

High Country News

November 29, 1993

Vol. 25 No. 22

A Paper for People who Care about the West

One dollar and fifty cents

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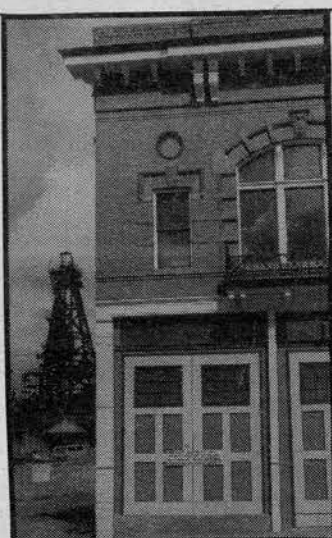
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A headframe stands near a historic Butte building

BUTTE, MONTANA, SEEKS A NEW LIFE

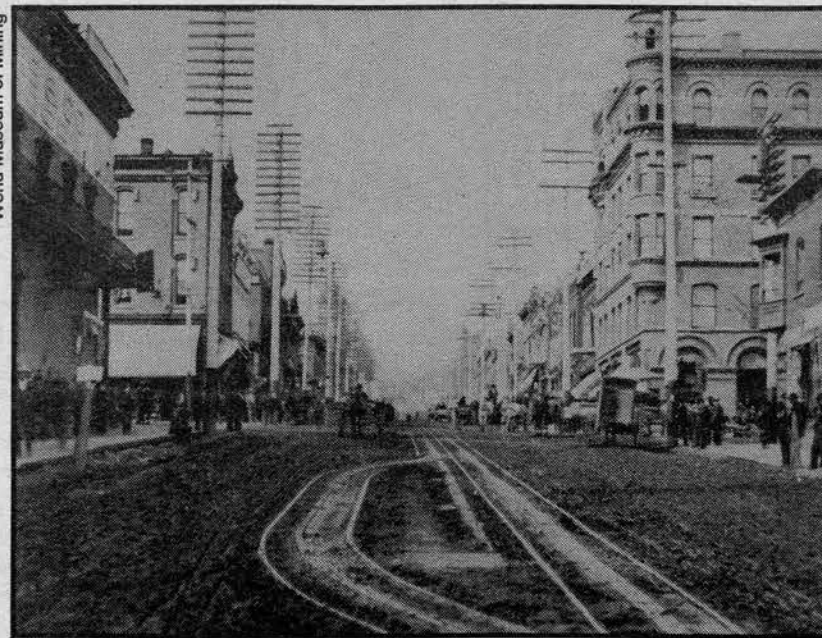
Can a scarred, poisoned landscape be transformed into a tourist attraction?



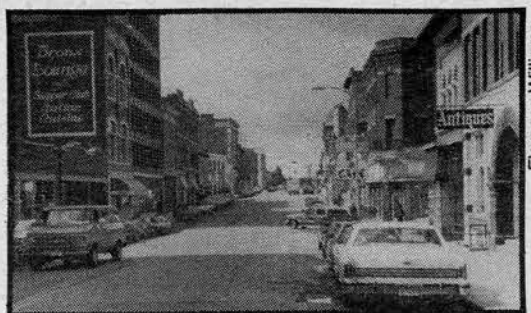
David Spear

Butte, Montana

World Museum of Mining



Cable car tracks lined the streets of Butte in 1895 (above); today, historic buildings remain (right).



Florence Williams

by Florence Williams

Paris is not the first image that comes to mind amid the blighted landscape of Butte, Mont. But the incongruity doesn't stop Mark Reavis, a tall, bearded redhead whose tweed blazer flaps open every time he steps from his car to point to something. "Now that," he says, nodding toward a gawky steel headframe at the mouth of an old mine shaft, "is like the Eiffel Tower."

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HIGH COUNTRY NEWS

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Dear friends,

Thanks, readers

If the post office is doing its job, 13,000 of you will receive a letter from us sometime before Dec. 10. This letter is our second request for support for the High Country News Research Fund for the 1993-1994 campaign.

Because *High Country News* is owned by the non-profit High Country Foundation, and because we have chosen not to support the paper with advertising, we turn to our readers each year for the money it takes to balance *HCN's* budget. About 50 percent of our expenses are covered by subscription revenue, and about 15 percent comes from grants for special projects and from miscellaneous sources such as royalties, T-shirt income and back-issue sales. The remaining 35 percent comes from readers as contributions to the Research Fund. That money goes to support *HCN's* editorial functions: It pays for articles, photos, drawings, travel and editing.

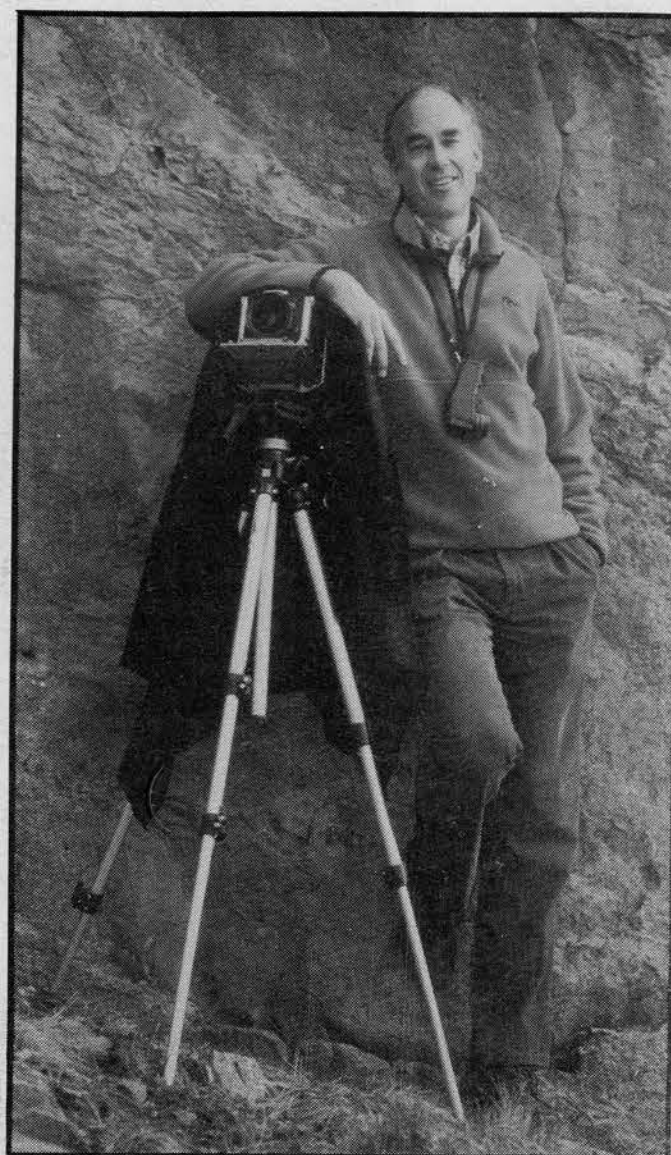
We try not to abuse our subscribers' generosity. We ask that you contribute only once a year — but we send up to three letters to solicit that contribution. So if you contributed in response to the letter mailed Oct. 1, we have tried to remove your name from this mailing. If you respond to this letter, you won't receive the third appeal, which will go out in early 1994. So far, we have heard from over 1,000 readers, and want to express staff's and board's appreciation for this

hearty response.

A walker in wilderness

Congratulations to Colorado photographer John Fielder, this year's winner of the Ansel Adams Award for Conservation Photography, given by the Sierra Club. The award honors individuals whose still photos further the cause of conservation. Fielder, who lives in Greenwood Village, Colo., urged passage of the 1993 Colorado Wilderness Bill through his spectacular images of wildlands. Fielder has published 14 books of nature photography, including his latest, *To Walk in Wilderness*, with author T.A. Barron.

— Linda Bacigalupi,
Betsy Marston
for the staff



Photographer John Fielder

John Fielder

Human activity must yield to bears

Two grizzly bear rulings within two months have shaken national forest management in the northern Rockies, the last stronghold of the threatened grizzly in the lower 48 states.

The 9th U.S. Circuit Court of Appeals overturned sections of the Flathead National Forest management plan dealing with grizzly bear habitat, ruling on Nov. 3 that the forest's timber production plans could compromise the bear.

The ruling follows a Sept. 3 biological opinion by the U.S. Fish and Wildlife Service which declared that the Forest Service must close and obliterate roads to offset impacts from the proposed Lost Silver timber sale in the northern Swan Range near Glacier National Park.

Both actions are likely to affect management of grizzly habitat in the northern Continental Divide ecosystem, the 200-mile-long stretch along the Continental Divide from the Canadian border in Glacier National Park to the state's midpoint near Helena. Flathead Forest officials say they will have to re-evaluate all proposed timber sales in grizzly habitat.

The lawsuit reviewed by the 9th Circuit was filed in 1989 by four groups: Resources Limited Inc., the Swan View Coalition Inc., Friends of the Wild Swan and Five Valleys Audubon Society. It followed lengthy appeals of the forest plan.

The three-judge San Francisco court reaffirmed the "standing" of the four environmental groups, ruling that their members are forest users and have a legitimate interest in how the forests are managed. Earlier, a Montana judge held that they lacked standing.

The court also declared that forest users on all sides are entitled to a forest management plan that has some reasonable expectation of being implemented.

In the past few years the Flathead Forest has fallen far short of its timber-sales target of 100 million board-feet of

logs per year, as individual sales have been appealed or run afoul of other standards and guidelines. Last year the forest sold virtually no timber outside of minor salvage and firewood sales, generating howls of dismay from the timber industry.

Flathead Forest managers argued that the timber targets set in the 10-year plan are little more than a best guess that they hoped to meet. Decisions on timber sales are made on a case-by-case basis, they said, so there is no reason to get excited about planning goals that seem unrealistic.

The court disagreed. It noted that environmentalists appealing the plan had discovered internal memos by forest rangers and others questioning whether the timber target could be met without harming grizzlies.

Even if the timber-sales target is only a ceiling, that "does not mean that the number can be drawn out of a hat," the judges wrote. The court remanded the plan to the lower court and the Forest Service for more work.

Though some in northwestern Montana characterize the 9th Circuit Court as liberal and pro-environmentalist, the three judges who handed down this month's ruling were appointed by presidents Reagan and Nixon.

Keith Hammer of the Swan View Coalition said the court plowed unusual legal ground because it looked at the facts of the case, not just the law, and ruled against the management agency. He said the Flathead forest's analysis showed that cutting trees in the lower elevation forests would degrade grizzly bear habitat and drive bears away. But the agency rationalized that it could "grow more bears in the high country," to yield a net increase in grizzlies, he said.

"We basically reasoned you can't do that," Hammer said, because the better, more-productive bear habitat is at lower

elevations where commercial timber also grows best.

The U.S. Fish and Wildlife Service's opinion on the 8.1 million board-foot Lost Silver sale may hold even greater significance for timber sales in grizzly habitat.

The sale is in the heart of the study area for the South Fork Grizzly Study, a long-term project in which the state has captured and radio-collared nearly all the grizzlies in the northern Swan Range to track their movements and use of habitat.

Initial study results show that grizzlies, especially females with cubs, avoid areas where roads have been built, even after those roads are closed. Since the roads often follow stream-valley bottoms where the best habitat is located, they push the most productive bears to marginal, higher-elevation sites.

That led the U.S. Fish and Wildlife Service to conclude that the Lost Silver sale could proceed only if radical steps were taken to limit roads. The agency said that 46 percent of the bear-management analysis areas in the northern Swan must remain roadless.

It further advised that no more than 20 percent of any analysis area can have an open road density greater than one mile of road per square mile of land, and no more than 18 percent can have a total road density greater than two miles of road per square mile.

Flathead Forest Supervisor Joel Holtrop said the opinion showed that the compatibility between roads and grizzlies assumed in the forest plan may be wrong. But he warned that the restrictions could force closure of roads providing access to the popular Jewel Basin hiking area and the Bob Marshall Wilderness.

— Don Schwennesen

Don Schwennesen is a staff reporter for *The Missoulian* in Montana.

WESTERN ROUNDUP

Babbitt seeks local approach to grazing reform

A group of Colorado ranchers and environmentalists broke away from their respective national camps and told Interior Secretary Bruce Babbitt in a closed-door session in Denver Nov. 17 that they can solve the gridlock over grazing reform.

Babbitt, stung by the defeat of his grazing reform package in the U.S. Senate earlier this month, jumped at the offer of help.

To the surprise of participants and his staff alike, Babbitt offered on the spot to halt his administrative reforms and make Colorado the model for a national grazing compromise. After the meeting, flanked by Colorado Gov. Roy Romer and the ad hoc group of eight ranchers and environmentalists, Babbitt announced he will come to Colorado once a week for the next eight weeks to develop a consensus that can be distributed to other Western states for public hearings as early as January 1994.

The announcement came as a shock to some national environmental groups, who worry that this is just another ploy by the ranching community to kill, delay or dilute grazing reform.

"Secretary Babbitt said he would move ahead with reform quickly," said Jim Norton, Southwest regional director of The Wilderness Society. "The administration's proposal was a good start. Further delay only means continued destruction of public rangeland, continued destruction of wildlife habitat and continued taxpayer subsidies."

But grazing reform has not been moving quickly, and the Colorado meeting may be a significant break for the administration. In March, the livestock industry and the Western senators forced President Clinton to drop grazing fee increases from the budget (HCN, 4/19/93). And earlier this month they blocked the administration's legislative reform package in Congress (HCN, 11/15/93).

Babbitt's remaining option is to implement rangeland reforms administratively. But that would deepen Babbitt's conflict with the Western states, and the controversy is certain to land in court anyway, maybe for several years.

By comparison, the Colorado meeting was the first time ranchers anywhere in the West have supported grazing reform. The ad hoc coalition of ranchers and environmentalists already have several years of experience working together, some on the Colorado Resource Roundtable and some in other forums.

More importantly, the Colorado group also has a reform proposal to put on the table. The plan was developed in Gunnison, where some of the state's oldest ranching families bucked the state Cattlemen's Association to negotiate with their neighboring environmental groups.

Rancher Brad Phelps, a member of the coalition, told the Grand Junction, Colo., *Daily Sentinel* that ranchers share some responsibility for the impasse.

"My feeling is that our industry let ourselves down in May. He (Babbitt) came out here wanting specific proposals, but we didn't offer any. We just had 12-year-old kids saying, 'My daddy will lose his ranch if grazing fees go too high.'"

The coalition — loosely called the Gunnison Basin collaborative — has only two members on the negotiating team that will work with Babbitt. But its proposal will be at the core of their efforts.

After meeting in Denver, Babbitt and Romer flew to Gunnison, Nov. 18, to hear about the Gunnison idea first-hand. The diverse collaborative, which believes it

can protect native ecosystems and keep ranchers in business, includes the Gunnison Stockgrowers Association, the Crested Butte-based environmental group High Country Citizens' Alliance, and staff scientists with the Rocky Mountain Biological Research Laboratory.

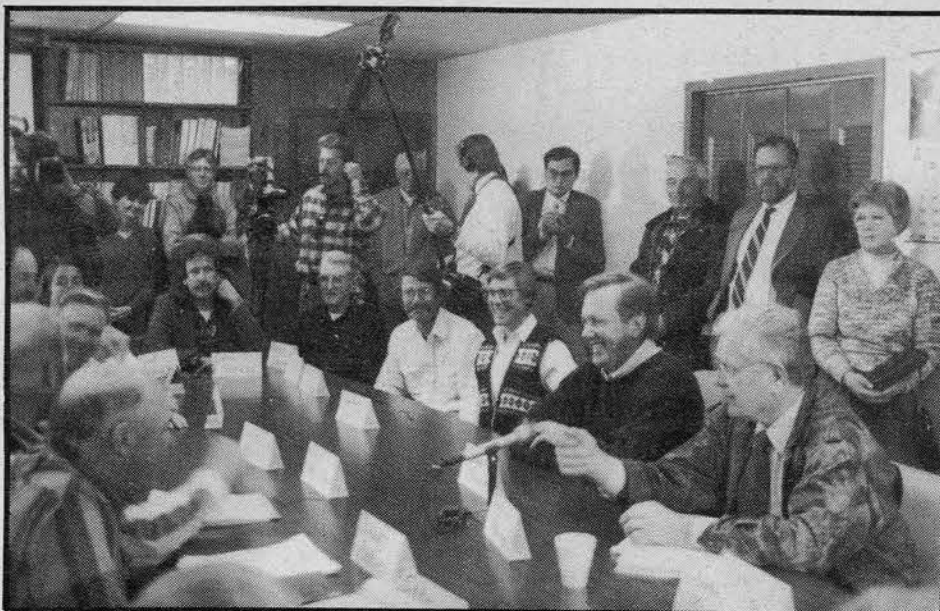
The groups first joined forces in the mid-1980s to fight off a water diversion project that would have taken basin water. They continue to work together to stop the subdividing of ranches into ski condos and vacation homes.

