

# High Country

# The Outdoor and Environmental Bi-Weekly News

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Lander, Wyoming

Friday, June 25, 1971

Arrests made . . .

## Eagles' Deaths Are Vindicated

The death of at least 50 eagles in Wyoming has indirectly led to the arrest of a prominent Wyoming stockman. Van Irvine of Casper, owner and operator of the Diamond Ring Ranch, was arrested and charged with 28 game violations.

Also arrested and charged are Lee Irvine, son of Van Irvine, on 27 game violations; Michael Ryan, a federal game trapper, on 25 charges, and Charlie Wells, a ranch employe. A fifth, unnamed man who is now out-of-state is also charged with game violations. The five are charged with a total of 114 counts.

They are specifically charged with hunting game animals without a license, hunting out of season, abandoning game animals, and using game animals as bait. The charges were brought by Jim Bradley, a deputy game warden for the Wyoming Game and Fish Commission.

A "restricted" five-page memorandum filed with Assistant Secretary of the Interior for Fish and Wildlife, Nathaniel P. Reed, details the reasons for not filing federal charges in the eagle deaths. Charles H. Lawrence, Chief of the management and enforcement division of the Bureau of Sport Fisheries and Wildlife, stated in his memorandum that there was no way to prove that poisoned antelope carcasses had killed 22 eagles, or that the poisoned baits had been deliberately set out to kill eagles. Lawrence came to Wyoming to personally conduct an investigation into the eagle deaths.

Lawrence's memo to his boss said that five men armed with high-powered rifles and using three pick-up trucks killed 11 antelope on March 1. The animals were evidently killed on Van Irvine's ranch, 40 miles west of Casper, and then the carcasses were laced with deadly thallium sulfate. Authorities said there was enough poison in each carcass to "kill every animal in the state."

Lawrence said the ranch foreman followed orders in placing the carcasses around the ranch and on neighboring areas.

One or two days later, a second hunt was held and at least nine more antelope were shot and then loaded with the poison.

Three of the carcasses were spotted by means of aerial search. They were located along the Poison Spider Creek Road, a ranch road that goes west out of Casper. It is in an area frequently used by eagles. Altogether, seven carcasses were found on the Diamond Ring Ranch.

Lawrence has also reported evidence of ranch hands shooting at eagles from aircraft. Some of the eagles found dead in Wyoming had been shot.

Van Irvine was president of the Wyoming Stockgrowers Association at the time he is alleged to have participated in the shooting of the antelope. He had presided at the annual convention of the politically powerful group only one week before his arrest. He is also a past president of the Natrona County Fair Board and an officer and director of several large Wyoming corporations. He runs both sheep and cattle on his ranch enterprises.

In 1966, the Diamond Ring Ranch was found to have built 68 miles of unauthorized and illegal fences on the public domain which it leases for grazing. After much furor, the fences were authorized for the ranch. The Diamond Ring  
(Please turn to page 15.)

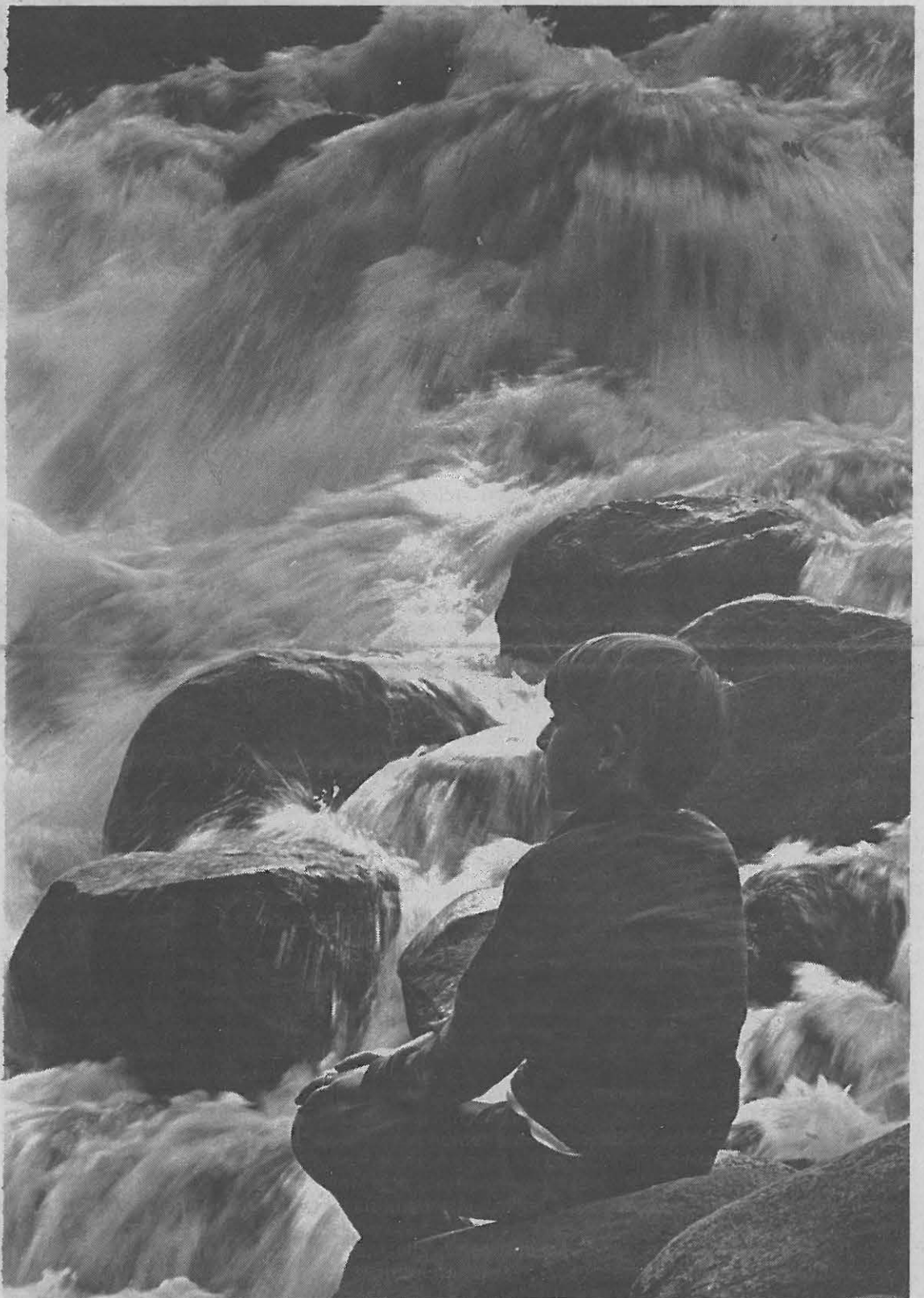


Photo by Pat Hall

A time for cool contemplation - a time for dreaming - this is the setting for summer beside some rushing western stream.

## Asks Power Rule Changes

CHEYENNE -- Mike Williams, Research Coordinator for the John Muir Institute for Environmental Studies from Albuquerque, N. M., testifying before the Wyoming Public Service Commission, asked the addition of two general sections to a set of proposed rules governing the establishment of power generation and energy transmission facilities in the state.

Williams currently is involved in a study to learn the environmental impact of large coal burning power plants on the Colorado Plateau in the southwestern United States.

In his testimony before the PSC, Williams suggested the proposed rules be amended to provide that each applicant for a new facility be required to supply statements from the U. S. Bureau of Sports Fisheries and Wildlife,

National Park Service, U. S. Forest Service, Bureau of Land Management, Wyoming Game and Fish Commission, and Wyoming Recreation Commission saying that the proposed facility would have no adverse impact on the environment.

Requesting addition of a second general statement, Williams asked for a provision that no permit for construction may be granted in any case where operation of the facility, in combination with others already in existence, will result in emissions that will exceed the maximum allowable under any applicable state or federal air quality standards.

Williams also suggested that --

In addition to statements of needs and pur-  
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# HIGH COUNTRY

By Tom Bell

The Headline read, 'I love eagles but ...' (Billings Gazette, June 15, 1971). It was one newspaper's reaction to Wyoming's Governor Stanley K. Hathaway.

There have been other headlines in recent weeks. The Casper Star-Tribune said (May 6, 1971), "Hathaway Says Call for Liberalized Abortion Often Based on 'Ecology'." And again on June 17, "Stan Says Ecology Threat to Economy."

Such headlines reflect what has come to be common knowledge. Wyoming's governor is an anachronism in a world suddenly attuned to environmental matters - a dinosaur who doesn't know his time has come.

The governor, who can always be found on the side of special interests, especially the exploitive ones, constantly rails against those who criticize him. Thus, he says, "I wouldn't be governor today if I did not care about the environment. Four years ago, people screamed about towns losing people, and today it seems as if many of our citizens care more about prairie dogs than people." (Addressing the Wyoming Beer Wholesalers Association, Casper, June 15, 1971.)

Earlier, Hathaway had said that those who wanted liberalization of Wyoming's 1890 abortion law were "those concerned because of the environment - some of the radical conservationists." Such radicals, he said, want "to shut off life to save that extra few feet of ground for themselves." (Speaking to the Diocesan Council of Catholic Women at Cheyenne, May 3, 1971.)

His knowledge of wildlife seems to be rather narrowly restricted to prairie dogs for he also told the Catholic women, "A good environment is a quality life. When we talk about saving it, we're talking about more than the prairie dogs that peek up through their holes...."

