (AFSEEE), whose vision is to forge a socially responsible value system for the Forest Service, seeks candidate with extensive natural resource management experience, knowledge of Forest Service issues, five years management experience, demonstrated leadership skills, extensive public relations experience. Responsibilities: direct national program, fund-raising, administration, supervision, manage budget \$800,000 (est.). Submit résumé, including cover letter, three references and samples of published articles, to: AFSEEE, P.O. Box 11615, Eugene, OR 97440. (1x14b)

MEET NEW FRIENDS. West, Northwest and nationwide. Outdoor Singles Network, established bi-monthly newsletter, no forwarding fees, \$35/1 year, \$7/trial issue and information. OSN-HCN, Box 2031, McCall, ID 83638. (6x14b)

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BUSINESS DEVELOPMENT SPECIALIST #44000 in Helena to expand markets for energy-conserving products, technologies and services in Montana. Grade 14 compensation: \$24,294/year plus excellent benefits. State application form and other materials required. For further information, contact Montana Dept. of Natural Resources and Conservation, 1520 E. Sixth Ave., P.O. Box 202301, Helena, MT 59620-2301 (406/444-6699). All application materials must be postmarked or delivered by Aug. 16, 1993. EEO. (1x14b)

BUILDING A HOME? Think poured adobe. 1 & 2 day workshops in September and October. Consulting also available. Write Adobe Alternative, CVSR 2403, Moab, UT 84532.

PATAGONIA, ARIZONA — Rothrock Cottage for rent by the day or week. 2 bedroom cottage with complete kitchen, private patio and bicycles. Close to all birding spots in southeastern Arizona. For brochure and information please call or write to: Rothrock Cottage, P.O. Box 526, Patagonia, AZ 85624 or 602/394-2952.)

EXECUTIVE DIRECTOR for well-established Colorado non-profit wildlife conservation organization. Responsibilities: developing positions and representing the organization regarding natural resource issues; non-profit management skills to include fund-raising, membership development, editing newsletter, and staff supervision. Qualifications: B.A. or B.S. with natural resource background preferred. Experience with the above responsibilities and working with a board of directors desired. Salary DOE. Send cover letter, résumé and salary requirements to: P.O. Box 621993, Littleton, CO 80127.

FOR A FORTHCOMING HISTORY of North American wolves, I would appreciate hearing from anyone possessing memorabilia (particularly photographs) concerning wolves or their eradication. Bruce Hampton, 2338 Squaw Creek Road, Lander, WY 82520 (307/332-3137). (2x13p)

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Asleep on the trail, Glacier National Park

Ron Seiden

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Vol. 25, No. 14

afield

by Peter Stekel



he unusual happens all the time if we are prepared to see it. Recently, when I was changing my sheets, I found the skin of a lizard. Since my bed lies directly on the floor, all sorts of "floor-type" things end up sleeping with me. I've had spiders, shoes and dirty shirts. And now, a lizard skin.

Reptiles symbolize many things. In our culture they are slimy, tempting us to evil deeds. Though their skins may glisten in the sun, reptiles are far from mucoidal. Our fear of snakes, especially rattlesnakes, is ludicrously hilarious when you see how quickly the serpents escape from us, though we may be running the other direction at break-neck speed.

Other cultures have viewed reptiles as resurrecting spirits. A lizard sheds its skin and is born anew. It leaves its "birthday suit" behind to remind us of its uniqueness.

I've never had much interest in reptiles, but I've always been fascinated by the ghostlike quality of their birthday suits. I can imagine only needing a drop or two of "Essence of Reptile" to place within the skin and, like a seed crystal, another animal would grow. These shed skins have seemed more unusual than a lizard's broken tail gyrating this way as the frightened animal makes its escape that way.

You have to admit, regenerating a broken limb is quite a feat. Imagine cutting off your foot, or arm, and growing back another. I'm sure I wasn't the only kid to dream that. Unfortunately for us, and more so for the lizard, the new tail lacks nerves and vertebrae; this most amazing feat cannot be repeated.

I'm sure the lizard doesn't mind. The whole idea in the first place is to keep the original tail. However, if it's either fight or flight, then sacrificing a tail so the body might live sounds like a great idea. I don't think lizards live long enough to make a second detachable tail worth the extra energy investment.

I used to collect snake birthday suits. When I lived in Oakley, Idaho, I had quite a collection of snake suits. I made a mobile from some. In the breeze they scratched like dry desert air as they rubbed up against each other.

I filled an old cigar box with a dozen or so. The top of my dresser was covered with snake skins. They made great book marks and were guaranteed to frighten old fogies in the park and fascinate little children. All at the same time. Some objects have the power to elicit both disgust and wonder.

Since my Idaho days I've moved a dozen times. Each time I packed and unpacked, some

SECOND SKIN

suits were lost. A few disintegrated. Many were left in books or given to little boys. I don't think I've had a skin in years.