"We found we share a lot of values,"

ranchers, one environmentalist, one sportsperson or wildlife representative and one citizen at large, all to be appointed by local county commissioners.

As now, federal land managers must consult the advisory council to develop a grazing plan for each allotment. But under the Gunnison plan the advisory councils get veto power. If the council approves the grazing plan, the local federal land management office gets to keep the additional grazing fees for range improvements. If not, the money sits in a bank.

To give the group a common back-



Bruce Babbitt, seated second from right, at the Gunnison, Colorado, grazing meeting

Gary Sprung, president of the 16-year-old environmental alliance, told Babbitt. "We care a lot about the land in similar ways."

As opposed to the administration's top-down approach, which would set national ecology standards to be enforced by various federal agencies, the Gunnison plan is decentralized, relying on local communities to integrate environmental protection into their local economy and culture.

Their range reform proposal, hashed out across kitchen tables in each others' homes, would raise grazing fees up to twice current levels, and convert the old BLM and Forest Service grazing advisory boards into Rangeland Ecosystem Advisory Councils. The proposal also states that some lands are not suitable for grazing. The councils would consist of two

ground, council members, all permittees and all federal grazing managers would attend one week of "stewardship school" to study communications skills, local rangeland ecology, federal law and the political history of the public range. The schools would be established as independent institutions, funded by grants and tuition.

"It would decentralize management, make it more like the Saturn car company," said Ken Spann, a fifth-generation Gunnison rancher. He added that it would insert creativity and accountability into the process, and allow more money to be spent on the resource on the ground, instead of getting "tapped off at the region" for overhead costs.

The plan would also give environmental and wildlife interests a seat at what has traditionally been a rancher-dominated table.

"The only way to get local people to volunteer for such an intensive project is if you give us a chance to make a difference," said Sue Navy, High Country Citizens' Alliance vice president. "I think it's the best way to ensure as rapidly as possible improvement on the range."

The group concluded their presentation with a slide show of experimental projects they have already done to restore riparian areas and improve wildlife habitat.

"This was the most useful couple of hours I've spent on this issue in the last year," responded Babbitt, praising the group's ability to overcome the conflicts that have polarized the rest of the region.

Babbitt and Romer warned, however, that to sell nationally, the idea would have to be demonstrated first.

"Here's my offer to you: I'm ready and willing to go that far if we can invent some reasonable checks and balances," said Babbitt.

Babbitt and the Gunnison collaborative will have a tough job. Jim Norton of The Wilderness Society, who attended Babbitt's initial meeting in Denver, says he is skeptical that national environmental groups or the rest of the West will agree to the Gunnison experiment.

"We want less local control, not more," says Norton. "We've had local control for the last 100 years and it has been a dismal failure. That's why we have the serious problems we have today with water quality, wildlife habitat, biodiversity and riparian areas. It's time for something different."

Likewise, Reeves Brown, executive vice president of the Colorado Cattlemen's Association, supports Babbitt's negotiations, but warns that, as written, the Gunnison proposal won't fly in Colorado.

"The livestock industry will be vehemently against it," said Brown.

To resolve some of those issues, Babbitt recently agreed to enlarge his negotiating team to allow more environmental and wildlife groups, sheep growers, and other players a seat at the table.

The Gunnison proposal is available for \$7 from the High Country Citizens' Alliance, Box 1066, Crested Butte, CO 81224 (303/349-7104).

— Steve Hinchman, HCN staff reporter

Some in West want Bruce Babbitt's head

Charging misconduct and dirty politics, ranchers and some rural Western officials are asking President Clinton to fire Interior Secretary Bruce Babbitt.

"We petition you to request the resignation of Bruce Babbitt and his staff," reads an Oct. 22 letter from the Washakie County Commissioners in Wyoming. "Certain memoranda have surfaced which clearly indicate Mr. Babbitt and his staff hold established processes and the equitable treatment of certain citizens in contempt."

Washakie County's letter is part of a reaction in the rural West against Babbitt's proposed reforms of federal grazing, mining and other land- and water-use policies. The sleepy campaign to oust Babbitt burst into high gear earlier this month during the congressional battle over grazing reform.

The Wyoming Farm Bureau passed a unanimous resolution asking President Clinton for Babbitt's resignation on

Nov. 11, and more counties are weighing in with letters of protest and petitions. In Idaho, the Blue Ribbon Coalition, an off-road vehicle group, led a "Bye-bye, Babbitt" telephone campaign that tied up the White House phone lines for a day. The organizer of the fire-Babbitt campaign is Utah legislator Met Johnson, who says a Department of Interior memo "implicates Babbitt and (BLM Director Jim) Baca and their staff in some real underhanded tactics" in the grazing reform package.

The June 23 memo, by communications advisor Kevin Sweeney, admits that the Department of Interior wants to use grazing fees as a "strawman" to deflect attention from more controversial land-use reforms. It also lays out a strategy for media field trips to damaged riparian areas.

"Our own statistics can be used to show the range is in better shape than at any point in this century. With that in mind, we must make deliberate and pub-

lic attempts to prove how bad the conditions are in many riparian zones," the memo reads.

"Babbitt was caught trying to mislead the press into misleading the public," says Johnson, who represents Washington County in southwest Utah.

Johnson, the Wyoming Farm Bureau and Washakie County Commissioner Bill Glanz all warn that the region has lost trust in Babbitt and say they are unwilling to work with him in the future.

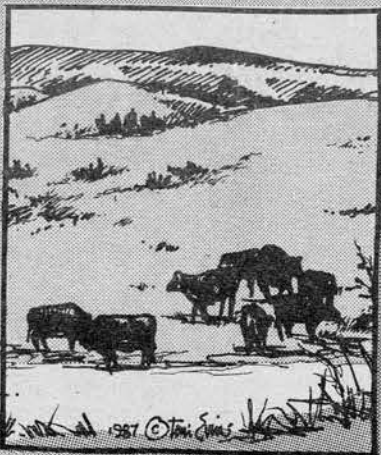
"We are even more concerned about this new proposal to re-prioritize water from Bureau of Reclamation water projects," says Washakie. "We are an agricultural community and without water we will lose our culture and economy."

"(We) demand President Clinton accept Bruce Babbitt's immediate resignation and request appointment of a qualified person who will work willingly with the West," reads the Wyoming Farm Bureau resolution. — S.H.

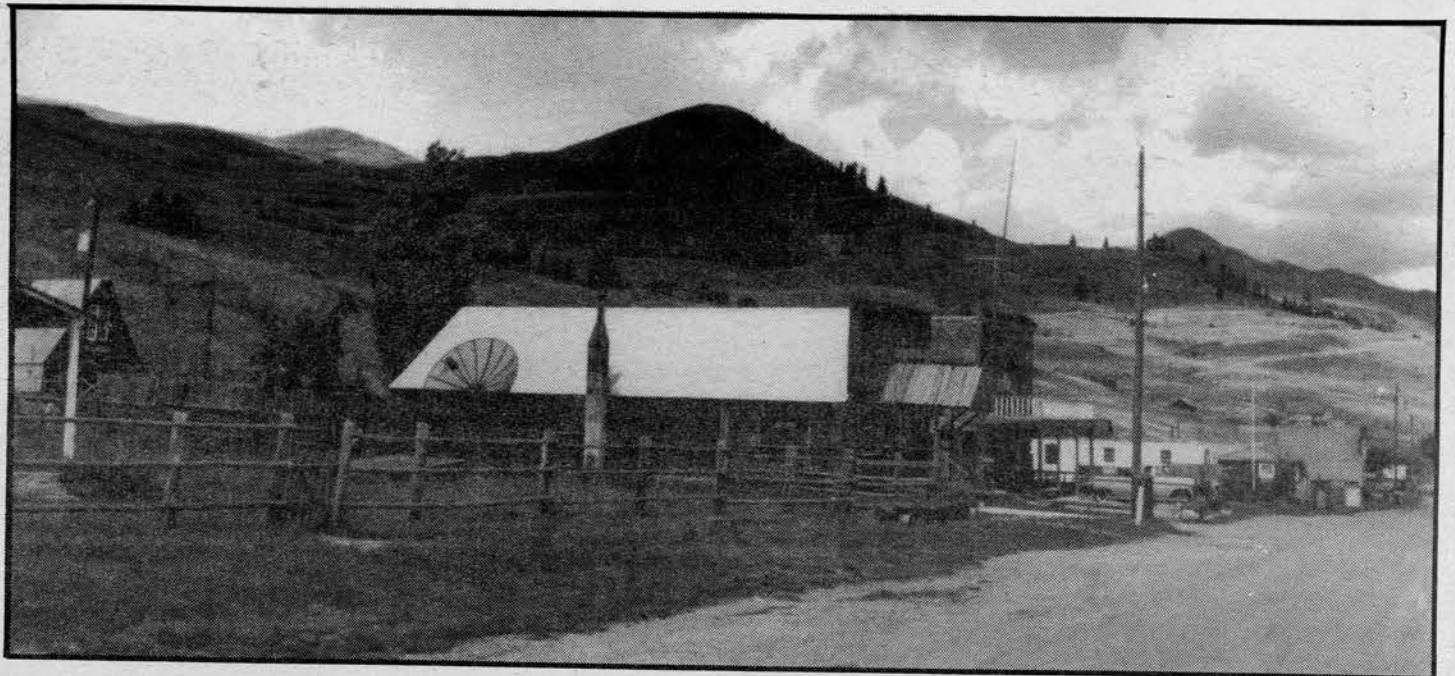
HOTLINE

Hail to the chief

Wildlife biologist Jack Ward Thomas, one of the primary authors of President Clinton's plan to protect Northwest forests, is the new chief of the U.S. Forest Service. He replaces F. Dale Robertson, the Reagan administration appointee who was removed from office Oct. 28 (HCN, 11/15/93). The long-anticipated appointment signals a changing of the guard at the 29,000-employee agency. "I think it's the dawning of a new era," former Northern Rockies regional chief John Mumma told the *Denver Post*. "The forests of the 21st century will be looked at as total ecosystems. They're going to have to become the people's forests, not the forest industry's forests." The timber industry and some Republican lawmakers had mounted a campaign to derail Thomas' appointment. "His preservation bent is well known," said Oregon Rep. Bob Smith, R. "I do not wish those troubles on the rest of the nation." Jeff DeBonis, founder of the Association for Forest Service Employees for Environmental Ethics, disagreed, saying Thomas, a 27-year agency veteran, was not a radical. Thomas faces the daunting challenge of managing an agency demoralized by scandals over everything from timber theft to the hiring of illegal aliens. David Unger, who served as interim Forest chief, was named associate chief.

**Wyoming ranch changes hands**

Like many cattle operations across the West, the 34,000-acre Red Canyon Ranch near Lander, Wyo., is closing down. But this family-owned spread will not turn into subdivisions for ranchettes. In a \$6.5 million deal set for closing Nov. 30, the ranch will be transferred to The Nature Conservancy, a non-profit conservation group. The conservancy says it will continue to run cattle on 29,000 acres of federal and state grazing allotments, and ask a committee of ranchers and environmentalists to write an operating plan. "We feel strongly that the key to long-term conservation of the values we all hold dear in Wyoming is tied to the long-term viability of ranching as an industry," says Ben Pierce, The Nature Conservancy's Wyoming director. The conservancy plans to manage the land to protect five rare plants, while inventorying the property for other rare species. Based on that study, the conservancy expects to open part of the ranch to the public for hiking, fishing and hunting. To make the purchase possible, Red Canyon Ranch owners made a \$3 million gift of land.



Chesaw, Washington, is divided over plans for a new mine

Lynda V. Mapes/The Spokesman-Review

Golden opportunity splits rural town

There's always been gold in the tawny hills of Washington's Okanogan Highlands. But now there's conflict, too.

The proposal by Battle Mountain Gold of Houston, Texas, to blast open Buckhorn Mountain in the Okanogan National Forest has divided the tiny town of Chesaw. This rugged settlement of 54 people is three miles from the proposed mine site just south of the Canadian border.

In this one-street town, the conflict has grown ugly. One mine opponent reports death threats. Neighbors are siccing the state Department of Ecology and the county zoning board on each other with complaints about wells and septic systems. A mine supporter says someone loosened three of four bolts on the wheel of her car to scare her into silence. People who never locked their doors now do.

"It's the hippies versus the good old boys," says an opponent of the Crown Jewel gold mine.

The conflict has shattered the uneasy truce between ranchers and farmers, whose families settled the region, and back-to-the-land families who moved in more than 20 years ago, but are still considered newcomers.

Some people in town take a dim view of questions raised by the "newcomers" that strike at deeply held values.

"I don't like to have people tell me how we should live," said Bob Hirst, 67, current president of the Common Sense Resource League, a local group formed two years ago to promote the mine. "This country was founded on mining and logging back 100 years ago when my grandfather homesteaded this land."

"God put these resources here for us to use. It's disturbing to see the alternative lifestyles, the newcomers, come in and want to change our way of life. I'm for live and let live, and we really need these jobs."

Out-of-town activists who have made the mine one of the most celebrated environmental causes in the state earn particular ire.

"These people think we are some kind of park and don't need to make a living," Hirst says.

The local county commissioners and chambers of commerce are solidly behind the mine, as are most businesses. That embitters some of the homesteaders in the hills closest to the proposed mine, who figure they have the most to lose.

"It's the merchants and everyone who stands to gain, everyone whose cash register that's going to tinkle that's for it," said Jere Payton, an outspoken critic of the mine.

Ronald Weeks, an apple grower and

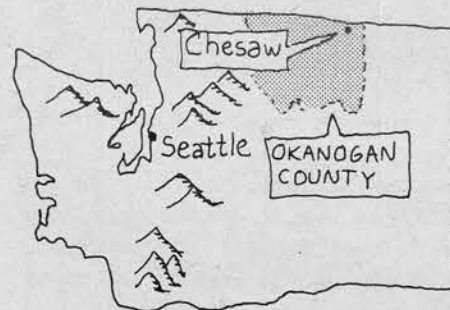
chairman of the Okanogan County Commissioners, says Battle Mountain Gold's proposed \$70 million investment is the chance of a lifetime for a county where unemployment hovers around 16 percent when the growing season ends — more than double the state average.

"This mine is about the biggest thing that's ever come down the pike for us," Weeks says.

The largest county in the state, Okanogan is home to just 34,400 people. The county didn't even have a traffic light until last year. Now its residents must weigh the merits of the largest open pit mine ever proposed in the state.

Battle Mountain Gold wants to blast a 1,000-foot-deep, 120-acre pit (big enough to swallow the Seattle Space Needle) into the side of Buckhorn Mountain, and soak the ore in cyanide to extract tiny flecks of gold.

The Crown Jewel Mine would cover more than 600 acres, almost all of it in the



Okanogan National Forest.

The 1.4 million ounces of gold the company expects to mine from the mountain could fit in the back of a pickup. That gold would be worth \$493 million at current prices.

The chemical process would leave behind 95 million tons of waste rock in embankments up to 18 stories high covering 90 acres, including about four acres of wetlands.

The payoff to the community includes 150 new jobs generating an annual payroll of \$4.9 million over the eight-to-10-year life of the project.

Battle Mountain also runs the San Luis mine in Colorado, which drew that state's biggest fine ever when state officials discovered cyanide concentrations 38 times greater than permitted in the mine. No cyanide made its way into ground or surface water.