The governor seems to have a facility for duping the public on environmental matters - of doing one thing and telling the opposite - and making people believe they have just swallowed a sugar coated wonder drug. He has repeated time after time his endeavors to get meaningful environmental legislation. But his actions behind the scenes or in special appearances before small public hearings give the lie to his credibility. He did everything in his power to sway Wyoming's newly created Air Quality Council to allow variances which would have gutted the proposed air quality standards during the last months of 1969. But when he appeared at a Chamber of Commerce banquet in January, 1970, he cynically stated, "We will preserve Wyoming's great air...we must." (One of those who heard him remarked, "Is that the same Hathaway I heard at Casper last month?")

At the annual Governor's Conference on Education, the Economy and the Environment at Sheridan in November, 1969, the governor said Wyoming has been exploited in the past by industrial concerns who want to take from the state and give nothing in return. But it was he who led "Wyoming Ambassadors" to Chicago to sell utilities on the idea of using Wyoming's low-sulfur coal. Today, the papers regularly carry news of unit trains of 10,000 tons weekly, of annual sales of one million tons to Commonwealth Edison in Illinois, of vast coal sales to some of the biggest companies in the business - all going out of state.

The governor continually talks of attracting industry to create jobs for Wyoming young people. Yet, it was pointed out that the \$300 million steam-generating electric complex near Rock Springs will employ only 200 men - 100 at the strip mines and 100 at the plant. Any one of the three 500,000-KW generating units could almost supply the entire electric energy requirements for the state - the rest goes out of state to industry elsewhere.

Hathaway has a naivety about environmental problems that belies his political successes. He told the Wyoming Stockgrowers Association meeting at Casper recently that he loved the eagles like everybody else. But he said the critics "give little credit to you who have nurtured wildlife through the years."

One week later the outgoing president of the powerful and prestigious Association, Van Irvine, was arrested on 28 counts of game violations in connection with the poisoning of the eagles. (See story on page 1.)

The governor also told the Stockgrowers in what could only be termed one of his most amusing pronouncements that most of the radical conservationists were either "newcomers or drugstore cowboys."

To most of us who were born and raised in Wyoming (some on ranches) and who have given the great governor his worst times, that is really good for a belly laugh. If it weren't for the fact he is the highest state official, he would really be a laughing matter.

As it is, there is nothing amusing about a governor who would sell our birthright for a gaggle of smokestacks.



Summer clouds gather above the old mine near Atlantic City, Wyoming. Silent buildings on a high hill are all that remain of glories that once were.

## Letters To The Editor



Editor:

Sorry I'm late with my subscription renewal. Thanks for the reminder. I believe it to be the best ten bucks spent this side of the Rockies.

I love the West and I believe you are doing a very good job of making people aware of the waste that is going on. Please keep up the good work - and my subscription.

Donald Welch  
Racine, Wisc.

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Editor:

Please note my change of address. Also, keep up the



### HIGH COUNTRY NEWS

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good work. It's incredible what's happening to our West. Our greatest threat is the private landowner who thinks that he has an inalienable right to that which he only temporarily holds, ie, both the developers and those who will silence the voices of the wild through poisons.

Your leadership is a ray of hope in a cloud of irrevocable destruction.

Spencer A. DePree  
Boulder, Colorado

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Editor:

Awright, awright, you win! I've seen copies of High Country News from time to time when a friend brought them to me and I just can't stop reading 'til I've read it all so I'm enclosing \$10.00 for my own subscription.

Your coverage of environmental news in the Rocky Mountain region is really great. I don't know the country at all having only passed through Montana and Idaho by train enroute to Washington but some of your news items have concerned matters that should interest all of us.

Miss Carmelita Lowry  
Dept. of Biochemistry  
Washington Univ. Med.  
School  
St. Louis, Mo.

P. S. Any chance of starting my subscription with the June 11 issue? Just read the May 28 issue and don't want to miss any of the coverage on power plants. The "energy

ethic" is a concept that should be pushed actively by conservationists all over the country!

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Editor:

Enclosed is our \$10.00 for renewal of the High Country News. We would certainly miss this important paper if it quit coming.

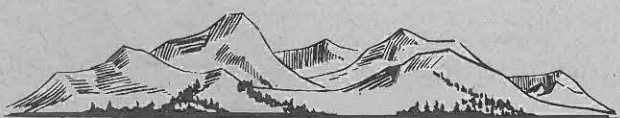
We have spent a good bit of time in the west, especially Wyoming, and each new issue reminds us of an exhilarating vacation we enjoyed in your magnificent mountains. Last summer three of us "Hardy Hoosiers" did some back-packing in the Absaroka's and are looking forward to August when we will be out there to explore another bit of that range. Only wish we were closer so we could spend more time in God's Country.

Phyllis Malo (Mrs. Fred)  
Munster, Ind.

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Editor's Note: Thanks to all of our good readers for their observations, comments, and kind words. We appreciate knowing that the paper is useful in keeping you informed.

We also receive letters such as the following which help to keep us informed - and you, too. The policy of this paper as with most others is not to publish unsigned letters. However, some circumstances warrant the use of unsigned letters. I think after you read the following, you will agree. The author is (Please turn to page 5)



# Guest Editorial

## America and the Environmental Crisis

by William D. Ruckelhaus, Administrator, Environmental Protection Agency

The following address by William D. Ruckelhaus, administrator of the federal Environmental Protection Agency, was presented at the Indiana State Bar Association, Indianapolis, on April 15, 1971. Mr. Ruckelhaus' remarks give good insight into the thinking and the philosophy of the man who heads one of the most important agencies in Washington today.

Mr. Ruckelhaus was born in Indianapolis in 1932. He received his bachelor of arts degree cum laude from Princeton University in 1957, and his LL.B. from Harvard University in 1960. He served as deputy attorney general for Indiana, 1960-1965, where he drafted the Indiana Air Pollution Control Act, passed in 1963. He was elected to the Indiana House of Representatives in 1967 and subsequently received the Indiana Broadcasters Association Award for Outstanding First Year Legislator.

He served as an assistant United States attorney general from 1968 until President Nixon appointed him to be the first administrator of EPA in November, 1970.

The editor

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The planet earth is in trouble. For too long man has regarded nature as a foe to be conquered. And for too long man has considered nature's treasures to be inexhaustible. Only in recent years have we begun to realize that our many victories over nature could be the harbinger of a disastrous defeat for man and that our callous treatment of nature's resources has not only diminished our own lives but also has mortgaged the future of our children.

The obvious signs of environmental degradation surround us. Once clean lakes and rivers, beloved for the fishing and recreation they provided, have become open sewers, supporting only carp and polluted water signs. Air pollution blocks out the sunshine and scenic vistas that once brightened our lives. Mountains of trash litter our countryside.

These environmental problems are surfacing in every corner of the globe. It is said that Lake Erie is dying, but Lake Baikal in Soviet Siberia, the oldest and deepest freshwater lake in the world, suffers discharges from pulp mills every day and is in her own race with time. The irreplaceable ancient statuary of Rome is being corroded every day by an acid smog more disastrous than all the armies of Gaul.

The fabled Rhine, celebrated by Byron as the "Valley of sweet waters," is now the waste removal system for the industries of the Ruhr. In Tokyo policemen have to be relieved to breathe pure oxygen from tanks while they are directing traffic. In Seoul, South Korea, Taipei, Formosa and Ankara, Turkey and the rest of the developing world, which is urbanizing at a rate unprecedented in human history, little time is left before they too are overwhelmed by the backlash of progress.

While the dimensions of the environmental crisis are world-wide, tonight I would like to focus on how we as a nation can, and must, deal with that crisis. How America approaches the environmental crisis is of immense importance for several reasons.

First, the kind of world our children will inherit tomorrow - even whether there will be a world to inherit - depends on it. Second, although America does not face the environmental crisis alone, we are the most industrialized nation in the world and thus the biggest polluter.

Our leadership in pollution forces us to lead the world in its abatement. Not the kind of leadership which brings men in conflict with other men, but rather the kind of leadership which will bring men into harmony with nature. Other nations, the developed and the developing, look to America for guidance on how to deal with the environmental crisis. This is a challenge we dare not ignore and a trust we dare not fail.

Moreover, what America is doing about environmental degradation is important because I believe that the environmental crisis offers an excellent opportunity to demonstrate that the institutions of this country can be responsive to the concerns of its citizens. For too long the prophets of doom have trumpeted the failures of our society and the nation's self-confidence has been shaken. I believe that the enhancement of the environment offers America its best hope for a dramatic success that will restore our self-

confidence and shore-up our sagging morale.

As attorneys, you are well-equipped to understand how America is gearing up to meet the environmental crisis and trained to participate in the process of solving it. The tools America will use are legislation and institutions and people; the same tools that we bring to bear on virtually any problem we face as a nation, but there are unique aspects to the way they are being utilized to deal with the environmental crisis.

Legislation defines the parameters of action that will be entrusted to administrative agencies and to affected citizens. Building on local and state initiatives, as well as earlier federal law making, we now have comprehensive air pollution legislation at the federal level. The Clean Air Amendments of 1970 provide for national air quality standards and require the states to establish federally-approved implementation plans, which puts each emitter of pollutants on a schedule to meet the air quality standards. It also requires that dramatic reductions take place by 1975 in the emissions from the major source of air pollution - the internal combustion engine.

We also have a comprehensive water pollution control program which will be strengthened if Congress adopts legislation which has been suggested by the President. It will be further strengthened this summer with the implementation of the permit system pursuant to the 1899 Refuse Act. The permit system will require all industry to declare in a sworn statement the content of the effluent they are dumping into the nation's waters and will put them on a rigorous schedule to abate the pollution caused thereby.

Similarly, existing pesticide legislation will be strengthened if Congress adopts the new initiative proposed by the President which will give us greater control over the ultimate use of such chemicals in the environment. New laws exist to promote innovative approaches to solid waste disposal, and to provide for the study of the problems of noise pollution.