So when I found the lizard skin my initial thought was it must be one of my old snake suits. I was perplexed; where had it come from? Then I saw the two sets of lateral extensions: legs. What snakes have legs?

Have you ever looked at something, known what it is, but refused to believe your eyes? Or, have you ever seen something so familiar that you couldn't remember what it was?



Defenders of Wildlife

That was me with this lizard birthday suit. It took a moment to sink in that this was new.

Then I began to wonder. How did the little guy get into my house? Why did it choose my bedroom? Hidden meaning? How long has this skin been here and how long had I not been sleeping alone?

Nature surrounds us with the unusual. Not really, though. It only seems that way because we are not trained to look beyond what is usual, or normal in our lives.

My thought now is that nothing is unusual in nature. Birds will fly, flowers will bloom, and reptiles will shed their skins because they always have done these things. In the past they may have performed it differently and in the future, with the help of mankind, they will probably do it in new ways. Although not altogether better ways. But, because it's life, what it does becomes the preferred way; it becomes usual.

I don't mean to trivialize nature and remove any of the awe people feel with the yearly migration of caribou, the emergence of a million dragonfly adults from the cretaceous ooze of ponds, or the music of Canadian geese honking overhead. I don't think I could. Others can, and have done so, but not me.

In the meantime, there's a lizard roaming about my house. I hope it finds enough to eat. Maybe I'll set out a dish of flies. ■

Peter Stekel lives and writes in Seattle, Washington.

LETTERS

THE STRUGGLE CONTINUES

Dear HCN,

Paul Koberstein's article "Is the Northwest ready to live within its forests?" is the most succinct and comprehensive review of timber issues I've seen among the hundreds of such written the last three years. I started logging as a 17-year-old in the big railroad camps in 1934 and quit as a horse logger in 1986. I live in one of those timber ghost towns Koberstein mentions which were created by the cut-and-run company, Georgia Pacific.

HCN readers traveling coast Highway 101 this summer can help our

fledgling environmental group "Friends of the Coquille River" by taking the Scenic Byway to view the magnificent old-growth groves eight miles south of Powers, Ore., at the head of Hall and Delta creeks. These are slated for cut in the Hall Ridge Sale. When Judge Dwyer lifts the injunction we fear we'll lose our two-year fight and what forester Roy Keen calls "the old-growth eaters" (the big inland mills like Roseburg Lumber) will exercise their usual political and high-bid power to continue the rape of this remnant of ancient forest. The relatively small ranger district (Powers Ranger District) has been savagely cut in my 40 years of knowledge about it. Its

cathedral-like stands of Port Orford cedar are gone: victims of exclusion from the Morse amendment which made overseas sales of federal timber illegal.

Homer C. Millard
Powers, Oregon

CHAOS AND DISASTER

Dear HCN,

I have been reading with interest your articles and letters about grazing on the public lands and I think a few facts should be pointed out.

I see a lot of negative campaigning to get cattle off the public lands but I

don't see any alternative practical management plans being presented. I don't see a plan that will keep abandoned private lands irrigated and green. I don't see any alternative plan to keep rural communities alive, schools open, roads plowed, utilities functioning, groceries stocked, doctors having enough work to stay in these communities, etc. Could the people who want to put the ranchers out of business come forth with a plan, please? All I can see coming as a result of their efforts right now is chaos and disaster.

Roger C. Brown
Gypsum, Colorado

Close encounters with coyotes

essay by Alison Baker

I found Coyote Flat my first winter in Salt Lake, up above the Avenues at the north end of the city. It overlooks City Creek Canyon and is high enough in the foothills that one has a nearly unimpeded view of the entire Salt Lake Valley, from the lake itself in the West to, on good days, the purple silhouette of Mt. Timpanogos looming in the south.

Coyote Flat is not an official name; there may not be an official name, because it's just a field. There's a reservoir in the south end, and behind that a few odd pieces of rusted fence which once encircled a baseball diamond, in some lost time when the field was a park. Close to the reservoir the ground is riddled and chopped up by dirt bike trails, but otherwise the field is untended.

It's a five-minute drive from my house, and Hamlet the golden retriever and I have driven up there for our morning walk at least once a week for the last four years. We go early, at dawn, to avoid other people, and walk the Flat's perimeter. It takes about half an hour to walk the loop, through the meadow at the foot of the foothills, along a cliff above the canyon, through a couple of small groves of scrub oak and back to the car. The route, an old road, is well-trodden, and often enough we meet other people — other dogwalkers, joggers, sometimes campers and every now and then a hunter on his way to higher elevation — but most of the time we find what passes for solitude.