Battle Mountain promises its Crown Jewel project will be a showcase. Washington's governor, Mike Lowry, D, begs to differ.

"A hole, a pit, a pile of leftover rock like that? Are you kidding? It defies logic," Lowry says. "Eighty-five percent of the gold coming out of there would be

for jewelry — there's a real good utilization of Mother Nature's resources. I see it as a pretty serious gamble with our quality of life in this state and the environment."

Some don't dare say what they think of the mine.

"There are so many people for it and so many against it, I can't say anything," says Lorraine Jeter, owner of the Chesaw tavern and country store.

But her companion, Pat Woolley, hitches his red suspenders, shoves the cowboy hat back on his head, and says his opinions are too strong to stifle.

"It will be the safest mine in the world," Woolley says, settling onto one of the old metal tractor seats mounted on posts that serve as bar stools in the tavern. "I know what the miners used to do, but that's old time. And I believe in bringing some job opportunities around here."

Critics who say the project will permanently scar public lands for short-term gain miss the point, Woolley says. "That's what gold is for — to make a few people very wealthy. That's what free enterprise is all about in this country."

While critics "fuss," the area is losing out on desperately needed jobs and an infusion of cash the mine is expected to bring, says Ethel Lindauer. She is president of the chamber of commerce in Oroville, a town of 1,150 people about 20 miles down the road.

"Maybe if this goes through, a few more kids will go to college, a few more houses will go up. There are too many families here that have gone without for too long," Lindauer says.

Brant Hinze, operations manager for the Crown Jewel Project, is doing his best to promote the mine. He says Buckhorn Mountain is the perfect site.

Clearcuts, logging roads and cattle grazing already have marred the land. "This is not a pristine site," Hinze says.

That observation makes mine opponents even more uneasy. "It's been trashed by the same agency that promises tight regulation of the mine," says Woody Rehanek of the Okanogan Highlands Alliance.

The state legislature formed a task force this year to review the state mining law. Its report is due in January.

For more information call the Okanogan Highlands Alliance 509/485-3952 and the Washington Department of Ecology, 206/459-6000.

—Lynda V. Mapes

Lynda Mapes writes for the *Spokane Spokesman-Review*.

Defunct refinery fouls Wyoming river

Tom Davis, a junior high school teacher from Casper, Wyo., has canoed and fly-fished the waters of the North Platte River for years. But when Davis and his wife set out in their canoe this May, they were not looking for trout. Davis, also the conservation chair of the North Platte Sierra Club, was investigating a report that pollution was seeping into the river from the Texaco oil refinery on its banks.

"I saw globs of discharge flowing from three different seepage sites in the river," recalls Davis, "and a foul smell pervaded the entire area."

Now, the Sierra Club is suing Texaco on the basis of Davis' discovery and studies done by state and federal officials.

The Sierra Club complaint in federal district court alleges that the Texaco oil refinery near Casper, Wyo., has leaked toxic pollutants into the North Platte River for years in violation of the Clean Water Act. The complaint asks Texaco to cover Sierra Club legal bills, submit a plan detailing how it will end pollutant discharge by March 31, 1994, and pay \$25,000 for each day the law was violated. The bill could total \$45 million.

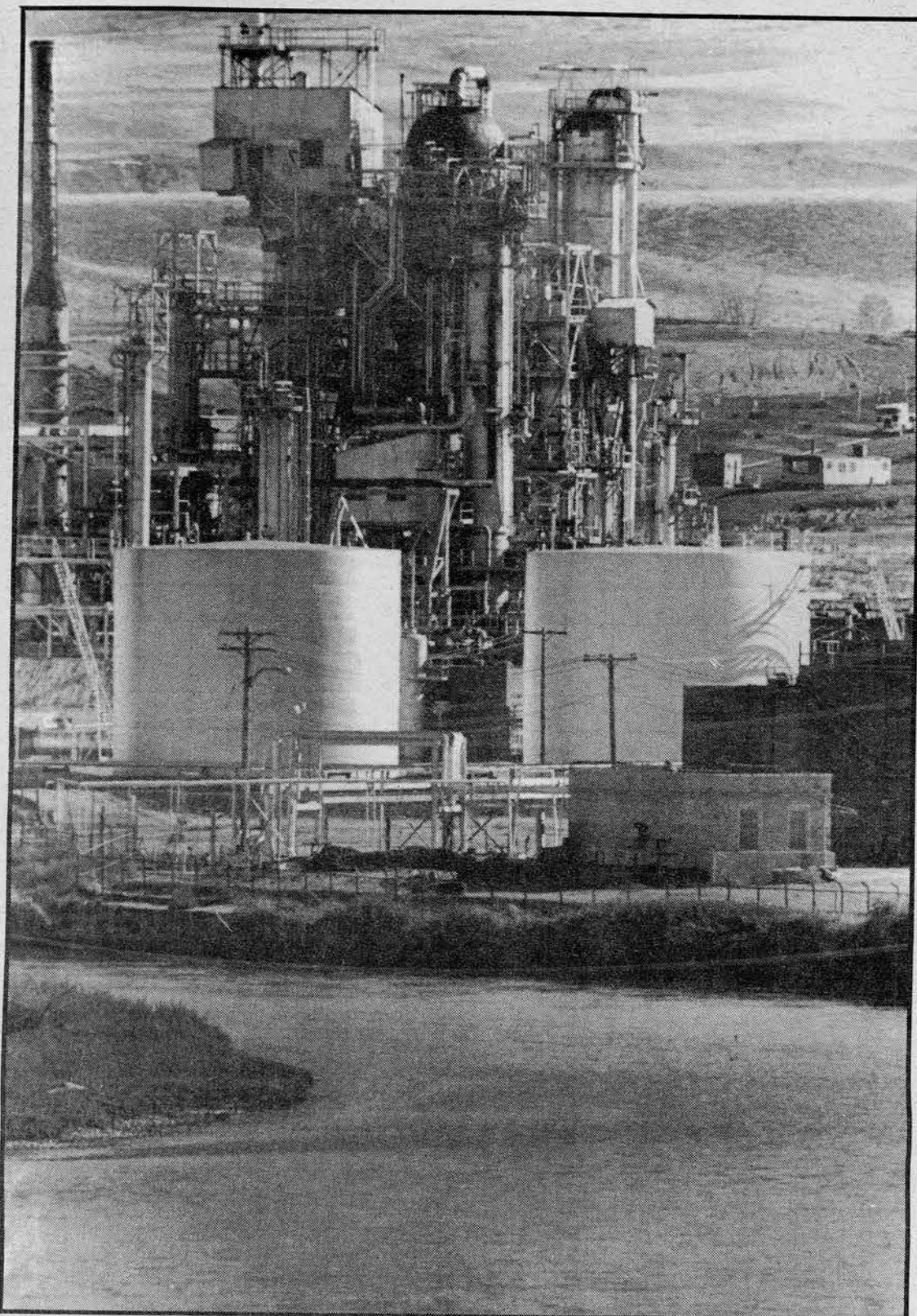
The refinery, which began operation in the 1920s, produced petroleum products from crude oil until Texaco shut it down in 1982.

The Sierra Club says Texaco used irresponsible toxic disposal methods, such as burying petroleum byproducts like arsenic, ammonia, benzene, oil and grease in unlined landfills. That allowed the pollutants to seep through the landfill's soil walls into groundwater and then into the river.

Federal and state studies support the Sierra Club's claims. An Environmental Protection Agency study last May found that the pollution is severely damaging tiny invertebrates such as larvae. Dave Ruiter, the study's author, says these animals form the foundation of the North Platte's food chain and foreshadow the pollution's effect on larger, more complex river wildlife. Tom Davis says the pollution's effects are already evident; he hasn't seen a trout near the refinery in years.

The Sierra Club's complaint also says pollution tests taken on only 15 percent of the refinery's land found that over 1 million pounds of petroleum products were released into the river each year, primarily in the form of floating, non-soluble petroleum globs. The tests also discovered that the plant leaked 6 million to 9 million gallons of petroleum-based contaminant into groundwater. For comparison, the Exxon Valdez poured 10 million gallons into Prince William Sound during its infamous 1989 spill.

At the core of the legal controversy is a debate over which law applies, the Research Conservation and Recovery Act or the Clean Water Act. Texaco spokesman



Texaco refinery on the banks of the North Platte River near Evansville, Wyoming

Rick Sorensen

Kevin Bohnenblust believes it is RCRA, a national solid and toxic-waste management law. In accordance with RCRA, Texaco is working with the EPA to build "interceptor trenches" to trap polluted groundwater before it reaches the river.

Texaco wants the lawsuit dismissed on the grounds that the Sierra Club's complaint alleges groundwater contamination only. The Clean Water Act covers surface water pollution.

But Reed Zars, the attorney representing the Sierra Club, says the issue is whether surface water is polluted, not how surface water is polluted.

"Under Texaco's interpretation," argues Zars, "anyone could end their discharge pipes five feet from the banks of the river and they would be untouchable under the Clean Water Act." Texaco's interpretation "makes a mockery of the Clean Water Act. It runs directly counter to the express intent of congress," Zars says.

A Sierra Club victory would redefine the application of the Clean Water Act to include cases in which pollution contaminates surface water through groundwater. A victory would set a precedent for regulating four other refineries on the North Platte.

Although the Sierra Club filed suit charging violation of the Clean Water Act months ago, the EPA waited until mid-October to investigate direct surface water pollution. "(The Sierra Club) is portraying

the situation as very different than we understand it," says John Barth, EPA assistant regional counsel. "Because of their portrayal we are sending a team to search for surface water discharge, which would indicate that the Clean Water Act is applicable." Barth says the EPA will take any measures necessary to stop pollution, and that Texaco is being extremely cooperative. "In my view," says Barth, "(Texaco has) been doing a very diligent job of cleaning up at a very difficult, old, complex facility."

Keith Burron, attorney for the Wyoming Department of Environmental Quality, agrees. "There has been no need to take formal enforcement action because we have had Texaco's full cooperation," he says. Some environmentalists, however, criticize the EPA for relying on the findings of Texaco scientists. Tom Davis says both the DEQ and EPA failed to live up to their responsibility.

But Davis agrees with Reed Zars who says, "Texaco is the real problem. This is not a case of failure to enforce, it's a case of failure to comply."

For more information, contact Tom Davis, North Platte Sierra Club, 2563 Hanway Ave., Casper, WY 82604 or Kevin Bohnenblust, Texaco, P.O. Box 2100, Denver, CO 80201.

— Todd Hinnen

Todd Hinnen is an HCN intern.

HOTLINE

Washington author freed from jail

Rik Scarce, author of a book about the radical environmental movement, was released from the Spokane County, Wash., jail Oct. 19. He had been imprisoned for 159 days by a federal judge who was trying to persuade him to talk to a federal grand jury investigating the Animal Liberation Front (HCN, 6/28/93). U.S. District Judge W. Fremming Nielsen released Scarce after deciding further "coercive confinement" wouldn't persuade Scarce, 35, to testify about vandalism at Washington State University. Scarce was never charged, but was held using a federal law that allows witnesses to be imprisoned as a way of persuading them to testify. He is author of *Eco-Warriors: Understanding the Radical Environmental Movement* and a graduate student in environmental sociology at WSU. The key suspect, Rodney A. Coronado, was housesitting for Scarce at the time of the WSU incident. Scarce maintains he has a privilege, as a writer and a scholar, not to reveal to federal investigators if he even talked to Coronado.

Utah fights Umetco

Worried that a proposed radioactive waste-disposal site in western Colorado could leak wastes into Utah, lawmakers from that state have urged Colorado Gov. Roy Romer, D, to abandon the plan. In an Oct. 27 letter, leaders of the Utah House of Representatives criticized Colorado's decision to let Umetco Minerals Co. bury 600,000 cubic yards of uranium tailings and other radioactive materials in Uravan, Colo., 20 miles from the Utah-Colorado border. The site is on the San Miguel River, which drains into the Dolores River, then empties into the Colorado River north of Moab, Utah. "I'm quite offended they would put this site so close to the border," Rep. Kelly Atkinson, D-West Jordan, told the *Salt Lake Tribune*. The letter notes that existing uranium waste in Uravan contaminated the river in the past and that Colorado ranked the site low in suitability because of its steep and erosive terrain. Umetco won preliminary approval from the Colorado Department of Health to open the new dump last August. But an appeal from environmentalists delayed the final decision. Although Umetco says it plans only to accept waste from within Colorado, environmentalists say the state has admitted that the company can take waste from other states. Said Cyril Whitlock of the Western Colorado Congress, "We're scared that the door has been thrown wide open for Umetco to become a national radioactive dump site."

BARBS

He can't see the forest for the greed.

A Canadian developer who wants to turn a 263-acre forest at the base of Colorado's Keystone ski area into "an intimate, pedestrian village," recently told *The Denver Post*, "We see at Keystone a blank canvas, a vacant piece of land."

HOTLINE

Begging for windmills

Colorado's largest electric utility is asking its customers to donate money to fund development of renewable energy. Public Service Company of Colorado wants customers to pay an additional \$1-to-\$3 a month to fund experimental windmills and solar electric panels. Already 2,000 people have pledged \$50,000, and the company expects to raise almost \$2 million a year. "The level of your support will help determine the amount of (renewable) resources developed," reads a pledge card mailed out with the October bills. Environmental critics, who have spent the last two years working with Public Service to develop an efficiency and conservation plan, like the idea but say Public Service should dig deeper into its own money. "It's a nice supplement," says Eric Blank of the Land and Water Fund in Boulder, Colo., "but it needs to be part of a comprehensive and more aggressive plan. We'd like to see them spend far more than \$2 million a year." Public Service supplies three-quarters of the state's electricity, 98 percent of which comes from coal-fired power plants. The company's most recent 20-year plan estimates that 70 percent of its new power resources will come from natural-gas power plants, 25 percent from energy-efficient projects and only 5 percent from renewable power.

Once more, for the sturgeon

The federal operators of a dam that has nearly wiped out the Kootenai River white sturgeon will try again to keep the giant fish off the endangered species list. The renewed effort comes after negotiations broke down last year between the U.S. Fish and Wildlife Service and the dam operators, the U.S. Army Corps of Engineers, Bonneville Power Administration and Bureau of Reclamation. The issue that led to gridlock was springtime flows from Montana's Libby Dam (HCN, 5/31/93). Federal biologists said at the time that listing the sturgeon, which has not successfully spawned since the dam's construction in 1974, was the only way to force the agencies to release enough water. Now, with a February 1994 deadline for listing approaching fast, the agencies have promised more water, beginning next spring. "These folks realize we're serious about listing this species," says David Klinger, a spokesperson for the U.S. Fish and Wildlife Service. Federal biologists say any proposal will have to be scientifically credible and permanent. "To cause us not to list, we need more than one year's worth of flows," says federal biologist Steve Duke. "We need a long-term agreement."

BARBS

A GOP elephant never forgets.

"I'm sorry I ever went to that Lincoln Day dinner for Ralph Regula all those years ago ... that shabby rathole," fumed Sen. Alan Simpson, R-Wyo. The Republican congressman from Ohio fell from Simpson's favor when he supported higher grazing fees on federal land. Simpson says he actually called Regula a "shabby rascal," reports Scripps Howard News Service.

Ski resort slides into financial pit

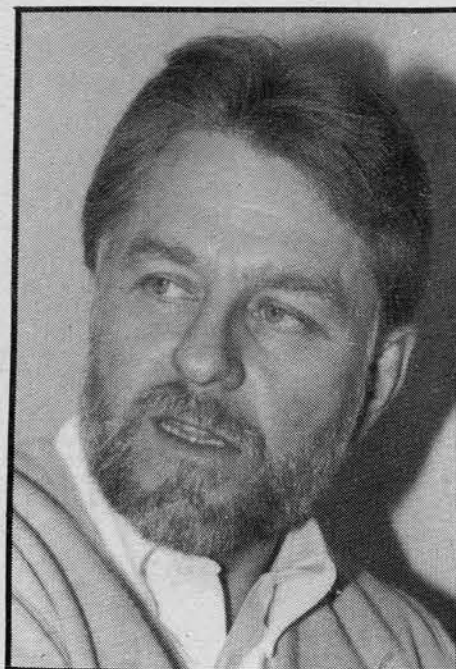
BOISE, Idaho —The U.S. Forest Service cancelled a special-use permit for the proposed \$120 million Valbois Ski resort Oct. 22, after developers failed to prove they had the financial backing to stay alive.