The President has also proposed farsighted legislation to anticipate potential problems. The proposals include provisions to regulate ocean dumping and the release of toxic substances into the environment, to promote land use planning on the part of state governments, and to plan the siting of power plants far enough in advance so that environmental concerns can be taken into account early in the planning process.

### ENVIRONMENTAL POLICY ACT

Probably the most significant piece of federal legislation enacted in recent years is the Environmental Policy Act of 1970, which requires every agency of the federal government to take into account, and to make public, the environmental impact of each major action, as well as to publicly air alternatives which were considered and which might minimize environmental damage. Already, this Act has put to rest many ill-considered projects and caused the redesign of others so as to minimize their impact on the environment. And consistent with the articulated policy of Congress, President Nixon last year issued an executive order requiring federal installations to meet the environmental quality standards.

Turning to the institutional arrangements for dealing with the environmental crisis, we might note initially that pollution control started at the state and local levels and that important work continues to be carried out by agencies at these levels. However, the intense rivalry between states and localities for the location of industry undermines their role as regulators and an increased federal presence has inevitably moved into this vacuum. Three major new institutions have come into existence during the Nixon Administration. The Council on Environmental Quality, headed by Russell Train, acts as the environmental advisor to the President and helps formulate long term policy in this area, as well as to develop legislative proposals to deal with environmental problems. CEQ also serves as a watchdog and coordinator of environmentally-related projects and programs carried on by various federal agencies.

The second major new institution at the federal level is the Environmental Protection Agency which came into being last December. EPA was created through a presidential reorganization plan pursuant to which President Nixon announced his intention to gather the federal responsibilities for air and water pollution, solid waste disposal, and pesticide and radiation regulation into a single coordinated agency.

EPA, as a new federal thrust in the environment, presents a real chance to finally accomplish environmental enhancement. First, EPA is an independent regulatory agency. No longer is the setting and enforcement of environmental quality standards in the hands of an

(Please turn to page 4)



Clear, clean skies where clouds can be distinctly seen against a blue atmosphere should be the right of every man.

# ... the Environmental Crisis

agency which also has a promotional interest in the subject of regulation. For example, unlike the Atomic Energy Commission which formerly had environmental radiation standard-setting responsibilities, EPA has no responsibility to promote the use of nuclear energy. And unlike the Agriculture Department which had some of its pesticide regulatory functions transferred to EPA, the Agency is not charged with promoting and expanding agricultural production. EPA's sole charge is to see that the standards it sets and enforces adequately protect the total environment.

Another significant aspect of EPA is that it provides a mechanism for a coordinated approach to environmental improvement. No longer will there be water pollution and solid waste disposal agencies urging solutions to waste disposal problems which only serve to exacerbate or create serious air pollution problems. And no longer will Federal environmental research plunge off in all directions, unrelated to any overall plan for dealing with the total environment.

Since the formation of EPA we have initiated several changes in administrative procedure which I believe will have a favorable impact on the quality of the decisions we make, as well as on the credibility those decisions are accorded by society. The first of these changes is the determination to make our major decisions openly in the full glare of the public limelight.

Here I might point to two major examples. First, in January a Federal court ordered us to determine whether the pesticide DDT should be suspended and prohibited from interstate transport. We took the unprecedented step of imposing a 60-day deadline on ourselves to make this decision and to solicit comments from the public as to whether DDT posed an imminent hazard to the public so as to require suspension under the Federal Insecticide, Fungicide and Rodenticide Act. We also invited public comments on the comments submitted by other people. We received more than 500 submissions which we considered along with data compiled by our Pesticide Office and scientific experts in arriving at our final decision that the statutory test for suspension was not met. The potential harm proposed by DDT did warrant an aggressive administrative process call cancellation under the Act to determine whether on a risk-benefit basis the registration of DDT products should be continued. We issued a 23-page opinion detailing our reasons for DDT decision, as well as related decisions on 2, 4, 5-T, mirex, aldrin and dieldrin.

A second example of our commitment to make major decisions in public arises under the 1970 Clean Air Act whereby we are required to pass on any request of an automobile company for an extension of the 1975 deadline requiring it to achieve a 90% reduction in the level of hydrocarbons and carbon monoxide its engines emit, and the 1976 deadline requiring a similar reduction of nitrogen oxides. The statutory test for this extension depends on whether the automobile company has made a good-faith effort to meet the deadline and whether the state of the art is such as to permit such a reduction. The decision of whether to grant an automobile manufacturer a one-year extension will not be made behind the closed doors of EPA after a particular manufacturer has come in and told me it cannot meet the deadline. Rather, any automobile manufacturer seeking an extension will be required to lay evidence of his efforts and the state of the art out in a public hearing where interested members of the public will also have a right to comment. The final decision will be contained in a public document prepared on the basis of evidence adduced at the hearing. In fact, as a preliminary step in this process, I have requested the auto manufacturers to appear at a public hearing on May 6 and 7 to explain what they have done to date to try to meet the requirements imposed on them by the 1970 Clean Air Act. Interested and affected members of the public have been invited to testify at this hearing and any individual and group may submit written comments for inclusion in the record.

These are just two examples of my commitment that major environmental decisions should be made in public after interested members of the public have had an opportunity to make their views known and not behind the closed doors of an agency in meetings in which only the regulated have participated. I am confident that this approach will produce responsible decisions on matters of public policy and will enhance the credibility the public will accord to the decision makers and to the decisions they enunciate.

So far I have focused on the legislative and

administrative arrangements developed to help America meet the environmental crisis. The fact that we now have an administration of one political party, and a Congress, controlled by the opposite political party, who are united in their resolve to enhance the environment, is itself the basis for considerable optimism in believing that we will meet our goal of environmental improvement. But the most important factor to ensure a clean environment is the arousal and involvement of the public.

## CITIZEN ROLE

The role of citizen involvement and pressure cannot be overestimated. It makes it much easier for the dedicated administrator and legislator to do right and a whole lot harder for the lax administrator or legislator to do wrong. Equally important to citizen pressure, are the voluntary efforts undertaken by many citizens and citizen groups to enhance the environment. Indeed, some of the most dramatic examples of environmental turn-around recorded in this country over the past few years are situations where the citizens of a community resolved to clean up their local environment and did so. Some examples that come to mind are the cities of Seattle and San Diego. And each day I see newspaper clippings describing actions citizens groups have taken to create a better environment for themselves and their community.

One of the currently debated topics in legal circles is what the role of citizen lawsuits should be in protecting environment. Opinions range from those who consider citizen's suits to be expensive and time consuming nuisance actions fostered by "nuts" to others who consider such suits the citizen's sole hope of salvation from the tyranny of industrialists and bureaucrats. During the time I served as an Assistant Attorney General in the Department of Justice I had occasion to observe firsthand many citizens' suits against government officials and agencies, including suits brought by some of the "public interest law firms" that have been active in the environmental area. Contrary to the view taken by some other persons in the private and governmental sectors, I AM CONVINCED THAT SUITS BY PUBLIC INTEREST LAW FIRMS TO PRIVATE LAWYERS OFTEN PROVIDE THE ONLY CITIZEN RECOURSE TO ADVERSE GOVERNMENTAL OR PRIVATE ACTION.

I have also had occasion as Administrator of EPA to be the named defendant in law suits and suspect that the last *Citizens v. Ruckelshaus* suit has not yet been filed. On the whole, these lawyers and citizens were well informed and furnished valuable insights that I, or any other administrator, should take into account. At times there is a tendency on the part of even the most dedicated civil servants to assume that they know and represent the views of the public in whose name they are supposed to be acting, when in fact their perspective is limited and needs broadening. The public has the right of access to the administrative process in environmental decision-making, and when that access is unreasonably constricted, or denied, then the citizen must have recourse to the judicial system to obtain that access.

Many government lawyers decry the whittling away by the courts of such time-honored doctrines as "standing" and "administrative discretion." There is some validity to the legal

argument that the courts should not have stepped into some of the areas they have entered. But the fact the courts have had to move in only shows how slow we have been to reform the legislative and administrative arms of government to effectively respond to citizens' concerns. Whether we are talking about problems of race, or reapportionment, or the environment, the fact is our institutions have just not arranged themselves to respond quickly to citizens' concerns or to provide for meaningful citizen input into many of the decisions that affect their daily lives.

While the citizen has a direct hand in electing those who will represent him in the legislature, or those who will serve in the top executive positions of government, that citizen has virtually no say about who holds the lower and middle level positions in the administrative bureaucracy where the vast bulk of governmental decisions are made. Thus it is crucial that the citizen be assured that these lower level policy makers take into account the often conflicting views that individual citizens may wish to present. In the environment those whose private property is affected by governmental regulation have the right of access to the decision-making process, or they may obtain such access through legal suit to assure that their private property is accorded its constitutional protection.

Many decisions made by environmental agencies affect what might be termed the public property - the nation's air, water, its fish and wildlife, and its public lands. Each citizen has an interest in the public property of the country and it is strongly argued that he ought to have his say in any policy decisions which affect the disposal or regulation of that public property.

This is why we supported the provision in the 1970 Clean Air Act which gave concerned citizens standing to sue individual polluters, governmental units that pollute, and even the Administrator of the Environmental Protection Agency in the event he does not carry out his duties under the Statute. And this is why we suggested the inclusion of a similar citizen suit provision in the water pollution bill which we have submitted to Congress.

In most cases the courts are probably not the best place to make environmental decisions, but access to the courts on the part of citizens will help ensure that the machinery set up to deal with the environmental crisis will more fully take into account the multitudinous ramifications of its action and will help to ensure an enhanced environment for the America of tomorrow.