This proximity to open land is the only thing I like about Salt Lake City. The dog runs leashless, which means that I'm leashless too. Unfettered, my mind thinks a little more clearly and ranges farther. We often startle lone deer in the field or see a herd of 20 or more on the hill-sides. The roar of the city is constant, but here in Coyote Flat it's joined by the sweet wheedle of the meadowlark, the screeching of magpies and jays, the thin whistles of buntings and juncos and unidentifiable warblers, the occasional piercing cries of hawks. And now and then the field echoes with coyote songs.

One morning, during our first winter here, I heard a strange thin chorus as I got out of the car, and I couldn't think what it was — dogs? A children's choir from the Mormon ward house? As we rounded the reservoir, the pale gray shapes of coyotes materialized in the old baseball diamond. They were sitting around doing dog-like things — scratching, sniffing at each other, biting at itches, and occasionally lifting their heads to howl.

I leashed Hamlet and we stood looking at the coyotes in the growing light. And they in turn watched us for a while before, moving closer together, they began to talk about us. Some sat, some stood, and some barked in weird, shrill yaps, while others pointed their thin noses toward the sky and howled. I wasn't frightened, but I was unnerved. We

got back in the car and went home.

So the field became Coyote Flat. On occasion we've come across a deer's leg, most of the flesh ripped from it but the hoof still there, a little bit of fur and tendon attached. I found it comforting to think that coyotes — and deer too — were living normal lives so close to my house in the city. We walked there in all seasons. Each year my kitchen calendar noted the day when the first spring meadowlark sang from the top of a stalk, when the first broad-tailed hummingbird whirled overhead, the first lazuli buntings skipped about in the oaks. As summer moved in we saw the sweet clover shoot up overnight after a rain, watched it bloom, and suddenly noticed in late July that its stalks had been stripped of flowers and leaves by thousands of

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grasshoppers. The grasshoppers in turn disappeared into the hungry mouths of growing meadowlarks, which had begun by late summer to abandon nuclear family life and flock together. Deer moved back through the field and into the canyon as snow and cold drove them down for food and water. We walked the Flat in winter storms, on mornings when the heat weighed on us even before sunrise, in driving rains. We walked there once when a fire raged in a canyon to the east and ashes and bits of flaming leaves floated down around us to settle in the grass.

Hamlet chased deer and rabbits and now and then a sparrow. Twice he encountered skunks and lived to tell about it — tell more than I cared to know.

We heard coyotes frequently in the hills above the Flat, and in the underbrush of the canyon below, but rarely saw them. Once a

lone coyote appeared on the crest of a hill above us as we walked, then disappeared only to reappear a hundred feet behind us. I leashed the dog and we stood still, looking at the coyote, who sat down in the middle of the track and looked at us. We moved on and he followed. We stopped and the coyote stopped, sat, scratched, stared at something in another direction, and moved when we moved, keeping the same distance. I turned and headed toward him; he didn't retreat. Visions of dances with coyotes notwithstanding, I turned and walked on. He followed until we passed the reservoir; as we got into the car I saw him sitting in the middle of the old road, watching.

We didn't see one again until last week. Hamlet, ears flapping and a crazy grin on his black lips, was running along the far edge of the meadow for joy when a furious baying burst from the nearest stand of oaks. I thought it was a hound, some sort of hunting dog. Hamlet froze, I stood where I was, and a coyote walked out of the trees into a clearing to look at us. She barked and yapped and then tilted her head and howled; looked at us, yapping, and howled again. Hamlet showed no more inclination to go closer than I did. We stood being lectured by the coyote, the language seemingly as foreign to my dog as it was to me. At length I whistled Hamlet closer and he came, and we went on our way down the field, followed by the coyote's grumbling. The sound trailed us back along the canyon's edge and was only muffled, then lost, when we rounded the point of a low hill.

I was glad to see her. I was glad to be lectured, glad to be disliked by a coyote. We're moving away next week, and I like to think that my life in Salt Lake has been framed by contact with coyotes. I don't believe this; I try not to make symbols or buddies out of wild animals; but it's hard not to use them as a way to define my time here. It's hard not to hear those coyote songs as hellos and good-byes.

Gary Snyder says, "...wildness is not limited to the 2 percent formal wilderness areas. Shifting scales, it is everywhere: ineradicable populations of fungi, moss, mold, yeasts, and such that surround and inhabit us. Deer mice in the back yard, deer bounding across the freeway, pigeons ... spiders ..."

And coyotes in the foothills. They seem not to mind giving up Coyote Flat to dogwalkers and dirt bikes during the day, then taking it back at

night; it is a neutral ground where for a while we have trod the same path. They no more live in wilderness than I do, but they are still wild. No matter how little they mind us, how close they let us get — or how close they come to us — the wildness of their songs echoes what is in their coyote hearts, and touches something that is in mine. ■

Alison Baker's book of short stories, *How I Came West, and Why I Stayed*, was published recently by Chronicle Books. She now lives in Rogue River, Oregon.



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