Despite threats from project founder and investor Dennis Taggart to appeal the decision, the move could be the beleaguered resort's death blow.

Valbois, which is French for wooded valley, was announced in 1983 with fanfare and high expectations; by 1988, 18 French and American investors had come on board. Located in mostly agricultural Valley County, on the Cascade Reservoir 80 miles north of Boise, Valbois was designed to be a premier four-season resort, with skiing, tennis, snowmobile and equestrian trails, a 250-slip marina, a golf course, a skating rink and over 2,000 condos and hotel rooms.

The plan, which covered 2,500 acres of national forest and another 580 acres of private land, won a lot of support in Cascade, McCall and other nearby towns hungry for jobs and development. But the proposal has spawned mostly problems instead.

The Forest Service's 1990 environmental impact statement on Valbois was appealed by state environmental groups and the Idaho Division of Environmental Quality, and both the Environmental Protection Agency and Idaho Gov. Cecil



The Star-News

Dennis Taggart, Valbois founding partner

Andrus warned that the project would probably fail to meet federal and state water and air quality standards (HCN, 7/1/91).

Then, in 1992, activists with an environmental group, Citizens for Valley County, discovered that some of the preliminary consulting studies for the Valbois EIS were plagiarized from past and unrelated Forest Service EISs, and that the Valbois-hired consultant, Randall Buck, had falsified his résumé and credentials.

The Forest Service agreed to do a supplemental EIS, which would incorporate new consulting studies and the resort's master plan. But before the plan could get under way, investors started pulling out. In addition, two lawsuits and three liens have been filed against the resort owners for over \$2 million in unpaid wages and missed property payments.

Last spring Valbois told the forest Service that it didn't have the estimated several million dollars needed to complete the planning process. Neither Valbois nor the Forest Service would detail the reasons for the financial problems. But in a

July letter to the Forest Service, developers said they were restructuring and would submit a new financial plan to the Forest Service by Oct. 12.

Investors met that deadline, but Boise National Forest Supervisor Steve Mealey says the documents don't go far enough. In a press conference Mealey said the plan failed to include the required financial forecast and contained mostly hypothetical proposals.

"I feel a lot of pain in announcing this decision," Mealey said. "But it would have been irresponsible of me, on the basis of the continued uncertain capability of Valbois to complete the planning, to allow people to continue to hang their hopes on the success of this project."

Taggart, who has spent over \$1.2 million of his own money and \$14 million from investors on the project, strongly criticized the Forest Service, saying developers weren't given an opportunity to discuss their new financial proposal with Mealey because he was on vacation the weeks of Oct. 5 and Oct. 12.

"Valbois is not dead yet," Taggart responded after the Forest Service announcement. "We're here to tell you we're not closing down."

Whether the massive project lives or dies, it has made local people grapple with the issue of development.

"Valbois hit us right between the eyes with: 'You're not ready for growth,'" says Cascade mayor and one-time Valbois supporter Tad House. "All the cities and the county had to take second looks at their planning and zoning and comprehensive plans and found that they were really lacking."

All have updated or are updating their plans as a result, he said. The county completed a watershed study identifying sources of pollution in Cascade Reservoir, which suffers from chronic algae blooms. The reservoir made news this fall when 22 cattle died after drinking polluted water from the reservoir.

— Ursula Thomas

Ursula Thomas is a business writer for the *Idaho Statesman*.

California developer gets warm Colorado welcome

A proposed resort near Colorado's Rocky Mountain National Park could get snowed under by local opposition.

California developer Fred Sauer hopes to buy 4,200 acres of Colorado State Forest to build a four-season resort in undeveloped North Park near the town of Walden.

The proposal drew fire at public hearings from loggers and environmentalists alike. "It's a joke, it's a travesty, it's the worst thing that could happen to North Park," said Don Ewy, a self-employed logger from Gould, Colo., and founder of the local Coalition to Save the Colorado Forest. "Right now there's more moose than people."

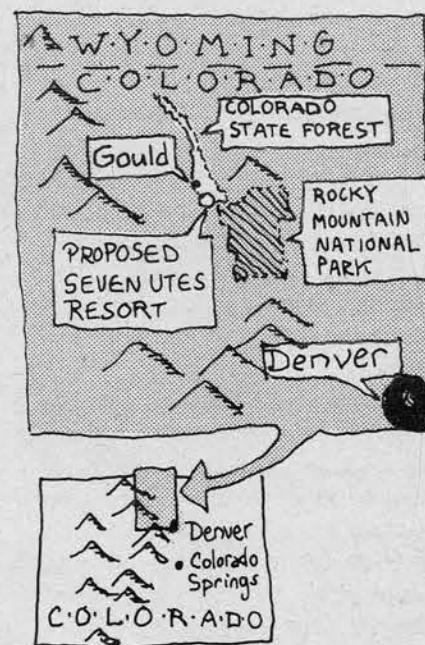
Plans for Sauer's \$60 million resort on Seven Utes Mountain include a ski area, equestrian center, ice-skating rink, golf course, and shopping center, as well as housing units, condominiums and two hotels.

Colorado State University biologist Rick Knight argues that the state-owned land needs to stay wild. He fears an influx of people will drastically disturb area wildlife, which includes cougars, elk, American marten, black bear and moose. Opponents also say the resort would

destroy the quality of rural life in the region and make taxpayers bear the cost of new highway construction. Joining Ewy in the fight against the project are the Friends of the Poudre, Colorado Mountain Club, and the Sierra Club. Neighboring Larimer County also opposes the plan.

Sauer has promised to make his complex environmentally sensitive. The *Fort Collins Coloradoan* reports that he has employed about a dozen consultants including a former regional director of the Army Corps of Engineers. Supporters also say the resort promises jobs in an area suffering from a coal mine shutdown and dwindling logging and railroad operations. Land board commissioners estimate that the resort could raise as much as \$500,000 for public schools.

The state land board will decide in December whether Sauer can proceed. Sauer must also receive a clean water permit from the Army Corps of Engineers and gain approval for a land exchange from the state legislature. The land board meets next on Dec. 15 at 6 p.m. in the Hunter Education Building of the Division of Wildlife, 6060 Broadway, in Denver.



Contact Don Ewy, Star Route Box 109, Walden, CO 80480 (303/723-4316), or Lucy Black Creighton, President, Colorado State Land Board, 1313 Sherman Rm. 620, Denver, CO 80203 (303/866-3454).

— David Frey, HCN intern

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WILD IN MONTANA

The Montana Wilderness Association holds its 35th annual convention Dec. 3-4 in Helena, Mont., with wildlife biologists Gayle Joslin of the Montana Department of Fish, Wildlife and Parks; Jack Stanford of the Flathead Lake Biological Station, and Mike Ivie from Montana State University. A soap box session allows anyone a chance to speak on absolutely anything, and a seminar promises to tell activists how to translate grass-roots passion into political reality. For more information about the get-together, called *Montana's Wildlands and Wildlife: Making the Critical Connections*, contact the Montana Wilderness Association, Box 635, Helena, MT 59624 (406/443-7350).

GROUP FIGHTS ANIMUS TO ANIMAS

A coalition that foiled construction of an Albertson's grocery last June on the banks of the Animas River in Durango, Colo., is taking on other threats to the river. The Friends of the Animas River is now striving to halt new construction along the Animas riverfront until its effect on the river is studied. The group also wants a portion of the river listed as Wild and Scenic. Members of FOAR's board of advisors include Phil Wallin, executive director of River Network; Robert Blair, geology professor at Fort Lewis College; and Cory Hutchinson, Forest Service fisheries biologist. For more information or a copy of the quarterly newsletter, write Friends of the Animas River, P.O. Box 3685, Durango, CO 81302 (303/259-3209).



CONSERVATION FOR KIDS

Young people have a new magazine in which to learn about wildlife and natural resource issues. *Falcon Magazine, For Young Conservationists* is put together by an array of government agencies, educational associations and environmental groups. Designed for children 8 and up, the first issue offers information about hiking and kids working to help the environment, plus pictures, puzzles and games about endangered plants and animals. The 48-page magazine offers special classroom editions with teachers' guides for third, fourth and fifth grades. Several state wildlife agencies, including Montana and Colorado, have also joined in creating customized state editions. Much of the magazine's proceeds go to the National Fish and Wildlife Foundation to fund projects that encourage young people to learn about and protect the environment. For more information contact publisher Bill Schneider at Falcon Press, P.O. Box 1718, Helena, MT 59624 (800/582-2665).

SAVE THE SPINELESS

The living world would probably survive the demise of all vertebrates, in greatly altered form of course, but life on land and in the sea would collapse down to a few simple plants and microorganisms without invertebrates. —E.O. Wilson

From an office in Portland, Ore., the Xerces Society wages the battle for biological diversity from an unusual perspective. The 5,000-member group monitors the health of insect, spider, mollusk and other invertebrate populations as indicators of ecosystem health. Its tri-annual publication, *Wings: Essays on Invertebrate Conservation*, combines thoughtful essays and articles with vivid color pictures in an appropriately small format. The summer 1993 issue includes commentary on funding for invertebrate conservation and an analysis of the Endangered Species Act's application to invertebrates by wildlife scholar Michael Bean. The group's name derives from the Xerces Blue butterfly, the first butterfly in North America known to have become extinct as a result of human interference. For more information contact the Xerces Society, 10 SW Ash St., Portland, OR 97204 (503/222-2788, phone; 503/222-2763 fax).

GREAT BEAR GATHERING

The Montana-based Great Bear Foundation will hold its annual membership meeting at the Mountaineer's Club in Seattle, Wash., Dec. 11. The get-together includes presentations on the importance of the bear in Native American culture, the status of grizzly bear recovery in the North Cascades, and grizzly bear management in western Montana. Speakers include bear specialist Charles Jonkel, Gordon Belcourt of the Blackfoot Nation, and Canadian bear researcher Wayne McCrory. The Great Bear Foundation can be reached at P.O. Box 2699, Missoula, MT 59806 (406/721-3009).

LIVING WITH COUGARS

The Colorado Division of Wildlife has a well-written, concise brochure, *Living with Wildlife in Lion Country*, that answers most questions about our co-existence with cougars. For a free copy, write the Division of Wildlife, 6060 Broadway, Denver, CO 80216 (303/291-7227).



A SILVER LINING

Despite the gloomy predictions of some mining lobbyists, reforming the 1872 Mining Law will help the West. That's the finding of an 86-page report by University of Montana economist Thomas Michael Power. He says the bill proposed by Rep. Nick J. Rahall, D-W.Va., will create 1,200 jobs, raise money for cleaning up abandoned mines, and preserve natural areas for wildlife and recreation. The bill's revenues would fund a reclamation program that will create jobs while restoring mined land, he points out. Power, who wrote the report for the reform-minded Mineral Policy Center, says the mining industry has become resilient, citing its prosperity through wildly fluctuating market prices as evidence. Rahall's bill has passed the House by a large margin and now goes to a House-Senate conference committee to be reconciled with the Senate's.

Not All That Glitters: An Evaluation of the Impact of Reform of the 1872 Mining Law on the Economy of the American West is available from the Mineral Policy Center, 1325 Massachusetts Ave. NW, #550, Washington, D.C. 20005 (202/737-1872).

—Todd Hinnen

IT IS NOT IN YOUR MIND

Activists who care too much sometimes feel like suckers. Why spend time going to meetings or doing research on issues most other people ignore? Why battle the agencies or corporations we work for, or that affect our lives, when we could ignore abuses and play the game, like the majority? The Sunday, Oct. 3, 1993, *Los Angeles Times Magazine* has one answer. Writer Mary Kay Blakely in "Psyched Out" suggests that we fight because that's a healthy way to cope with the "craziness of modern life." Her best example concerns housewives in the suburbs surrounding Three Mile Island who became agoraphobic — afraid to leave their homes — in the wake of the Three Mile Island nuclear disaster. Those who became community activists coped best with their affliction, helping themselves by going after the forces that had made them agoraphobic. Most modern therapy, from self-help books to formulas for meditation, doesn't help, Blakely believes, because it assumes personal problems can be handled through internal change. She believes our problems do not result from unresolved childhood conflicts, but from being fearful bystanders in a violent, greedy, cruel and destructive world. To buy the Oct. 3, 1993, *LA Times*, send \$7 to Back Issues, *LA Times*, Times-Mirror Square, Los Angeles, CA 90053, or call 800/528-4637.

GOLDFIELD STORIES

Historians continue to mine the West's early booms and busts for meaning, and the spectacular early 20th century boom in Goldfield, Nev., has yielded a number of fine stories lately. Peaking around 1906, Goldfield's heyday lasted little more than a year, but its rich veins brought 15,000 fortune-seekers to the mining camp. In *Goldfield: The Last Gold Rush on the Western Frontier*, Sally Zanjanishowcases a boomtown with a thousand stories. Her father began his legal career in Goldfield and she weaves a vivid tapestry of the myths and facts of its local history.

Swallow Press, Ohio University Press, Scott Quadrangle, Athens, OH 45701. 325 pages. Photos. Paper: \$18.95

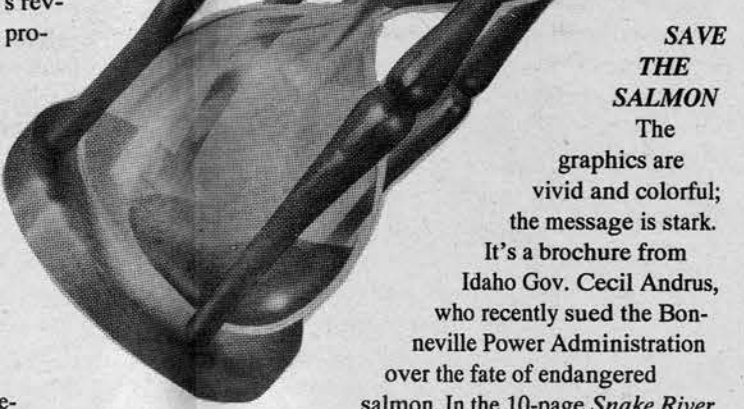
Elizabeth Raymond methodically shows how the mining mentality triumphed in Nevada in her biography tracing the trajectory of Goldfield's most fortunate son, *George Wingfield: Owner and Operator of Nevada*. Wingfield

was a gamble the tables into in Goldfield. reign as the m The Great De empire.

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SAVE THE SALMON

The graphics are vivid and colorful; the message is stark. It's a brochure from Idaho Gov. Cecil Andrus, who recently sued the Bonneville Power Administration over the fate of endangered salmon. In the 10-page *Sale River Salmon: National treasure at risk of extinction*, the governor outlines the drastic fall in salmon populations over the past 25 years and charges that 96 percent of salmon deaths caused by people were due to hydroelectric dams. The brochure strongly criticizes power-industry officials who are unwilling to bear the economic burden of draining reservoirs during migration without harnessing the water power for electricity. Drawdowns help flush young salmon through reservoirs on their migratory route to sea. Northwest power producers and consumers, whose power rates are half the national average, should bear the cost of drawdown, the governor's brochure concludes. For a copy, write to State of Idaho, Office of the Governor, Statehouse, Boise, ID 83720.

ALL ABOUT PESTICIDES

When Oregon UPS driver Pat Markee lifted a leaking parcel from his truck in 1986, he had no idea his life would be transformed. Pesticides spilled over his face, arms and hands, and in the years that followed, he says he was plagued by health troubles, job conflicts and legal battles. The Northwest Coalition for Alternatives to Pesticides tells Markee's story in its quarterly, *Journal of Pesticide Reform*, and also reports on the citizens' movement against pesticides. When two national forests in Oregon considered herbicide spraying in 1993, the Rogue River National Forest opted for manual treatments, citing "public concern" as the reason. The Wallowa-Whitman National Forest, however, noted that "there was no controversy" over the proposed spraying, and doused 410 acres with chemicals. Along the Oregon coast, residents in Beaver Creek avoided pesticide spraying in their community by holding public meetings, circulating a petition and becoming involved in local politics. The journal is published by NCAP, P.O. Box 1393, Eugene, OR 97440 (503/344-5044), E-mail ncap@igc.apc.org.