The thrust of our legislation, our institutional arrangements, and our encouragement of citizen involvement in the environmental crisis is to ensure that the environmental impact of our societal decisions is fully explored and considered before those decisions are made. Informed choices made by an involved citizenry aided by responsive institutions and legislation is truly Democracy in action. So whether your role is that of administrator, or legislator, or judge, or that of an advocate before an agency, a legislature, or a court, or just that of a concerned citizen, your role is a crucial one. If we play our roles well, environmental concerns will occupy a potent and proper place in America's individual and societal decisions, and we will lead the way to an enhanced environment for the citizens of the world.



Photo by Charles W. Smith

A quality environment for man includes a diversity of animals and their natural habitats.

# Changes...

poses as required in the proposal, the applicant would show proposed alternative methods of meeting power needs, including proposals for reducing demand for power by adjustment of rate structures and other ideas.

--Under air quality section of the proposed rules, that the applicant state in detail how he plans to dispose of captured particulate and chemical matter, including a complete statement of harmful substances in parts per million in the fuel source. (These substances are identified and listed by the Environmental Protection Agency.)

He urged that the applicant show in detail the effectiveness of proposed emission control equipment in relation to particle size and that efficiency statements also include description of efficiency relative to operating conditions at the specific facility.

In his statement, Williams also summarized the situation of power development in the Southwest, and outlined possible dangers to the environment from numerous sources, including such heavy metals as mercury.

He said coal burning currently accounts for one-third of all mercury emissions in the United States.

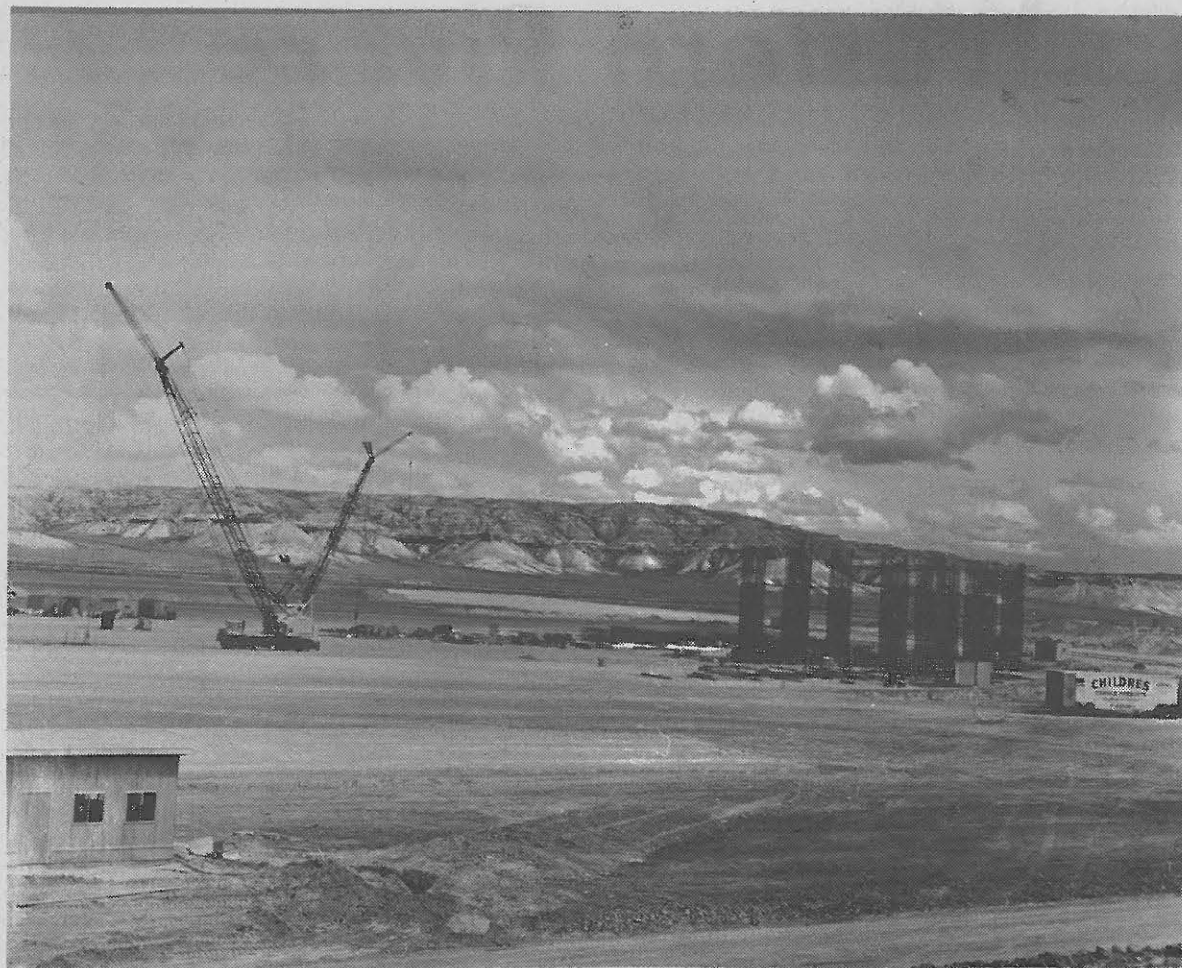
Low-sulfur western coal, which carries a sulfur content that is about half as great as that in eastern coal deposits, still can pose a danger, he said, because of the size of power generation facilities proposed for some parts of the West.

To illustrate the degree of danger, he said that if the 3000 megawatt plant presently operating at Farmington, N. M. were the only source of emissions in New York City, about 320 deaths a year would be attributable to plant emissions.

Current power development plans in Wyoming provide for one plant in the western part of the state that will produce 1500 megawatts of power.

Compliance with all Wyoming air quality standards or even with Federal standards is not going to be enough...to protect scenic and recreational values in the area, he said.

In addition to this scientific work, Williams also is a technical advisor to the New Mexico Citizens for Clean Air and water. He appeared at the hearing at the urging of Wyoming representatives of the Rocky Mountain Chapter of the Sierra Club.



The \$300 million Jim Bridger power plant is now under construction in Wyoming. The steam-generating electric plant is only one of many already operating, under construction, or projected for construction by the year 2000 in Wyoming alone. Others proposed for Montana, Colorado, Utah, Arizona, and New Mexico will pour thousands of tons of air pollutants into the atmosphere. Most of the coal for these plants will be strip-mined, requiring reclamation for thousands of acres. The hills behind this plant, on the edge of Wyoming's Red Desert, are underlain with coal.

## Report Tells Story

The Cameron Engineering Report, prepared in 1969 for the State of Wyoming, shows only five steam-generating electric plants in Wyoming at that time. The total combined megawattage was approximately 710. The report forecasts an increase in megawatts to 1,100 by 1972, and to 5,100 by 1980, the latter accomplished by the addition of four new plants. (The Jim Bridger plant near Rock Springs in Sweetwater County - 1,500 megawatts - was not included in the forecast.)

The report shows 9 plants producing 5,100 megawatts in 1980; 13 plants producing 9,100 megawatts by 1990; 20 plants producing 16,100 megawatts by the year 2000, and 34 plants producing 30,100 megawatts by 2020. This is only part of the picture. The report also forecasts an increase in the number of coal mines from 7 in 1968, to 13 in 1980; 36 in the year 2000, and 69 in 2020. Most of them will be strip mines.

There are no synthetic liquid fuel plants or coal gasification plants in Wyoming at the present time. Both would use vast amounts of coal, again most of it strip mined. By the year 1980, one liquid fuel plant is forecast; by the year 2000, 4 plants, and by 2020, 10 plants. Four gasification plants are forecast for the year 2000 and 10 by the year 2020. These two processes are forecast to use 220 million tons of coal a year by 2020. By contrast, power generation will consume 120 million tons a year.



## Letters to the Editor...

from Utah.

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Editor:

In your recent issues of High Country News, the predator control issue has become hot. I feel I must contribute to it in a small way for what it's worth.

First, I am a Forest Service employee and have worked with ranchers and the Bureau of Sports Fisheries and Wildlife for many years. Second, I must not state my name as it is not yet an accepted concept that a Government official knows enough to state his opinion.

The sheep ranchers are generally running the predator control show. If they can't get the Bureau of Sports Fisheries to go along with their ideas, many hire their own trappers. These men use any and all means known to kill predators. They are almost impossible to track down and arrest for their activities. We know this is being done but can't stop it. The men of the Division of Wildlife Services are

dedicated professionals for the most part. Everyone dislikes them as they have a very difficult job in controlling predators. I have observed that they are kept poor and are unable to operate the way they should. Because of this, they must hire locals to do most of their work. These men, when in the field, tend to cater to the rancher's wishes and often spread more death than their superiors realize. These local trappers are very independent and are almost entirely rancher oriented. Their supervisors cannot, with the large areas they have under their control, check on what their men are doing. The pay status and numbers of professionals in this organization must be increased so they can do a good job. The alternative is to eliminate the Division of Wildlife Services.

Scatter baits are another means that are used to eliminate the predators. Strychnine or another type of lethal poison, in a small cube is used. The cube is rolled into lard and coated with sugar. A quart jar can hold

many dozens of these baits. They are scattered along roads, trails or near recent kills. The results are exactly as one would expect. Any bird or carnivore that happens to be in the area can pick up this bait. To control this type of thing is almost impossible. The baits are very small and after lying in the sun for a period of time the lard will melt leaving only the small cube of poison. The sugar that they are rolled in helps keep the lard together for a longer period of time.

What I am saying is that we must have strong laws such as are being proposed by your Teton County legislator to prevent the rancher from doing his own predator control work.

Another item is the way the stockman figures his losses due to predators. I'm sure you are aware that they inflate these losses, but is the public? This is just a big tax dodge. I bet that you and I pay more taxes than many sheep ranchers mainly because of the predator loss write off they claim.

Granted these people have predator kills on their sheep,

but I would guess it's only 10 to 20 percent of what they claim, if that much. I have for years asked each sheepman where I worked to report "kills" to me so I can investigate them. About once in three years this has happened and in all cases it only involved 1 to 3 sheep. The DWS faces the same problem. Their field men see a few, especially in the spring but generally take the rancher's word for it. When we make up our annual range reports, the rancher provides us with the information on predator losses. After several years of working with each rancher, you can about guess what he will claim as lost to predators.

I suggest that the rancher does lose sheep and in some instances the loss is great. In the majority of cases, it is due to spring storms that take the lambs. Also, it's due to darn poor management. If a herder loses sheep, it's much easier to tell the boss that they were killed by predators than that they were just lost.

Somehow, the public must recognize and do something about the wanton killing of so-

called predators. They have a voice in the management of their public lands. They must tell us and the rancher that the time has come to stop the killing of their animals so someone else can make a profit.

Selective predator control can and must be the only kind allowed. It can be done as I have observed it.

Thank you for your time in reading this. I hope it adds a little fuel to the fire.

\* \* \*

Editor's Note: This letter was received before the arrests in the Wyoming eagle killing case were announced. What the author of this letter says has been borne out by the arrests and the events leading up to them. Our thanks to this man for his knowledgeable observations on the problem.



# Floating Western Rivers

Part Two: The Grand Canyon Experience

by Verne Huser

Photos by Verne Huser

In the spring of 1968-69 years after John Wesley Powell first explored the wild canyons of the Colorado River—a group of business and professional men, mostly from Santa Barbara, California, organized an expedition to float the Colorado River through the Grand Canyon. Under the leadership of Dr. Rod Nash, history professor at UCSB and author of the conservation classic *Wilderness and the American Mind*, and Ken Riley, a Santa Barbara broker, the group of 18 hired Ron Smith (Grand Canyon Expeditions, P. O. Box 21021, Salt Lake City, Utah 84121) to outfit the expedition. I was fortunate enough to be included on the 8-day, 225-mile trip from Lee's Ferry to Diamond Creek. At that time—only three years ago—we were among the first five or six thousand people ever to float the Colorado; now, tens of thousands have done so, and real problems have arisen concerning overuse of that once wild river. What follows is an account of the Nash-Riley Grand Canyon Expedition of 1968. In a later issue, I will discuss the problem of overuse and what is being done about it.

We arrived at the Cliff Dwellers' Lodge late Friday afternoon, hedge-hopping down into the desert from Page, Arizona, where we'd spent the day on Lake Powell. Flying low over the dam blocking the Colorado River in Glen Canyon—the place no one knew—we'd experienced the sensation of having the bottom drop out of the world below us as we crossed the canyon. Far below us we'd seen Lee's Ferry and the boats we would board tomorrow, and downstream we had seen a few of the minor rapids and on into the shadowy distance and depth of Marble Gorge and the Grand Canyon.

During a get-acquainted cocktail hour, we met our crew and got to know the non-Santa Barbara members of the party from Las Vegas and Boston, from Denver and Hanover, N. H., from Seattle and Wisconsin Rapids. Repacking the gear in water-proof river bags provided by GCE, we listened to the stories of the boatmen and began anticipating the river and its wild rapids.

Saturday morning we drove by truck—we were hauled like cattle in the back of the huge red beast—to historic Lee's Ferry where we spent an hour or two loading the two crafts: a 33-foot bridge pontoon with single tubes lashed to each side like outriggers and powered by a 20-horsepower Mercury outboard motor mounted in-board and three 10-man Navy assault boats lashed together side-by-side and powered by two men at the oars, one on the single downstream oar mounted on the first boat and one on the single upstream oar mounted on the last boat. Most of the company gear—food, cooking utensils, gasoline and spare parts, tools, etc.—was stored in the big rig while most of the personal gear was stowed in the smaller craft, the triple 10-man rig.

Birding along the river before we launched at mid-morning, we saw the Say's phoebe, yellow-breasted chat, mourning doves, violet-green swallows, Brewer's blackbirds, the black-chinned hummingbird, ring-billed gulls, raven, white-throated swifts, a red-tailed hawk, canyon wrens (singing to us as the early-morning sun warmed the colorful rocks), western kingbirds, and what I took to be a blue grosbeak (I don't know what else it could have been).

The smaller craft left a half-hour earlier than the big rig, and before we had more than left shore, we'd spotted a beaver swimming in the clear cool water flowing out of Glen Canyon Dam a dozen miles upstream. The big boat, pushed by the noisy motor, caught the small rig by the time we passed under Navajo Bridge (mile 5.5), and we began the pattern we'd follow for eight days: the big rig would tow the smaller craft through the quiet water between rapids, then release the line as we approached the roar and wild leaping of water at the head of a rapid. An hour out we hit Badger Rapid (where the Powell party had killed a badger) and 45 minutes later we ran Soap Rapid (where Powell's men made soap from the badger as they camped overnight). These were relatively small rapids, but they were thrilling to most of us who had never been through real rapids before.

As we would approach a rapid, even a minor one, we would all grow apprehensive. We could see the drop—more than twenty feet in some of the major ones—and the wild dashing of water that leaped high enough for us to see a quarter-mile upstream. Nearly all of the rapids are formed by a side stream's bringing huge rocks and debris down to the Colorado during thousands of years of flash floods, some as recently as 1966 when a 12-inch rain in a few hours on the North Rim created a new major

rapid where Crystal Creek enters.

The rock debris literally dams the river, forming a quiet stretch of water above the rapid, but as the water rises behind the natural barrier, it begins to trickle over and through and around and between the rocks, and you have a rapid: first a tongue of smooth water rushing down a steep grade, then a great dashing together of water and rock followed by huge tail waves formed by the current's beating against the canyon walls and being thrown back into the center of the river where they meet in a raging torrent.

Each rapid is different, and at the major ones we would stop to examine carefully to see just what would be the best way to run them. Rapids change from year to year, even from trip to trip, and especially with the fluctuating flow released from Glen Canyon Dam. Some, we ran one way in the big rig and another way in the small. Some were dangerously full of rocks or gigantic holes; others had tricky currents that meant mad rowing in the midst of the rapid for the smaller rig to avoid a rock or a bad hole that could flip the boat like a coin. Some were better at high water and others were better in low. The river has a high and a low level every day due to the peaking-power release required for producing electricity at Glen Canyon, and as we floated farther and farther down the river, the fluctuation was delayed by our distance from the dam.

Rod Nash had brought along a small backpacking inflatable plastic kayak for shooting some of the minor rapids. The first day out he broke a paddle in mid-rapid while running 20-mile rapid. Buffeted by the big waves, he rode out the current into the back eddy where we picked him up, grinning and chagrined. (Nearly every rapid has a back-eddy just below it where the force of the current is countered by an upstream flow of water along the shore).

We ran into the "marble" of Marble Canyon early in the afternoon, actually limestone walls carved and highly polished by the river, and the walls rose higher and higher on both sides. Just above Vasey's Paradise—a series of springs seeping from the canyon wall on the right where lush green vegetation grows—we stopped for firewood, thinking that none would be available in Redwall Cavern where we planned to camp (today no camping is allowed in Redwall, though most parties still stop there to experience the wonder of it).

By 4:30 we were setting up camp in the cool shadows of the river-carved amphitheater of Redwall Cavern, a fantastic place with a sandy floor perhaps fifty feet deep, a vaulted ceiling over a hundred feet high, and a depth of over three hundred feet with a width at the river's edge of greater than five hundred feet. We swam, kayaked, fished (no luck), bathed and chatted.

A quartet of Park Service rangers and naturalists on a clean-up mission camped with us. Warren Hill, the naturalist of the party who at that time was curator of the museum at the South Rim and is now head river ranger, was along to study the ecology of the river. He wanted to see what could be done about developing an interpretation program dealing with the river and to evaluate the impact of float trips on the Inner Gorge. We found a Say's phoebe nest with young on a ledge near the back of the cavern and later, around the evening campfire—after a steak dinner—we compared bird notes for the day.

Up at 5:30, we had a brief but impressive church service led by Episcopal Minister Peter Snow of England and Santa Barbara. And after a breakfast of bacon and eggs, English muffins and jelly, orange juice and coffee, we hit the river about 8 for the long run to Copper Blossom Mine (Lava Canyon). This is just below the Hopi Salt Mines, a few miles below the junction of the Little Colorado (running clear this time but nothing but mud on an April, 1970 trip on what became a chocolate river from that point down).

I rode the smaller rig and spent most of the day wet as we ran several minor rapids. Passing the Marble Canyon damsite, we wondered at the sanity of the people who would dam this scenic wonder (and raved at those who killed Glen Canyon). We photographed the scaffolding and tailings left by the would-be dam builders who had already probed the canyon walls with jackhammers. (Such evidence was gone when I ran this stretch again in 1970, and Marble Canyon had been added to the National Park System as a National Monument).

After two hours, the canyon walls receded, and just before noon we floated into Grand Canyon National Park at Nankoweap Rapid (14-foot drop to 2800 feet elevation—50 miles down river from Lee's Ferry). An ancient Indian storage bin high up the talus slope at the base of the cliffs attracted most of the party, but I looked for birds in willow, tamarisk, and mesquite thicket below the eddy where we stopped for lunch (sandwiches of Vienna sausages, tuna fish, cheese, peanut butter and jelly, sardines, corned beef—take your choice). I found canyon wrens, blue grosbeak (?), sparrow hawks, raven, mourning doves, broad-tailed hummingbirds, white-throated swifts, violet-green swallows, red-tailed hawks, an ash-throated flycatcher, the blue-gray (and possibly a black-tailed) gnatcatcher.