GOLDFIELD STORIES

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was a gambler who parlayed a fortune won at the tables into a stake in the high-grade mines in Goldfield. Wingfield enjoyed a decades-long reign as the much-disputed "King of Nevada." The Great Depression brought down his empire.

University of Nevada Press, Reno, NV 89557. 368 pages. Photos. Cloth: \$31.95.

Another side of the Goldfield story is told in Wanda Stovall Cox's personal family history, *When the Gold Was Gone*. Great Basin Press, Box 11162, Reno, NV 89510. 206 pages. Photos. Paper: \$9.95.

The Goldfield Historical Society seeks other people with stories to tell of the town before and after the bust for an upcoming publication, *Goldfield Remembered*. Contact the Goldfield Historical Society, P.O. Box 213, Goldfield, NV 89013 (702/485-9957).

—Jon Christensen

THE MISSION CONTINUES: SAVE OUR OLDEST TREES

This letter to the press was dated Sept. 25, 1993, one week before Leroy Jackson's death (HCN, 11/1/93), and mailed later by his wife, Adella Begaye.

Dear HCN,

We are writing this letter to inform your readers that Bureau of Indian Affairs area directors are trying to distort the traditional philosophies of the Indian people of the Southwest to serve their own agendas.

In a recent letter to the U.S. Fish and Wildlife Service, BIA area directors from Phoenix (Walter Mills), Navajo (Wilson Barber) and Albuquerque (Sidney Mills) request "on behalf" of Indian

nations an exemption from laws which protect the Mexican spotted owl, so that more of our trees can be cut. Since President Clinton has limited the number of trees that can be cut on federal lands, there is now a scramble for Indian timber. This makes our grandfather trees — the old-growth ponderosa pines from the Navajo homeland — a target for continued over-cutting. The BIA wants us to cut our few remaining grandfather trees and sell off the lumber while demand is high. This would promote "economic development," they say.

The Mexican spotted owl, now listed as a "threatened" species by the U.S. Fish and Wildlife Service, stands in the way of over-cutting on Navajo lands. Since the Mexican spotted owl depends on the grandfather trees for its habitat, these trees must be left alone to preserve the owl. The federal laws of the Endangered Species Act require

it. The owl is in the way of the BIA's plans for the Navajo people.

In its letter to U.S. Fish and Wildlife, the BIA says that the owl should not be protected because,

In this case, not only are issues of sovereignty, self-governance and economic development involved, but cultural and religious issues are also entwined as well since the owl is held in low esteem by the Navajo, Apache and many Pueblo people.

"Held in low esteem"? We won't presume to speak on behalf of Pueblo

are an integral part of several Protection-way ceremonies, since they embody the "negative," aggressive side of us. Owl feathers are also part of the war cap. They protect and provide an aggressive spirit to the warrior. Without this aggressive spirit — this "negative" side, this "male" side — the warrior would surely fall at the hands of his or her enemy.

As animals of the forest, owls are part of the connected web of all living things. Their presence in the forest is an indicator that balance and harmony still exist there. Owls are predators that keep the mouse population down. Look what has happened to us this past year because the population of the mice rose so quickly:

The hantavirus spread and has killed some of our people. If we hadn't cut so many grandfather trees in the past, maybe there would have been enough owls to keep the population of disease-carrying mice in check.

To say that owls are held in "low esteem" by the Navajo people is just plain false, as well as an insult. To allow the owl to be wiped out would be a tragedy for our people. For these reasons we ask BIA bureaucrats not to speak "on our behalf" when they are trying to advance their own culturally insensitive agendas.

Leroy Jackson
Lori Goodman, and
Earl Tulley

The writers speak for Diné CARE, which stands for Citizens Against Ruining our Environment, Box 121, Tsale, AZ 86556.

OTHER VOICES

or Apache people, but the statement simply isn't true of Navajo philosophy. The owl is an integral part of nature and of Navajo culture. It is true that the owl has negative connotations in the Navajo way of looking, but this is not "negative" in the sense of low esteem. Negative and positive, male and female, the aggressive and the passive, are complementary parts of the whole. Without one part, the whole is incomplete. "Negative" is associated with aggressiveness, maleness and the ability to protect one's self.

The owl is a messenger. When traditional people see an owl in the woods, they are not afraid, and they do not take this as a bad sign. When the owl shows up at a person's home, though, that person knows that he or she is getting a message: Seek the help of a Protection-way ceremony. Owl feathers, with their protective power,

THE MORMON HERITAGE IS NOT WHAT YOU THINK

An Open Letter to Utah Sens. Orrin Hatch and Robert Bennett:

As fellow Utahns and Westerners, we take special note of your opposition to grazing policy reforms. We were struck, Sen. Hatch, by your statement, "The Old West is still alive. The Old West is still there. And a lot of us belong to it."

We agree.

But perhaps you have not looked back far enough into the Old West. Back to Oct. 7, 1865, for example, when Apostle Orson Hyde, one of the 13 leaders of the Mormon Church, speaking at General Conference in Salt Lake City to the assembled members of the church, had this to say about how the church wanted Mormons to live their lives:

"There is a good deal of ambition among our people to cultivate a great quantity of ground, the result of which is, that we cultivate our lands poorly in comparison to what we would if we were contented with a smaller area, and would confine our labors to it. We have found some difficulty with regard to water, and complaints have been made about a scarcity of water in many places, when, indeed, I suppose the Lord has apportioned the water to the amount of land He intended should be cultivated. I do not think that these things are passed over unnoticed by Him ... He understands perfectly well what the elements are capable of producing, and how many of His people may be established here or there with

profit and with advantage.

"... I find the longer we live in these valleys that the range is becoming more and more destitute of grass; the grass is not only eaten up by the great amount of stock that feed upon it, but they tramp it out by the very roots; and where the grass once grew luxuriantly, there is now nothing but the desert weed, and hardly a spear of grass is to be seen.

"Between here and the mouth of Emigration Canyon, when our brethren, the Pioneers, first landed here in '47, there was an abundance of grass over all those benches; they were covered with it like a meadow. There is now nothing but the desert weed, the sage, the rabbit-bush, and such like plants, that make very poor feed for stock. Being cut short of our range in the way we have been, and accumulating stock as we are, we have nothing to feed them with in the winter and they perish. There is no profit in this, neither is it pleasing in the sight of God our Heavenly Father that we should continue a course of life like unto this.

"... Now I speak of these things, my brethren, not because I think that they are the most edifying to you, but I speak of them because I consider that a temporal salvation is as important as a spiritual one.

"How much more agreeable is life when everything is in order and good regulation is maintained in and around our homes and cities. This is what I have endeavored, in my weak way, to instill into the minds of the Saints. In

some instances I have been successful, and where men have adopted the course I have suggested, they have invariably borne testimony in its favor. I would rather have half a dozen cows in the winter, and have them well taken care of, than to have 20 and have 14 of them die for want of feed and proper attention, which would leave me only six. I would rather only have the six to begin with, then I would not have the mortification of seeing so many suffer and die.

"In the present condition of the ranges, we cannot indulge in the hope of raising such large herds of stock as we have done heretofore; but we have got to keep about what will serve us, and take care of them well; then we can enjoy ourselves, and we are not the authors of misery to any part of creation."

We urge you to follow the counsel of our elders. Grazing reform is not a new or radical idea born out of a liberal administration, but rather a conservative and prudent land ethic recognized by our ancestors in their desire for sustainable communities.

Sincerely,
Terry Tempest Williams
Thomas J. Lyon

Terry Tempest Williams is a writer and naturalist living in Salt Lake City. Thomas J. Lyon is a professor at the University of Utah in Salt Lake City.

Butte seeks to mine its past ...

Continued from page 1

We stand atop what was once known as "the richest hill on earth," where a glorious vein of copper ore caused Butte to boom. Reavis, whose energy as the city's historic preservation officer matches his hair color, continued: "That headframe is vintage 1890. See how it's iron-riveted? These mines used cutting-edge technology."

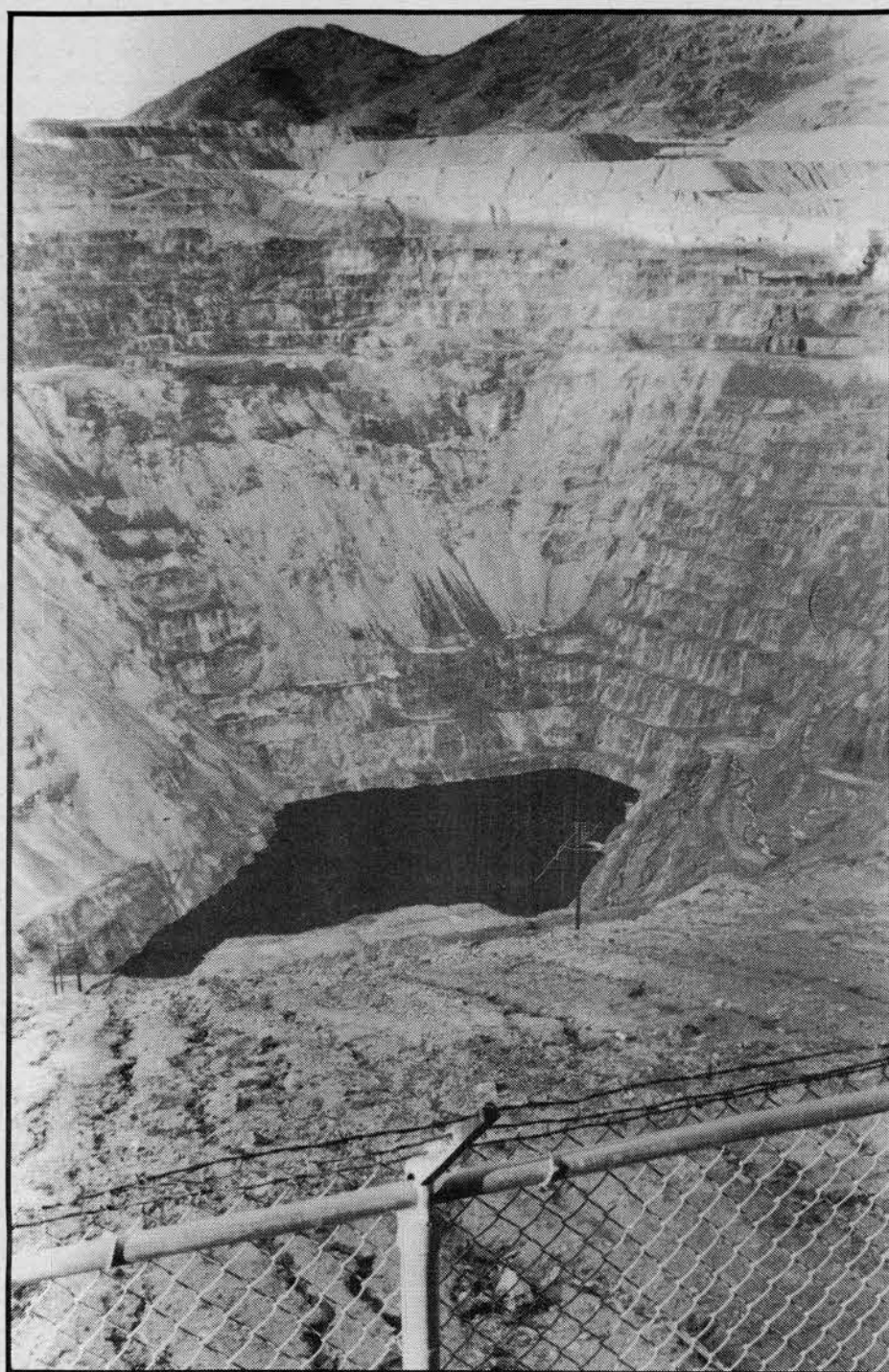
But what was once the world's largest, richest copper mine is now the nation's largest Superfund site. In addition to huge steel headframes, before us lie acres of wood headframes, covered with soot, and straddling gaping mine shafts. There is also the infamous Berkeley Pit, a gigantic hole filled with 17 billion gallons of toxic turquoise water. A closed strip mine, it is now the deepest, dirtiest lake in Montana.

The depressed town has reached a crossroads. The question for Butte is what to do with its situation: an industrial wasteland sitting in the middle of a state best known for the rivers that run through it — rivers Butte continues to pollute. One answer lies with Reavis, who instead of seeing desolation on the ghostly hillside sees dollar signs.

If Reavis has his way, this beer-can-studded mound above old-town Butte will be transformed into one of the hottest tourist destinations in Montana. He is currently working to get the hill designated a national park, to be jointly managed by the city and the National Park Service. The plan has widespread support. If successful, the rutted jeep road would be paved, signs erected and overlooks installed.

The idea may seem outrageous and ambitious, but so is everything about Butte. For a hundred years, the city had one destiny — mining — which it pursued with genius, fervor and disdain for other values.

Its thirst for ore and capital pushed the envelope on every industrial technology from pipelines to electricity to railroad-ing. An urban island in a sea of cattle ranches, Butte laid the foundation for much of the state's current, bitter political climate. The city's ethnic strife, labor warfare, insatiable greed and fabulous wealth dominated the Legislature for decades. Butte was home to the grandest mansions, the poorest ghettos, the finest Prohibition whiskey and the tastiest pork pasties.



The Berkeley Pit near Butte

Ed Marston

The raucous, century-long party ended in 1974, when debt-ridden Anaconda Copper Mining Co. shut its last deep mine. Atlantic Richfield, which bought the company, continued mining the Berkeley Pit until 1982. Then, for a decade, Butte slumbered in its worst recession, only rousing itself briefly to test for lead and arsenic in the blood of its children.

Accordingly, the state of Montana has, until very recently, treated Butte like an eccentric relative best kept out of

sight when visitors come calling. After all, Montana tourists come for scenery, wildlife and pristine air and water. And not for a ravaged landscape surrounding a city that looks like a bit of New York. Although Butte lies halfway between Glacier and Yellowstone national parks, at the junction of the state's busiest summer highways, the department of transportation for years ignored Butte's request for road advertising.

Currently, Butte draws only 5 to 10 percent of all the tourists who drive by.

And most of those who do stop avoid "uptown" in favor of suburban Butte, with its strip malls and franchised motels. A sign taped to the Vintage Clothing store uptown says: "Winter hours: open by chance or appointment" with a phone number.

Last March, *Travel and Leisure Magazine* ran an article on the Continental Divide. It called nearby Anaconda "a sad-sack mining town dominated by a smelter smokestack." It was tougher on Butte: "the ugliest spot in Montana ... despite a spirited his-

toric district amid the rubble, the overall picture is desolate."

But change is coming to Butte, slowly and steadily, the way planners and development consultants prefer. Several small- and medium-sized businesses have moved in, the plunge in population has leveled off, and some of the historic architecture is being rescued by investors from disrepair. While Reavis' dream of a world-class destination town seems remote, it does not seem impossible.

"We used to be a one-company, roller-coaster town, and now we're moving toward a stable, diversified economy," says mayor Jack Lynch. Gradually filling the void left by Anaconda are high-tech firms cleaning up the mess. These, however, still leave a big gap in blue-collar jobs; Butte's wintertime unemployment hovers around 10 percent, three points higher than the state average. But with characteristic tenacity and optimism, the town sees no reason why tourism can't become a major player.

"We want people to pay more attention to what we have here, a diamond in the rough," adds Lynch. "We just need to dust it off, and use the uniqueness of the area to draw tourists."

But would a national historic park complement the town's hard-won stability or turn it, like other tourist towns, into a drive-by movie set with a sanitized past and a crop of resentful locals? Some observers don't see how a national park could accurately represent the labor strife, ethnic divisions and ecological damage that was Butte.

"I'd hate to see the historic features of Butte get phonied up, with boardwalks and such, like at Ellis Island," says Dave Emmons, a professor of American history at the University of Montana.