In the afternoon, we passed the confluence of the Little Colorado where the big rig stopped for its crew to swim. The small rig floated placidly along on its own, but when a two-boat party of Hatch floaters came by at the Hopi Salt Mines, we engaged them in a water fight. (Saw a nesting prairie falcon on the cliffs above the



Hance Rapid (mile 76.7) with its 27-foot drop is the first rapid hairy enough for us to stop and study. The current swings hard left, forcing the boats to the outside of the curve (right). The rapid is full of rocks and holes, a real hummer. The big rig has run it on the right, but the small rig, powered by oars, takes it on the left. Two men momentarily went overboard in this one.

# Floating Rivers...

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Friday, June 25, 1971

river here). We tasted the natural salt dripping from the overhanging cliffs, then drifted in to camp just below the lava dike that Powell mentions in his journal. On a hot sand bar we set up camp; I take a short hike up a side canyon and find my first collared lizard and add the black-throated (desert) sparrow to my bird list. Then a swim and a bath in the river before I join the rest of the crew—the big rig having arrived while I was hiking—for cocktail hour: too long tonight and nearly everyone a little high before the beef stroganoff dinner (and Peter Snow painting the up-river scene). Mile 65.2.

Monday morning we were up at 5 a.m. with most of the group hung over. On the river by 8, then a mid-morning stop at an archeological site being dug by the School of American Research just above Unkar Rapids. Dr. Schwartz was trying to find "what happens to people when they migrate" by digging up a 52-site Anaztazi village—interesting digs but beastly hot.

Back on the river for a big day of river running: Unkar, 75-mile, Red Canyon (that's Hance) Sockdologer, Grapevine, in the morning in the big rig. Lunch at Phantom Ranch bridge and a hike up to the ranch to buy more beer, but we find it closed. (It's hot on the river, and we've gone through 18 cases already—and it's the third day). Then a wild afternoon in the small rig, running Horn (terrific initial drop), Granite Falls (great rapid), Hermit (big, big waves), Crystal (the biggest and roughest so far) with a 17-foot drop, and finally Tuna just before we stop for the night. Mile 99: we're averaging 33 miles a day.

This day I saw the golden eagle soaring high above the inner gorge as we floated through the Vishnu schist and the intruding granite of the oldest rock exposed on the North American continent. Just before dropping into Horn Rapid we saw a green heron, the first (apparently) reported in the canyon—it isn't on the check list for the park. We also saw the blue-winged teal, the great horned owl, the common coot.

Tuesday morning we slept late, tired as we were from a long day of running some of the river's wildest rapids. A few miles downstream, we stopped at Shinamo Falls on a side canyon for a swim and a cold shower. Rod Nash and I walked about a mile upstream to explore above the falls—saw several flycatchers and a black phoebe, as well as wild burro tracks and droppings. We stopped for lunch at Elves Chasm, a steep side canyon where a series of travertine falls drop into a cool, deep-green pool—another swim here, and a spotted sandpiper.

On to Deubendorff Rapids (15-foot drop) to camp below Stone Creek (mile 131), which Rod Nash, Peter Snow, and I explore for several hours—we took our packs with sleeping bags along and camped above a small falls on a huge flat rock, but before we settled in for the night, we hiked about three miles up the canyon, climbing several waterfalls enroute—beautiful canyon, wonderful experience, good company.

Up early to hike back to the river Wednesday morning, then a short run to Tapeats Creek where we climbed a steep scree slope. We followed the contours of a cliff band high above the roaring creek, and found ourselves in a hot but lush upper canyon where Rod Nash caught a twenty-inch rainbow trout. Several of us hiked up to Thunder Falls about four miles up the creek through hot dry country. Rod led five of the hardier souls up over the ridge into Surprise Valley and down Deer Creek on what came to be called "Nash's Death March." The overland crew nearly got into serious trouble through dehydration. But they pressed on and found water and met the rest of us, who had floated the three miles to Deer Creek Falls, back at the river. Here, Deer Creek drops a hundred feet to the Colorado out of a labyrinthine canyon.

Below Tapeats Creek, we'd stopped at a huge cave carved from the limestone by underground water, the home of many bats, then on to our rendezvous with the Death March survivors, thence across the river to camp for the night at mile 136 (only five river miles covered today but some great hiking). Saw a dipper (water ouzel) in Tapeats Creek.

Next morning we had trout for breakfast, then got a late start and floated to Kanab Creek to await higher water for running Upset Rapid. Hiking up the creek—a warm, sluggish, foul-smelling stream—we stopped in every pool to cool off and sought the shade of the canyon walls as we worked our way upstream looking for some relief from the mid-day heat. Here, we saw a great horned owl, several Say's phoebe and the black phoebe, the raven and the white-throated swift—and we recorded a river-level temperature of 138 degrees.

We finally found a large pool about a mile-and-a-half up the creek where we swam and dived for several hours and lounged in the hot shade. When we headed back to the boat, we ran

into a Sierra Club group from southern California. Included in the party was a man who knew John Turner of the Triangle-X Ranch in Jackson Hole (now Teton County Representative to the Wyoming State Legislature). He reported that John had found a publisher for his book on eagles. (Turner has been leading the battle to discover the facts about the recent killing of Wyoming eagles).

After a mid-afternoon lunch, we boarded the boats to run Upset Rapid, where a boatman had been drowned the previous year when a large (33-foot) pontoon flipped. We made it all right, then camped a mile or so downstream on a series of limestone ledges below a travertine falls that fed lush vegetation: red-and-yellow columbine and ferns and yellow monkeyflowers. Lots of birds here—gnatcatchers, finch, sparrows, flycatchers—and a chuckawalla sunning himself on a rocky ledge (the large lizard another first for me).

By now we are 150 miles down the canyon. The limestone ledges offer a hard bed but a good camp. My diary reads "Up at 5:30 but not on the river 'til 8 in a shadowy canyon narrow enough to throw a rock across—I did." We spent a couple of hours at lovely Havasu Canyon—too narrow for the boats but accessible by Rod's kayak (one at a time) or by swimming in the cold clear water in deep shadow. We hiked only a half-mile up the canyon that would have been drowned by Hualpai Dam, up the canyon where the bright waters flow and fall ("Don't call the color aquamarine; call it Havasu") and where the Havasupai Indians live. I'd like to hike down from the rim some year and spend a few days in the canyon, following the footsteps of Cillin Fletcher (*The Man Who Walked Through Time*), Edward Abbey (*Desert Solitaire*) and Rod Nash (*The Grand Canyon of the Living Colorado*).

On downstream, we ran twenty miles until we came to Powell's "River of fire flowing into a river of melted snow" where volcanic activities had filled the canyon with black lava. This is just a few miles below Toroweap, the highest point of the rim directly above the river, a 3000-foot drop.

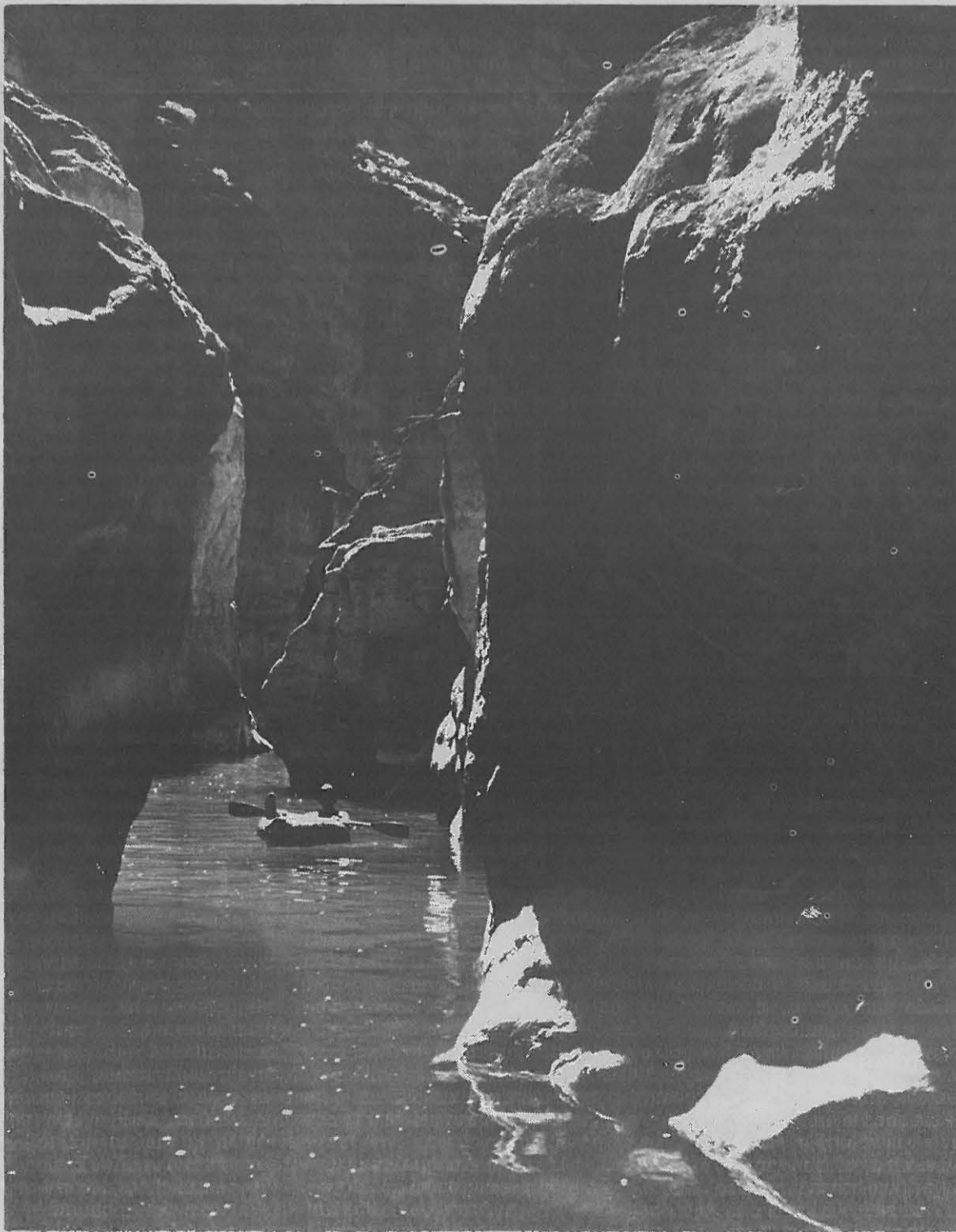
We stopped to examine the falls, a real bear. It was beastly hot in the black lava—here we found our first and only rattlesnake of the whole trip—as we studied the rapid, only a ten-foot drop, but one of the hairiest rapids on the river.

I was in the big boat. We ran it without mishap, but it was the biggest rapid we ran on the whole trip—huge holes and waves with a big black rock rising high on the right and nothing but white water in every direction. In the quiet eddy below the rapid we waited for the smaller craft and watched: they were in the tongue, they disappeared, an air mattress that had been lashed to the craft shot high into the air, then the craft reappeared, but something was wrong: there were only two rafts.

It didn't take us long to see that the third raft had rolled under the second, in spite of the strong, double-direction lashing. (As the too-heavy craft slid back into giant hole instead of breaking up and over the wave, the third boat had simply been run over by the second, throwing its five passengers into the boiling rapids—the whole tangled mess missing the big black rock by a mere three feet). Three men were pulled back into the craft; two more were missing but presently shot to the surface to bob down the rapid like a couple of corks. (They'd been trapped under the third boat but had forced their way out—we picked them up a quarter-mile downstream). It could have been a bad scene, but everyone came out fine. The boat was soon righted and relashed, and we continued on our way to one of the finest camps on the trip (mile 186).

Again, I go to my diary for a description of the campsite: "Sandy beach covered with driftwood, a lagoon full of large logs (Bob Priester and I had a burling contest), sand dunes covered with tall purple-flowering plants that I didn't know, tamarisk and willow on the sand bar, mesquite and cresote bush on the older, higher silt beds; agave and ocotillo, beavertail and fishhook cactus and prickly pear on the rocky hillside—true Sonoran Desert." We saw swifts

(Please turn to page 10)



The Grand Canyon at Toroweap (mile 175) where the steepest walls of the canyon rise to nearly three thousand feet above the river—just a few miles above the biggest rapid of them all at Lava Falls. It's hot in the canyon (mid-June at an elevation of 17000 feet), and we're out of beer. The three ten-man boats sit close to the water, give you the real feel of the rapids, the experience of the river.

# SNOWBANKS IN JUNE



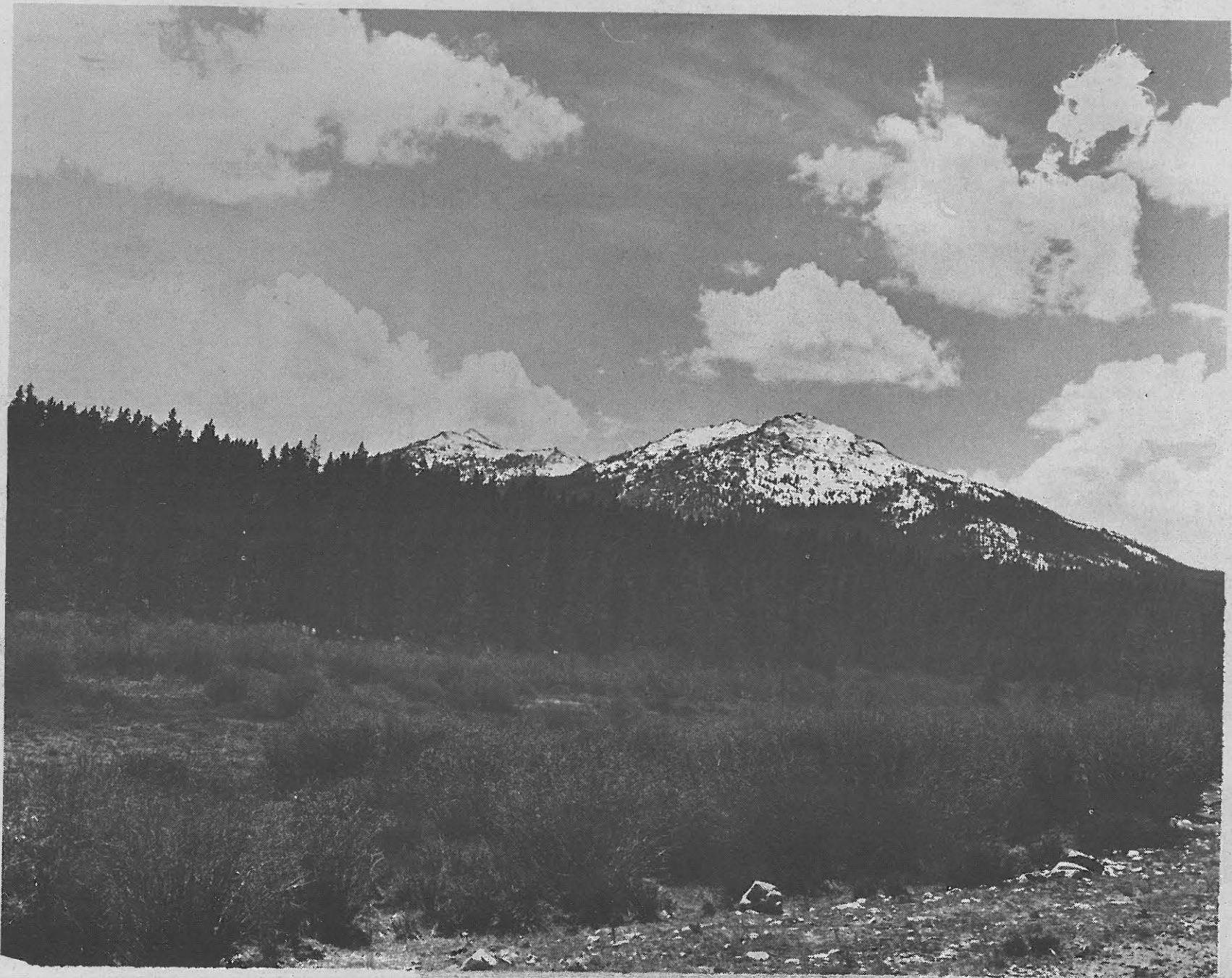
Travelers through the Mountains West often cross the high passes where snow remains into the summer. These are views from Powder River Pass in Wyoming's Big Horn Mountains.