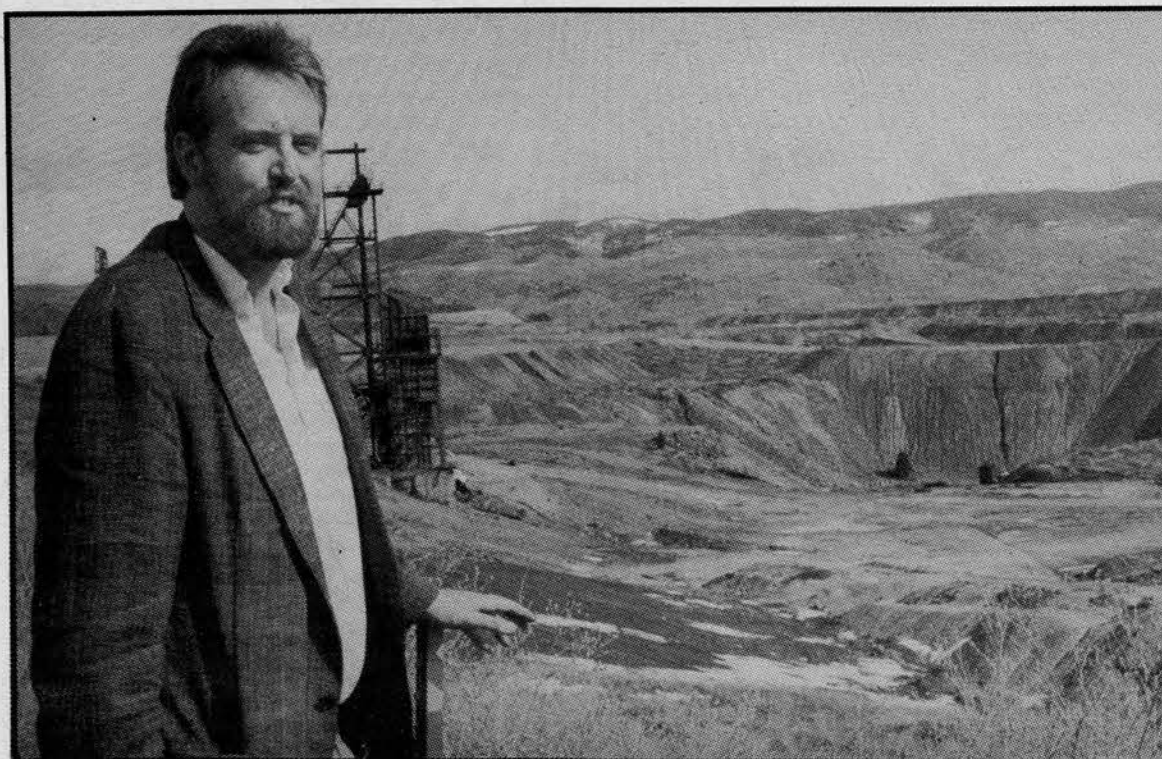
BUTTE AS THEME PARK

It's not surprising that Butte, whose extractive industries have steadily declined since the 1930s, wants to cash in on the state's popularity. For every person who lives in Montana, six visit. The state is second only to Hawaii in dollars generated by tourists, and last year tourism was the state's fastest growing industry. Butte, once the largest and most prosperous town between Denver and San Francisco, wants its due: recognition of its pivotal role in the settlement of the West.

The National Park Service began looking at Butte last year, when Congress mandated that the Department of Interior come up with a list of sites for a potential labor history park. Butte had already hired a Pennsylvania-based consultant to draw up plans for a theme park centered on Butte's colorful mining past. Now, says Park Service planner Robert Spude, the agency will try to list Butte as an "American Heritage Area," a new rubric that creates partnerships between the agency and local governments. The ball is already rolling. Last spring, the Montana Legislature designated Butte and its smelter city, Anaconda, as the state's first official "historic corridor."

"A lot of people think Butte is ugly," says Spude. "They want to just bulldoze the whole thing. We think its landscape contributes a unique heritage to the West."

Richard Dill is the Pennsylvania-based consultant who wrote the theme park proposal for Butte and its former smelter site, Anaconda. He once worked in the "imagineering" departments of King's Island and King's Dominion,



Florence Williams

Mark Reavis, Butte's historic preservation officer, stands near a pit and a 100-foot-high headframe

both amusement parks. "What Butte has going for it," says Dill, "is market: 2.5 million qualified visitors travel through the intersection of I-15 and I-90. We need to capture them and hold them for part of their vacation."

He proposes a \$35 million development. With such attractions as an electric railroad, an "in-mine" experience, the Berkeley Pit viewing station, headframe night lighting, a smelting interpretive center, smelter-stack lighting, audio tours and a golf course, Butte would be on its way. In fact, says Dill, such attractions "would create a world-class destination." He estimates an 800-percent increase in tourism with nearly a million visitors, all paying admission fees and buying tickets.

Dill and Reavis are banking on what they already know about the behavior of tourists. Like movie-goers, tourists love blood and gore. In Butte, that means the Berkeley Pit. An observation deck looks out over the glowing lake, surrounded by scarred rings of bulldozed strata. Three thousand miles of underground tunnels all drain into the flesh-colored chasm, depositing arsenic, lead, zinc and a host of other poisons. Even today, it is the most visited spot in Butte.

The Park Service and most other people and groups want a theme park. But Butte has always been a town marked by feuds, and it still is. Mark Reavis, who sees himself as a champion of history, finds his biggest opponent in the Environmental Protection Agency. On our hillside tour, he angrily points out a wheat field, which the agency has planted over a contaminated mine waste dump. To Reavis, the capping and revegetating is sacrilege.

"Who wants a fenced wheat field?" he asks. "Odd as it may sound, these dumps are historic resources. The preservation community here is worried we're going to lose, bury and cover up all signs of mining."

The EPA has little patience for "preserving" what it is supposed to clean up. But the agency is caught between opposing legislation. Downtown Butte, known as "uptown" Butte because of its spot on the hill, was designated a National Historic Landmark in 1962. Some 4,000 buildings

and numerous mine structures are scattered over the six-square-mile landmark. In addition, the National Historic Preservation Act deems any structure older than 50 years a potential "resource" that all federal agencies must consider when carrying out their activities.

ARCO, the company now stuck with the clean-up fee for sites once owned by the powerful Anaconda Company, finds itself juggling powerful, competing interests.

"Quite frankly, we're the ham in the sandwich," says Sandy Stash, who manages the multi-million-dollar clean-up. "The historical value of some of these sites is questionable, and now we have to mitigate for losses if we cover them up."

Plenty of mill tailings and mine-waste dumps remain to be caught in a tug of war between the town's numerous history buffs and those who want to see Butte returned to a reasonably normal-looking, safe place to live. One such spot is the large, flat-topped mound of contaminated rock matter that came out of the Alice pit mine in Walkerville, a hilltop neighborhood once dominated by Irish miners.

Some Butte residents, especially those who live near the toxic materials, find the historic argument foolish. "I don't know what's likely to happen now that a ridiculously stupid thing like the Alice Knob, which is just a big mound of toxic crap, is considered a valuable his-

torical resource," says Mary Kay Craig, a third-generation Butte resident who helps monitor pollution for the Clark Fork Coalition, a Missoula-based group.

Arguing the other side is Alan

Hooper, a 73-year-old retired mining engineer who volunteers at the World Museum of Mining, located on the east side of the hill, where he builds wooden frames for the hundreds of archival photographs collected by the city. "I've lived here all my life and it's never hurt me any," says Hooper, clad in work boots and Osh Kosh overalls.

"Slag heaps and dumps, that's what makes this town. That's what makes it different. If you were visiting from California, you wouldn't want to visit a tree-lined city. That's what you have at home."

The chamber of commerce agrees with Hooper. It wholeheartedly backs the proposed theme park as a way to cash in on Butte's heritage. "We don't say we're the Garden City, like Missoula," says Connie Kenney, the chamber's director. "There are other charms here. We had to feed people. We're different. We need to think bigger."

Mark Reavis is thinking big. Our next stop is the Anselmo Mine Yard, once a phenomenally successful copper mine. Although ARCO was responsible for cleaning it up, the city has agreed to take over its liability because it wants it for tourism.

"This is one of our pet projects,"

says Reavis. "It's the only remaining site that has all the mine buildings intact. We're going to use it as an example of what it took to get ore out of the ground. Paths will take you through the office, carpenter shop, mechanic shop and main hoist room, with the little tourist railroad stopping here. We'll have interpretive signs ready by spring."

Reavis is good at fixing things up. Trained as an architect, he converted an 18-car carriage house downtown, bought at auction, into his home. In addition to his work on the park, he also spearheads a project to sell historic buildings for as little as \$500 to people who will restore them. He calls it urban homesteading. It is also an act of desperation: Much of Butte's once-opulent downtown lies gutted and decrepit, literally falling down, with few local funds available to rescue them.

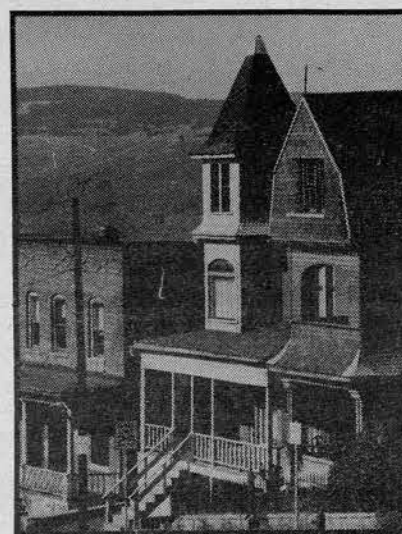
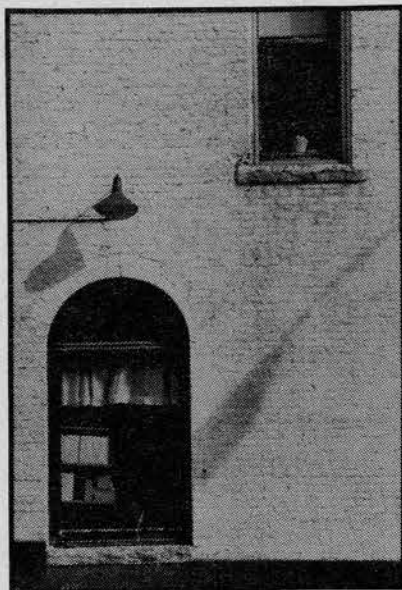
At Anselmo, we enter the main hoist room, a dank, cavernous warehouse filled with enormous crank shafts and rolls of steel cables used to lower the miners nearly a mile underground. Several stories of small-pane windows climb the walls. It's atmospheric; an MTV video was filmed here last year.

"It won't be dangerous," adds Reavis. "The EPA is capping all the contamination."

ARCO is also thinking big, and it has embraced the theme park proposal. Strategically, the company hopes to placate warring factions of historians, boosters and environmentalists. In an ambitious move that has met with both skepticism and excitement, the company hired Jack Nicklaus to design a \$5.5 million-\$7.5 million golf course for Anaconda. The course would make use of capped slag and tailings piles while creating a tourist attraction. It would not be a typical country club atmosphere. The course would incorporate some of the landscape's historic features, including century-old flues and smelting ovens.

Once the public course is built, ARCO will turn it over to the city. It will also donate once-contaminated land nearby for real-estate development. ARCO cleanup manager Stash says Nicklaus, a

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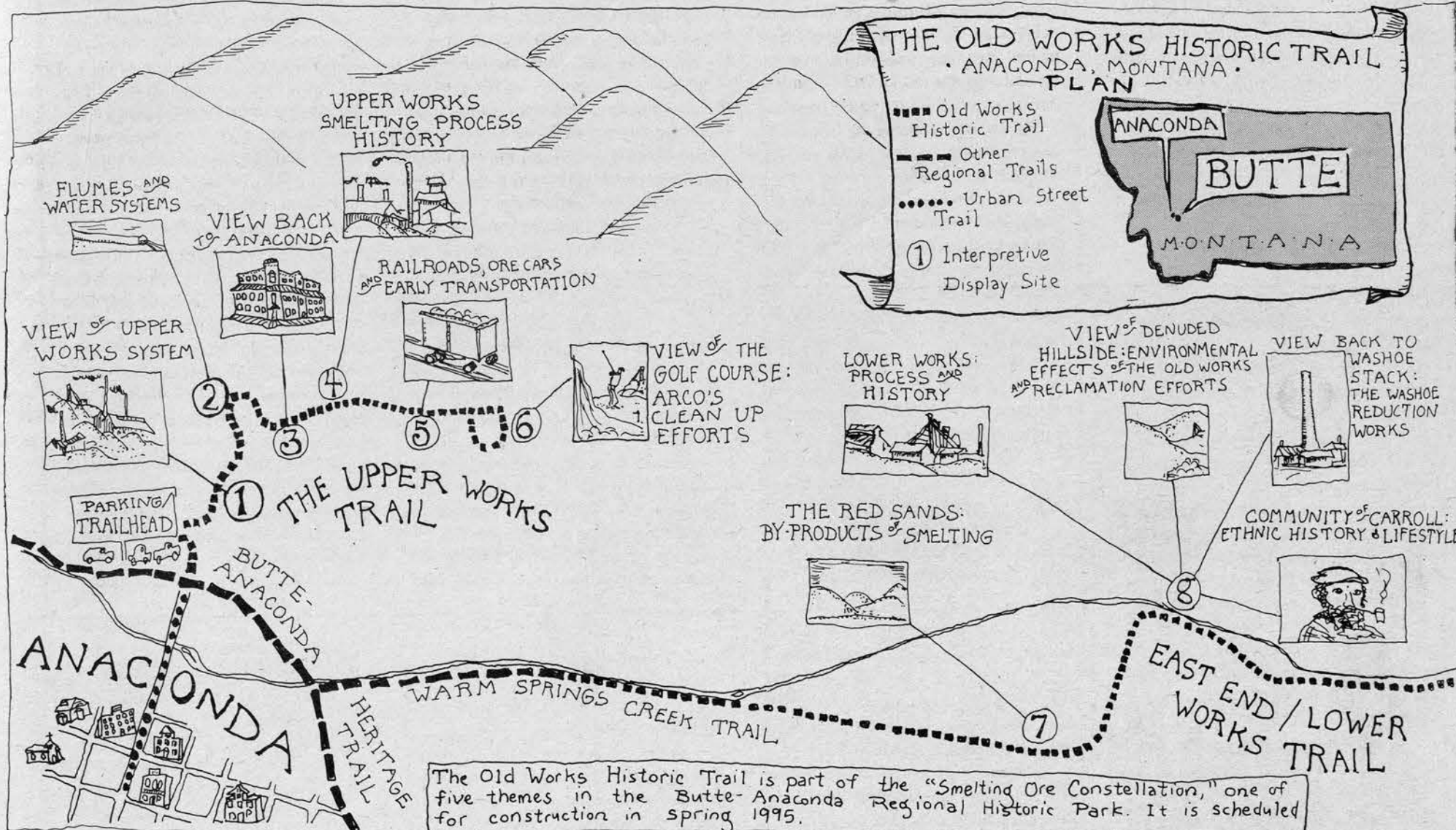


David J. Spear

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Mark Reavis is thinking big. Our next stop is the Anselmo Mine Yard, once a phenomenally successful copper mine. Although ARCO was responsible for cleaning it up, the city has agreed to take over its liability because it wants it for tourism.

"This is one of our pet projects,"



source: urban edges inc. and murray lamont plan for ARCO / rendered by diane sylvain for high country news

Butte seeks to mine its past ...

Continued from page 1

world-renowned pro and designer, is intrigued by the site's challenges. One oddity, for example, is that the sand traps will be black, a clever use for millions of tons of vitrified metals and slag material left over from smelting copper.

Construction is also set to begin on a trail system near the molten slag walls along Butte's Silver Bow Creek. The funds would come partly from federal transportation money. Miles of the black, 10-foot-high smelter waste stretch along the city's eastern end. "You should see the black against the green in the spring," says Reavis. "It looks pretty good."

Don't expect to go fishing, though; Silver Bow Creek, a tributary to the Clark Fork of the Columbia, is sterile.

Although the federal government has yet to commit funds to the proposed park, the cities of Butte and Anaconda, together with local businesses, are forging ahead. They recently formed a non-profit corporation, First Montana Heritage Park Partners, to raise dollars locally. If the National Park Service has any reservations about the Disney-esque plan, it's not saying. What the agency wants is a better reputation for working with communities, and money to do the work.

But some historians are leery of the Park Service. Dave Emmons of the University of Montana says he wonders if the Park Service's interpretation would accurately portray the grimmer aspects of Butte's history, such as when local ranchers filed a lawsuit in the 1890s because the air pollution was insufferable. He also worries about the town's remaining living artifacts, its people.

"I don't know of any one place so important to American industrialization. It's a place where working people should be celebrated, not made into a tourist attraction. They don't want to be industrial mannequins. Sites like this can get too sanitized, warm and cuddly. I think that's like the desecration of a shrine."

There is already some debate as to whether the Park Service accurately interprets natural history, such as the Yellowstone fires, much less cultural history. One historic national park unit, Pennsylvania's Steamtown, U.S.A., has drawn fire for being a pork-barrel, tacky project, and Park Service-managed Ellis Island in New York has been accused of manipulating history.

Critic Philip Gourevitch recently wrote, "Museums, after all, are entertainment. They are obliged to win and reward the attention of the audience."

The afternoon following my tour with Reavis, I drive around with Jim Harrington, a retired history teacher who is the primary force behind efforts to designate Butte as a labor landmark. He shows me where the miners' union building was blown up in 1914. The same year, the mayor was flung out of a two-story window. In 1917, a union organizer named Frank Little was taken from his bed in the early hours and hung from a railroad trestle, presumably by corporate thugs. Two weeks later, the U.S. Congress introduced the Sedition Act. Butte housed the first chapter of the Miner's Union, and the first national headquarters of the International Workers of the World, known as the Wobblies.



Montana Historical Society, Helena

The Anaconda reduction works c. 1920s. Copper ores from Butte were processed here.

Seeking treasure in Butte's trash

When Butte and Anaconda were designated as the nation's largest Superfund site in the early 1980s, it was a stigma from which the depressed towns thought they'd never recover. Not only did they have to cope with high arsenic and lead levels in the blood of their children, but they thought they'd never attract new businesses and people. The mine had recently laid off 5,000 high-paid, blue-collar workers, leaving only contaminated dust and a handful of jobs.

"Everyone thought we would just blow away," says Bill Rauthio, a third-generation Butte resident who directs marketing for the chamber of commerce. But "that Superfund designation has brought in a lot of business."

First the town prospered by making a mess, and now the town prospers by cleaning it up. Butte's pollution is so vast and complicated that the world's best engineers flock to it. In the last five years, tens of millions of federal dollars have poured into Butte. EPA has opened an office, ARCO has established clean-up offices in Butte and Anaconda, and a half dozen high-tech firms moved here to field-test ideas and vie for contracts. Conventional copper mining currently employs about 330 people, but the clean-up industry employs almost three times as many.

"This is a classic case of taking a lemon and turning it into lemonade," says mayor Jack Lynch.

"Butte is a natural laboratory for clean-up technologies," says Don Peoples, the president of MSE Inc. "The

Berkeley Pit offers the most contaminated and difficult water to deal with that anyone's ever seen. There's a lot of opportunity here."

MSE, with 300 employees, designs and tests waste management technologies. Under contracts from the Department of Energy, MSE runs a pilot project using a "plasma arc furnace," a super-hot rotating tub that destroys organic waste in soils and traps inorganic waste in a glass-like material.

MSE also oversees the National Environmental Waste Technology Testing and Evaluation Center (NEWTTEC). Since 1989, the center has grown from a \$1 million project to a \$15 million program to demonstrate new waste treatment facilities that could be used to clean up contaminated government sites throughout the West. Its funding comes from state agencies and universities, EPA, and the departments of Defense, Energy, Interior and Agriculture.

One innovative, fast-growing corporation is Mycotech, whose 80 employees use "fungal biotechnology" to attack creosote, PCBs, coal tar and other thorny contaminants. Its prize fungus, known as white-rot, appears particularly adept at breaking down nasty chemicals, explains president William Black. The company houses its specially patented fungal reactors in the former train depot. The trick now, says Black, who is seeking an EPA contract, is to perfect the technology to handle large areas of contamination.

Vying with Mycotech is a brand new company, Metanetix, which says

it can take polluted water, extract marketable trace metals, and produce drinkable water. The 60-person firm has set up shop above the inactive Kelley Mine, where it cleans small quantities of contaminated shaft water.

Metanetix site administrator Lynne DeVoe says the 3-month-old operation is already selling pure metal products, such as zinc, aluminum and iron, directly to fertilizer manufacturers and veterinarians. Next month it will start extracting manganese, magnesium and calcium, and DeVoe hopes to build by next year a new facility that can pump up to 6,000 gallons of water per minute. She says the company, a subsidiary of the publicly held Harrison Corp., has already invested \$26 million in the patented technology.

"We didn't come here to clean up, but to go into business," says DeVoe, who founded the company with her husband, Irving, an environmental scientist. Both recently moved from California. "That we can do this with waste water is great, but we're here to make money." Says Stephen Roth, president of the Kelley Resource Recovery Project, a partner in the operation: "Everybody sees this site as a disaster. We see it as a venture."

The mining-of-a-mine has set off a buzz around Butte. Says 83-year-old Dave Piper, an engineering consultant for Metanetix: "I was heartbroken when the mines closed. This is a new era in Butte. I'm terribly excited to see it come back."

—F.W.

"That's Dublin Gulch," says Harrington, 55, pointing to a street high on the hill. "My father was born in that green house. My grandmother came over from Ireland when she was 4 years old."

Is Harrington, a history buff who loves his hometown, worried about how Butte and tourism will mix?

"I do have some apprehensions," he

says. "I don't like tourist traps. But mining won't always be here. Superfund won't always be here. We need some economic stability."

Earlier in the day, when I'd asked Mark Reavis the same thing, he'd grinned and shrugged his shoulders. "Butte has always been exploited, so we don't mind development and crowding.

We wish we had those problems."

For more information contact Bill Browlin, chairman, Heritage Park and Partners, 110 W. Park, Anaconda, MT 59711 (406/563-8412) ■

Florence Williams is a former HCN staff reporter who lives in Steamboat Springs, Colorado.

Unclassifieds

POSITION OPENING: Director of Student Education, Canyonlands Field Institute. Year-round, permanent position. Involves curriculum planning, recruitment, supervision of elementary and high school environmental education programs. For job description, contact CFI, 801/259-7750. (2x21b)

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HOTLINE

Epidemic isn't over

As fall glides into winter, deer mice scramble to invade houses, cabins and barns. This year annoyance is overshadowed by fear because of a rodent-borne virus that can kill (HCN, 7/26/93). The mortality rate of the 42 people in 12 states with confirmed cases of hantavirus is over 60 percent. The enigmatic hantavirus, which has claimed the lives of 26 Americans in the Southwest area, killed its first victim in the Northwest Sept. 12, reports the *Missoula Independent*. He was David Bueling, of Great Falls, Mont., who kept the rodents as pets. Epidemiologists say mice transmit the lethal virus through feces and urine, and that transmission is most likely when someone inhales dust-bearing traces of rodent waste. Health officials say protective measures such as trapping rodents, sealing their holes and taking precautions not to inhale dust while doing housework reduce the chance of contracting the disease. Recently, the Senate allocated \$6 million to research foundations scrambling to find a cure for the virus.

LETTERS

SOME PORK IS TASTY

Dear HCN,

In your article Nov. 5 on the Department of Interior's recent study recommending removal of two salmon-killing dams on Washington's Elwha River, you observe that Idaho Republican Sen. Larry Craig has called dam removal "enviro-pork" and "outrageously expensive."

It's interesting that the good senator doesn't have the same reaction when it comes to his no-holds-barred defense of below-cost grazing fees, below-cost timber sales, bloated agricultural subsidies, spending for the unneeded bombing range at Mountain Home Air Force Base, etc. Could it be that Sen. Craig approves of pork only if it is environmentally destructive?

Eric Christensen
Arlington, Virginia

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Vol. 25 No. 22

REPORTER'S NOTEBOOK

by Ed Marston

To veterans of the environmental movement, "exciting meeting" is an oxymoron. But the Nov. 5-6 conference titled "Protecting Integrity and Ethics" (that's right: PIE), put on by the Public Employees for Environmental Responsibility (PEER) in a dreary hotel "ballroom" in Bethesda, Md., was not just exciting but uplifting.

It was a gathering of ordinary people who had become heroes by trying to do their jobs even though they worked for the Department of Energy, the U.S. Fish and Wildlife Service, the National Park Service and the Bureau of Land Management. To their bewilderment, their attempts to do their jobs caused them to stand out, qualifying them for the gathering held just outside the Beltway by PEER.

The first PEER meeting, a year ago, was notable for its lack of Bush appointees. But this time, several Clinton officials were invited to speak. Although this was Washington, the higher-level types did not dominate. With the exception of the extraordinary secretary of Energy, Hazel O'Leary, much more attention was paid to the low- and mid-level agency employees than to their bosses.

There were no casual attendees in the audience of several hundred. Almost all had taken leave from their jobs and paid their way to Bethesda. The most passionate contingent, by far, came from the DOE. While none of the agencies are gentle with dissidents, DOE whistleblowers are likely to work for thuggish, felonious contractors.

I was most struck by Vina K. Colley of McDermott, Ohio, whose business card reads: "I'm a contaminated worker from the DOE facility in Piketon, OH." Colley said she dropped out of school as a teenager to support her family, but she sounds like a lawyer or a skilled public relations person. When local papers wouldn't cover the contamination problems at Piketon, she convinced the Columbus, Ohio, daily to cover the scandal, embarrassing the local newspaper into also covering it. "Now," Colley said, whenever the local paper's coverage flags, "I tell them I'm going back to Columbus."

Thus far, the big papers and TV programs like *60 Minutes* prefer Rocky Flats and Hanford to Piketon. So Vina Colley came to Bethesda in search of ways to interest the national media in the Piketon story. In case that fails, she has bought a word processor and is working on her writing. She has the time. The former electrician says she was knowingly poisoned by the work she was instructed to do at Piketon, and now is on disability.

Vina Colley wasn't on the program, but a DOE colleague, Casey Ruud, formerly of the Hanford nuclear facility in Washington, was. Ruud had gone to work at Hanford from a job in the commercial nuclear industry, where he says he worked as a trouble spotter, or auditor.

"I was trained well, and my bosses in private industry rewarded me for finding problems," he said in an after-dinner

speech. But at Hanford, when he found problems, he was harassed, intimidated and shoved out the door.

Ruud's experiences had been exciting, and he enjoyed relating them — an ordinary person, an ordinary hero, appreciating attention from a room full of people who had just had a passable hotel dinner and were now listening to a good story.

But he also sounded a bit bewildered. "Why do these things keep happening to me?" he asked. "Why do I find problems other employees have no trouble overlooking?"

Ruud hadn't wanted to be a whistleblower, and he appeared to have no ideological problem with nuclear energy. He had chosen, enthusiastically, to work first at a nuclear power plant and then at a nuclear bomb plant. He only wanted to do his job right, and that desire put him into direct conflict with the DOE.

Not all whistleblowers end up suing or confronting their agencies. Twin Falls, Idaho, District Ranger Don Oman, whose 1990 struggle with ranchers on his district came to the attention of *HCN* and then of *The New York Times* and *People*, is a success story.

Thanks to the media attention, Oman became too prominent for the Forest Service to move out of his job. Now, three years later, Oman is ready to move voluntarily. He is ready to move because he believes he has accomplished his mission. His color slides showed dry gulches that are now fenced, and recovering, riparian areas. Cattle trespass is down, and the rules are more likely to be obeyed on his district.

The lawyers and other outsiders who work with whistleblowers warned the audience that whistleblowers have a hard life; many lose their health, their families and their jobs.

Maybe, but being a whistleblower has been good for Don Oman. He's much more articulate and confident, and enthusiastic about his work, than he was in spring 1990. He even appears to have more hair.

His sense of mission and determination have earned him stature within the Forest Service. He no longer must preface statements with, "I'm speaking as an individual." The agency told him in 1991 to say: "I'm speaking for the Forest Service."

He is an excellent spokesman. He praises the agency, and attributes his former difficulties to one or two people who acted illegally in response to rancher pressure. He's become such a team player that he's letting the Forest Service

transfer him. But he will leave Twin Falls with his honor intact and his mission visible on the ground — more than can be said about many of the high-level Forest Service officials who are now leaving the agency.

The group also heard from Barry Reiswig of the U.S. Fish and Wildlife Service, another civil servant who went out on a limb, successfully, in order to

convince his agency to do its job. Reiswig manages about 800,000 acres of wildlife preserves in southern Oregon and northern Nevada. He said he has transformed grazing on the Sheldon-Hart Mountain Refuge Complex despite opposition from some grazing permittees and the local Oregon congressman, Bob Smith.

Reiswig did it, he told the audience, by convincing his agency (run by Bush appointee John Turner) and the public that the number of grazing AUMs had to be reduced from 30,000 to a few thousand. His evidence consisted of scientific studies coupled with refutations of the science the ranchers put forward to prove that grazing was good for wildlife. According to Reiswig, no such studies exist.

Grazing has been ratcheted down for the past several years, Reiswig said, and the increased beauty and productivity of the refuges are attracting attention and building a constituency for the change. According to Reiswig, the refuges are one of the very few large chunks of Western land whose landscape is not heavily shaped by livestock grazing.

Reiswig's success was based on science. But Richard Keigley was one of several scientists who told the group that it isn't always possible to introduce good science into federal decisions. Keigley, a biologist with Yellowstone National Park, believes he has developed a new technique for analyzing the history of elk populations on Yellowstone's northern range.

It's helpful to think of his technique as "topiary science" because he uses a tree's shape and the age of different parts of its trunk to deduce how it was browsed over the past decades. For example, if a tree were heavily browsed for its first 30 years, and then browsing stopped, the "released" tree would shoot up. You would find an unusually young upper trunk sitting on an old lower trunk.

Using this technique, Keigley thinks he has learned that the thousands of elk on Yellowstone's northern range, and the damage they have caused, cannot be a result of "natural" processes, as other Park Service scientists state. He believes the Yellowstone elk population has

boomed due to the effects of man within and without the park, and that the science that justifies this population as a "natural" outcome is specious.

Keigley is quick to say that his science has not been put to the test of peer review. He has sent his manuscript to some scientists, and he's rewritten it three times in response to suggestions. But it has not been subject to the ultimate scientific test — anonymous peer review — because the Park Service won't let him submit it to a scientific journal.

Keigley has discomfited his superiors before. An earlier post at Rocky Mountain National Park ended abruptly, he said, when he came up with recommendations the park administrators didn't like.

Keigley is not a very smooth whistleblower. Whistleblowers' main allies are the media, but he approaches reporters

almost truculently. "I don't want my work to become some newspaper publisher's gossip," he told the PEER audience, and his idea of a "sound bite" is an hour-long discourse on a scientific detail.

He half apologizes for his hostility by explaining that the scientific line at Yellowstone has been spread by the media, which unquestioningly publishes whatever theories Yellowstone officials feed them. These "official" theories, Keigley said, have never been subjected to scrutiny by scientific peer review.

Keigley said he is also worried by the livestock industry, which has begun to eye the Yellowstone range. A professor of range science, according to Keigley, has compared the degraded northern range of Yellowstone with grazing allotments on national forests. The range scientist argued that the northern range of Yellowstone is in worse shape than the most beat-out grazing allotment. But if the northern range is a result of "normal" processes, as the Park Service maintains, then the relatively healthy condition of public-land allotments becomes acceptable.

But there were dozens of people eager to talk: the BLM staffer from Idaho who hopes his agency trains BLMers to handle hazardous material before some of them get killed; the Fish and Wildlife Service scientist whose report on spotted owls was prepared not so much for his Bush administration superiors, who buried it as soon as they got it, as for the federal judge he hoped would eventually unearth and understand it (the judge did see it, and ordered the listing of the owl); the Montana BLM range conservationist who is attempting to reform his ranchers' grazing practices on the one hand while protecting himself from his bosses on the other; and the BLM hydrologist in Arizona who is attempting to prevent the dewatering of the nation's first riparian national conservation area (*HCN*, 11/1/93).

Even if everyone at the conference had been mentioned, it would still neglect the many other federal land man-

continued on next page

LETTERS

ABOUT THE DEATH OF FOUR MOUNTAIN LIONS IN COLORADO

Dear HCN,

I had to respond to the Dear Friends column (HCN, 11/1/93) about four mountain lions removed from the Paonia area because they killed four sheep. Being somewhat informed on the predator vs. livestock-grower issue in Colorado, I was amazed this would happen over the relatively minor loss of four sheep and thought there must be more to the story. After several phone calls it became obvious that there really wasn't. This was the story.

Four sheep were killed on private property by a mother lion with three 4-to-5-month-old kittens. Traps were set around the partially consumed carcasses and the mother lion was caught and destroyed. One kitten was also caught in a trap and shot when the lion hunter helping the Division of Wildlife (DOW) field agent mistakenly thought he was being attacked by this 5-month-old kitten. Two other kittens were live-trapped and placed with a wildlife rehabilitator — unsung heroes here in Colorado — nursed back to health and released. This mother lion and her kittens were in very poor shape; she was obviously having a hard time feeding three kittens, which probably accounts for the killing of the sheep.

It is unusual for the DOW to destroy wildlife unless the livestock losses are consistent, on-going and can be attributed to a specific predator. Livestock growers are always reimbursed by the DOW for confirmed losses. In this case, the only livestock losses attributed to this mother lion were these four sheep. I believe the DOW agent definitely over-reacted in this case; however, to be entirely fair, I would have to say that the public shares the blame.

More people moving into lion and bear habitat is inevitably going to result in more sightings and some conflict.

People living in lion and bear country must take extra care with their children and pets and must not over-react when a lion or bear is sighted in the area. It is public hysteria that creates the scenario whereby DOW field agents make the decision to destroy bears and lions, sometimes unnecessarily. The only way to absolutely guarantee no conflict is to kill every predator in the state.

I don't think anybody desires this; therefore, the public needs to accept responsibility for their actions and their choice of a place to live.

I think we all realize that it is not a case of lions and bears being where they are not supposed to be, but rather humans in large numbers living where they perhaps should not and historically have not. The predators have nowhere to go. Let's learn to live with wildlife, accept some conflict and keep the hysteria to a minimum.

Carol Buchanan
Norwood, Colorado



Jim Dutcher/ Cougar, Ghost of the Rockies by Karen McCall and Jim Dutcher

Mountain lion

continued from previous page

agers who are trying to do their jobs in very hostile environments.

The best explanation I have seen of whistleblowing appears in Václav Havel's long essay, *The Power of the Powerless*. Havel, now the playwright-president of the Czech Republic, was at one time sent by the former Communist regime to the countryside, where he worked in a brewery. Most of the employees were putting in their time according to the Soviet formula — "we pretended to work and the government pretended to pay us."

But one man was passionate about the work, and frustrated by the rotten grains, the malfunctioning refrigerators, and the other obstacles to producing a good beer. So he went over his superior's head with suggestions and complaints. The higher-ups backed the brewer's immediate superior, and the man who only wanted to make good beer was punished and demoted.

Havel wrote his essay on the powerless, and their power, when his nation was in the grip of what he calls a post-totalitarian regime — a government that used high-minded laws and a "justice" system to maintain an illegitimate regime. The brewer Havel describes ran into trouble when he tried to follow his

highest instincts — when he stepped outside the lying, go-along and get-along behavior that governed that society.

The civil servants at the PEER conference are like Havel's brewer. The United States has set forth its highest values in idealistic laws — the Clean Air Act, the Clean Water Act, the Sustained Yield and Multiple Use Act, the Endangered Species Act, the National Environmental Policy Act. But those laws create conflict with powerful economic interests and with our individual desires for economic security, physical comfort and convenience.

Our natural resource laws are like the old Soviet-bloc constitutions — meant to be genuflected to but not obeyed. Civil servants who attempt to implement the Endangered Species Act, for example, quickly learn that their agencies exist to subvert the law, and its spirit, rather than to follow it.

The "power" Havel refers to in his essay was not the ability of dissidents (a term he hates) to organize to seize the government. The power Havel respected was that of the brewer: a man who insisted on doing a good job — on living his life as truthfully as possible. He was a man who shook up and began the transformation of the regime by resisting the organized lying and the demoralization that results when people must live a lie.

Havel hated the word "dissidents"

because it implied a cabal, or some sort of organized movement aimed at political power. But that wasn't the goal of those who tried to live outside of society's collective lie. All the so-called dissidents wanted, Havel wrote, was to live as human beings: to do good work, to speak out truthfully, and to help their nations live up to the standards they had already set out in their constitutions. They didn't want to replace Marxism with capitalism or to get elected to high office.

In the same way, the civil servants who gathered at Bethesda do not like the term "whistleblower." They don't see themselves as part of some large movement. They are simply trying to do good work, and to implement natural resource values the United States has codified into law over the last 20 years. As they see it, they are in step with the law and with the times, and their agencies are out of step.

The people who gathered at Bethesda in early November are not saints. They are not perfect. But they are, for the most part, people willing to give up security and comfort in order to live their lives with a measure of truth. Their quest for a truthful, ethical existence has brought them into conflict not just with their agencies, and with powerful economic interests, but also with the materialistic values of society at large — values that are turning the West into a devastated land.

The following groups are dedicated to helping employees of land management agencies:

The Public Employees for Environmental Responsibility 810 First St., NE, Suite 680, Washington, DC 20002-3633; 202/408-0041. PEER works with resource managers, scientists, and others.

Government Accountability Project, 810 First St., NE, Suite 630, Washington, DC 20002-3633; 202/408-0034. GAP provides legal and other assistance to concerned citizens who witness illegal or unsound practices in their workplaces and communities and choose to speak up.

The Association of Forest Service Employees for Environmental Ethics, P.O. Box 11615, Eugene, OR 97440; 503/484-2692. AFSEEE is dedicated to strengthening the ecological practices of the U.S. Forest Service.

National Federation of Federal Employees Local 2050 — 202/260-2383. Local 2050 promotes ethical science at the Environmental Protection Agency.

Reclamation Employee Organization for Ethics and Integrity, P.O. Box 280262, Lakewood, CO 80228-0262; 303/424-4743. REOEI promotes efficiency and integrity within Bureau of Reclamation employees. ■

Ed Marston is the publisher of *High Country News*.

Arizona bills itself as the Grand Canyon State now, but its leaders may want to consider another moniker: Land of the Metrocenter, Big Flyover Country, Home of Tall Cacti, anything to distract attention from the Big Ditch up north.

Vast as it is, Grand Canyon National Park has reached the limits of its carrying capacity. More than 5 million tourists now clog the South Rim each year, and the National Park Service estimates that the number will reach 7 million by the year 2010. The Grand Canyon shares a package tour with Disneyland. At any given hour of the day, 6,000 cars vie for fewer than 1,500 parking spaces, and the average wait for a spot is now two hours. Canyon hotels recommend that reservations be made a full year in advance.

With so many people, a mess is inevitable. The once-pristine Grand Canyon air is now thick with carbon monoxide from automobiles and buses, to say nothing of the tons of sulfur dioxide the nearby Navajo Generating Station sends skyward each day. The ponderosa pine forest leading up to the canyon is a sea of food wrappers, tissue paper and cigarette butts — mute testimony to the throngs of invaders. The ground is coated with dog leavings and the toilets for human use would embarrass a bus terminal.

Within the canyon things are just as bad. Many of the trails leading from the South Rim to the Colorado River — at least those trails that aren't glued down with mule excrement — are being eroded away by foot traffic faster than they can be repaired. By some estimates, more than 250,000 people raft through the canyon each year. They camp on narrow beaches that have already been badly eroded by variable releases of water from Glen Canyon Dam. The combined action of dam and frolickers threatens to destroy those riparian beaches entirely, and with them dozens of native plant and animal species.

If the longtime canyon aficionado, Bruce Babbitt, Interior secretary, has his way, all this will change. Although Babbitt has his hands full with grazing and mining reform, he has made time for the embattled park. Needless to say, his proposals are controversial: They have sent shock waves through northern Arizona's tourism industry.

Babbitt's package includes a few long-awaited modifications, such as raising park entrance fees, now only \$10 a carload for a week-long pass. It also recommends the introduction of a lottery system for access to the North Rim, which receives one-tenth as many visitors as the South Rim, and it pushes aside requests by TW Recreational Services, the North Rim concessionaire, to expand hotel facilities there by more than 100 rooms.

But the real shocker in Babbitt's plan is his call for a ban on private automobiles beyond Tusayan, 10 miles south of Grand Canyon Village. In their place, Babbitt proposes a mix of light-rail and bus, along with bicycle, horseback and foot traffic. This assault on the fundamental right of Americans to drive wherever they choose angers many northern Arizona agencies whose livelihood comes from the canyon — the Flagstaff Chamber of Commerce, for one. But Babbitt has a ready reply. "We simply cannot continue," he says, "to build parking lots from Havasu Falls to the Little Colorado River."

Roger Clark, vice president for conservation at the Grand Canyon Trust, believes Babbitt's transportation

How the auto and airplane teamed up to destroy the Grand Canyon

Essay by Gregory McNamee

plan isn't radical enough. Clark argues that the management plan's light-rail and bus lines should be located at Flagstaff and Williams, respectively 80 and 60 miles away from the park entrance.

"There are too many support systems and people inside and just beyond the park as it is," he says. "Why does the Grand Canyon need still more housing, a bus-maintenance yard, a sewer system and shopping centers? Real progress in saving the park won't come unless we remove some convenience for visitors."

Babbitt's plan is meeting with early opposition, but not from the obvious suspects; even the Fred Harvey Corp., which runs the South Rim's restaurants and hotels, backs the secretary. Instead, resistance has come from groups like the Canyon Forest Village Corp., headquartered in Scottsdale, which recently acquired property for a large planned community and shopping center alongside Arizona 64 and Grand Canyon Airport, hoping that Tusayan would become a

magnet for visitors. (Tusayan has to truck in its water supply daily from Flagstaff, which is why a burger at the local McDonald's costs twice as much as one down the road.) Babbitt's plan would open several new roads to small gateway centers at several points below the South Rim, effectively eliminating Tusayan's monopoly over traffic to the Grand Canyon.

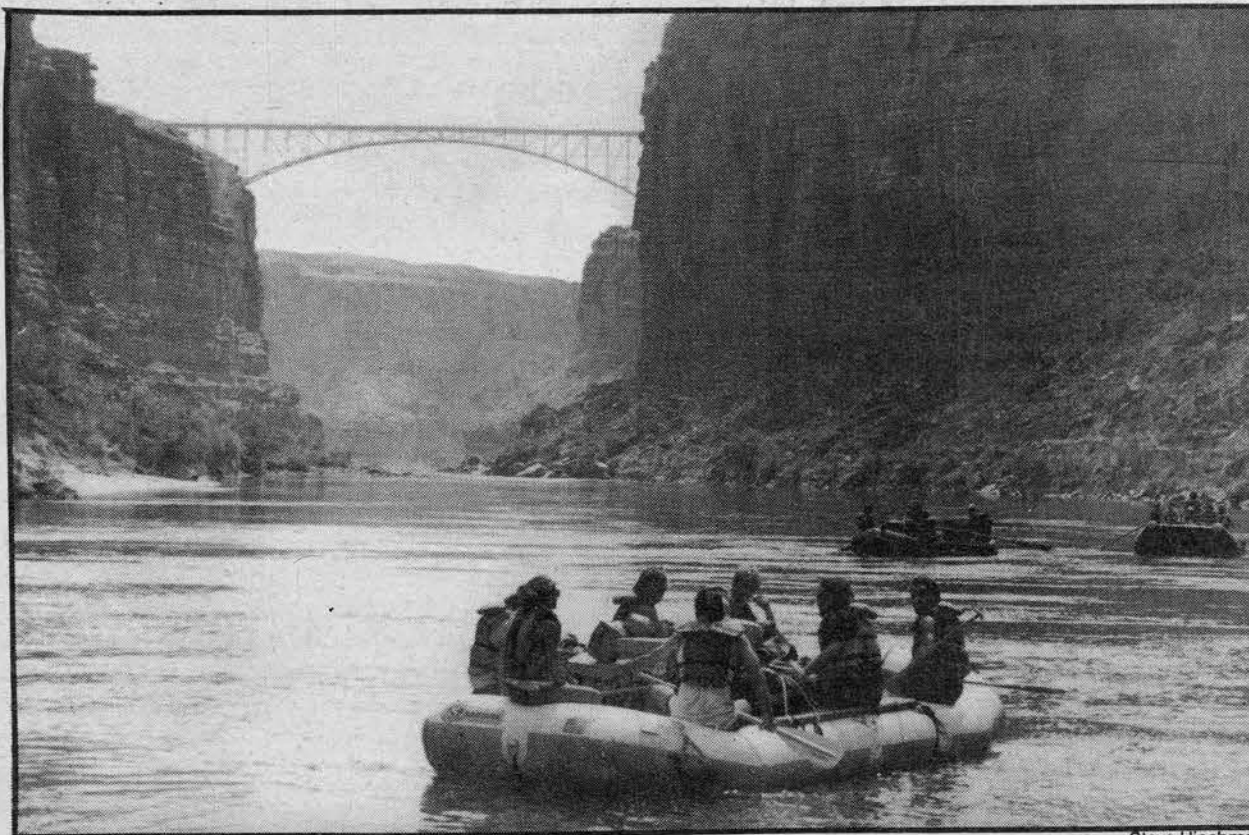
Greater opposition still comes from the Grand Canyon Air Tour Council, an umbrella organization representing the 10 charter companies operating out of Grand Canyon Airport. Charter flights over the canyon are big business, and although the Federal Aviation Administration capped air traffic over the canyon in 1987, its officers have yet to enforce flight restrictions. In fact, flights have doubled since that time, as have fatalities in light-aircraft and helicopter accidents. Small wonder: Until recently the airport had no radar system.

Babbitt has called again and again for the FAA to observe its rules, but to no avail. Meanwhile, the council is busily lobbying Western congressional delegations to oppose both Babbitt's transportation package and any attempts to reduce its business, arguing, in a spokesman's words, that "light aircraft operated on designed routes in designated areas are environmentally the best way to move massive numbers of visitors throughout the park."

Government decision-making is glacial at best. The Park Service hopes to approve a final plan in 1995, but conservationists fear that contending interests will keep Interior from making significant changes for years to come. Until it can, damage to the Grand Canyon and other parks is likely to increase, if only because the Park Service lacks the personnel and funds to clean up after tourists, maintain trails and the like.

Canyon devotees will in the interim have to trust in stopgap measures. Nick Clark, president of the Washington-based National Parks and Conservation Association, offers one bit of advice on how to protect Grand Canyon from the visiting hordes: "Tell everybody to stay away." ■

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Floaters on the Colorado River in the Grand Canyon

As long lines for food service and bathrooms have become as much a hallmark of a visit to Grand Canyon as the celebrated view from Mather Point, the Park Service has come to realize crowd control is a top priority.

Agency officials recently unveiled four proposals for managing the park's developed areas. The proposals, the preliminary stages of a plan that will guide park management through 2010, were discussed at a series of public hearings held in Arizona and Utah in October and November.

The most radical would ban all private vehicles from the South Rim while vehicle numbers on the North Rim would be strictly limited. Two intermedi-

Grand Central Canyon

ate proposals would restrict private vehicle use of the South Rim in some areas and rely on a more limited shuttle bus network.

Other actions under consideration include: limiting the number of park visitors and hikers at a given time; isolating mules and hikers on separate trails;

building bicycle trails, or converting existing roads for bicycle use; tearing down nonhistoric structures, such as the Kachina and Thunderbird lodges; and relocating some park jobs to nearby towns.

This winter officials will draft a management plan that may include elements of the various proposals. After completion of an environmental impact statement and another round of public hearings, a final plan will be issued sometime in 1994 with implementation scheduled for the end of 1995. For more information write Grand Canyon National Park, Box 129, Grand Canyon, AZ 86023.

— Peter Friederici

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