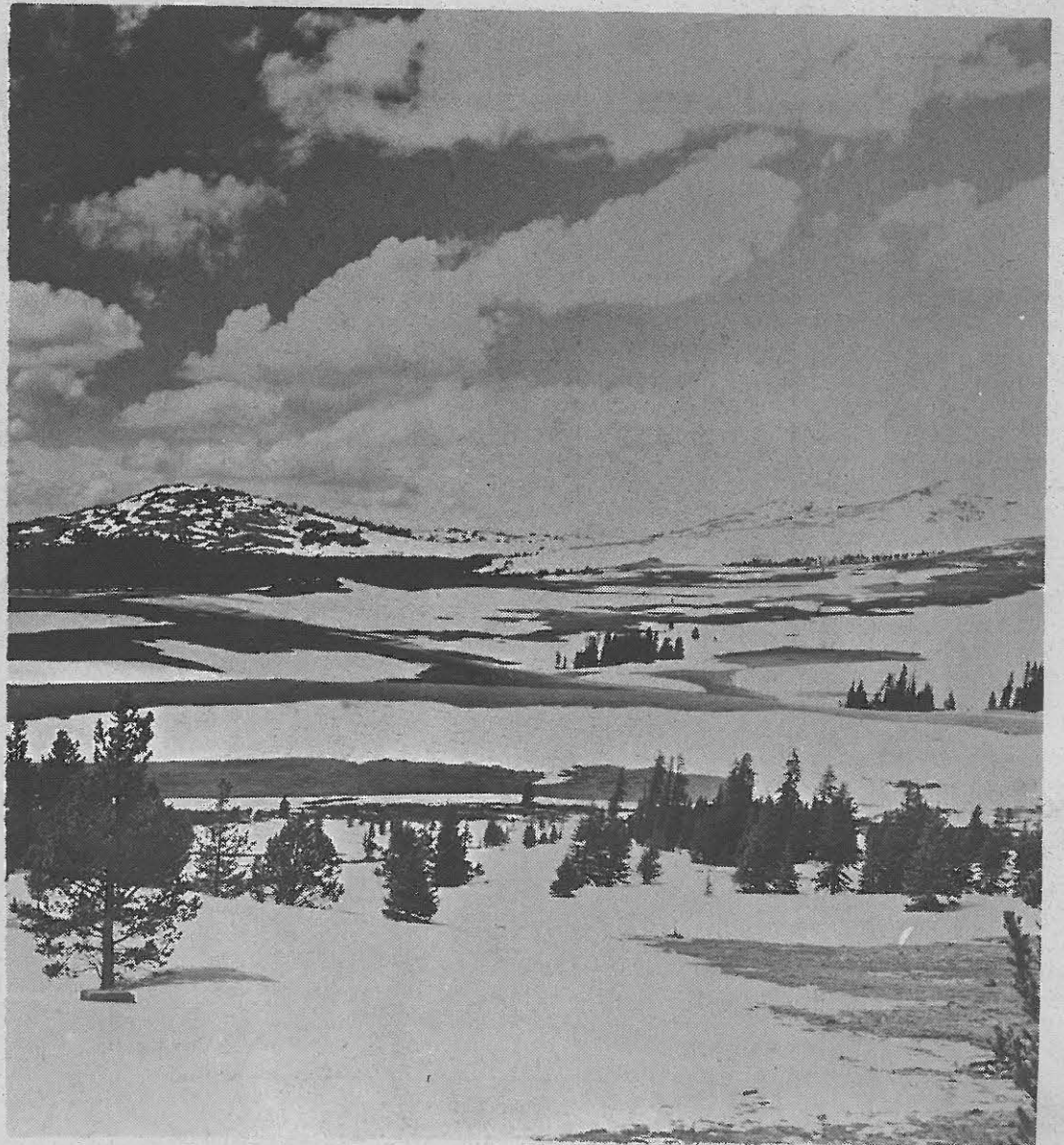
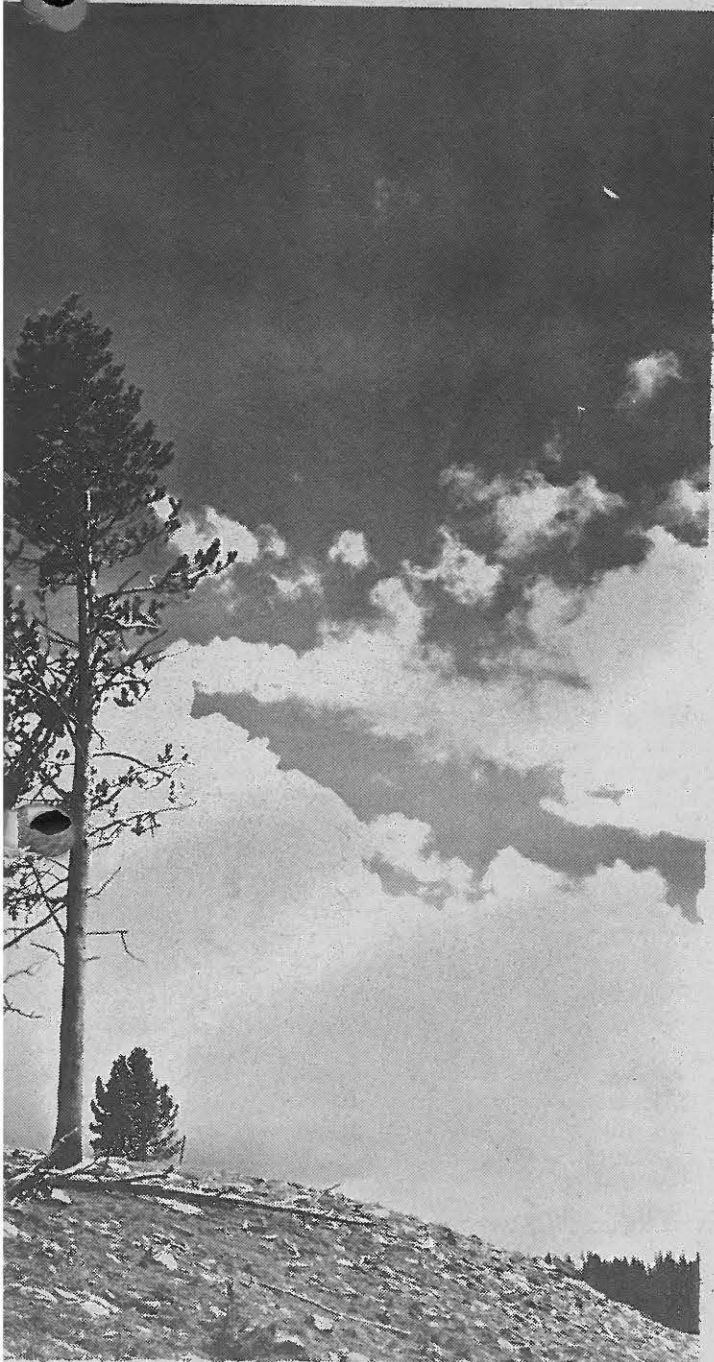


# LE AT TIMBERLINE

High Country News—9  
Friday, June 25, 1971



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Photos by Tom Bell

## Loophole Plugged; Plans Required

by Harvey Manning

from Pacific Northwest News, Copyright  
1971 - Friends of the Earth.

Appearing in this issue of HIGH COUNTRY NEWS are several articles by Harvey Manning, Northwest writer and conservationist who writes for Friends of the Earth publication, NOT MAN APART. Since he writes about events in Washington, Oregon, Idaho, Montana, and British Columbia, we will use some of his material from time to time. It appears courtesy of Friends of the Earth.

The editor.

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On May 6, 1971, Senator Packwood of Oregon introduced in Congress S. 1783, "A Bill relating to the disposition of mineral resources in wilderness areas." Following is the complete text of the bill:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that notwithstanding any other provision of law, on and after the effective date of this Act, all federally owned mineral deposits in non-Federal lands, and all mineral deposits in federally owned lands, within the exterior boundaries of any area designated by or pursuant to the Wilderness Act as a wilderness area are withdrawn from all forms of appropriation under the mining laws of the United States and from disposition under all laws of the United States relating to exploration, location, development, leasing, mining, processing, or other utilization of mineral resources; except that the President of the United States may, prior to January 1, 1984, waive the provisions of this paragraph in any case in which he determines that such action is necessary in the national interest."

The Packwood bill would go a long way toward plugging the "Aspinall loophole" in the Wilderness Act. Letters should therefore be written Senator Henry M. Jackson, Chairman, Senate Interior Committee, Senate Office Building, Washington, D.C., requesting that hearings be held on S. 1783.

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Ten years ago I was turned down by certain National Forests when, as editor of The Wild Cascades and wanting to keep track of logging plans, I asked to be placed on the mailing list for timber sale notices. In effect I was told that since I had no intention of cutting down trees, what happened to them was none of my business. On appeal to higher levels, the decision was reversed.

Next I set out to keep informed, on a systematic basis, of what the miners were up to in the National Forests. To my amazement, I found that not the Forest Service, not the Bureau of Public Lands, not the U.S. Bureau of Mines, not any federal agency keeps a record of claims filed, of assessment work done on these claims, of developments planned. Only by standing watch over every county courthouse, where the diggers must file their claims, can one pursue the pirates who sail under the letter of marque granted in 1872. In the Cascades, most of our information about the miners comes from a network of field agents hiking the trails with packs on backs.

Soon, perhaps, there will be a better way. The U. S. Department of Agriculture, Office of Information, has commenced publication of a newsletter (free on request) called Response: A Report on Actions for a Better Environment. To quote from issue No. 3, dated April, 1971: "Diminishing access to the Nation's mineral wealth is resulting in greatly increasing mining operations by private interest within the 104 million acres of National Forests lands. Such operations are permitted under the Mining Laws of 1872 . . . Currently adequate records are not kept of these operations . . . Efforts are underway now to require anyone planning mining activity on National Forest lands to register their plan with the Forest Service for review and suggested revision. If this procedure is initiated (hopefully this year) the government will be able to keep track of the number, size, and kind of private mining operations in National Forests . . ."

About time.



Montana Fish and Game Director, Frank H. Dunkle (left) holds the American Motors Conservation Award which he received in Havre, June 12. Gay Easton of the Montana Wildlife Federation congratulates Dunkle on the citation which praised the director for his outstanding managerial ability in conservation matters and for his administration of a competent professional staff. The conservation award is presented annually to ten outstanding professional conservationists throughout the United States. Ten nonprofessional awards of a comparable nature are also made by American Motors.

## Multiple Use

The following editorial appeared in the Boise Idaho Statesman, Wednesday, June 16, 1971. Outdoors Unlimited is an organization supposedly dedicated to the multiple use of public land resources. However, the membership is almost exclusively made up of special interest users - grazers, miners, and timber operators.

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While the "set aside" concept was criticized at a weekend conference sponsored by Outdoors Unlimited, and "multiple use" was praised, the group examined only one side of that particular coin.

One reason the concept of setting aside land areas as wilderness, or in parks, has gained is because so much abuse has occurred under the "multiple use" banner.

Outdoors Unlimited basically represents land user groups, including timber and mining. It is opposed to wilderness and park designations.

What "multiple use" ought to mean is that adequate care will be taken for watershed and stream protection, with logging, mining and other activities. Certain areas would not qualify for mining or logging.

In the past too often that care has been lacking. Thus the overbuilding of logging roads nearly wiped out the salmon runs on the South Fork of the Salmon River because of the increased sedimentation of the stream.

A big open pit mine with large tailings deposits qualifies under "multiple use". But it may destroy the aesthetic qualities of an outstanding area, or pollute a stream. Mining can wipe out other uses - just as lack of care on the

South Fork drainage stopped salmon fishing there.

While there is a lot of outdoors, there is not an unlimited supply, and certain constraints must be applied to its use.

If the public could be assured that an exceptional area like the White Clouds would be protected from open-pit mining, under "multiple use" management, there would be less sentiment for remedies in Congress.

One of the speakers, Theodore Hoff, pointed out the weaknesses in the existing mining law. He also suggested that there would be no greater legal protection for the White Clouds with a park than with a recreation area.

Some mining spokesmen and conservationists, too, feel that the chances of avoiding mining would be better with a park. Because it is not governed by the "multiple use" theory, the Park Service should be more likely to resist. Also, a better chance is seen of persuading Congress to buy out mining claims.

If Outdoors Unlimited is concerned about mining in that area, the organization ought to join the opposition to mining. But when it advocates multiple use for the White Clouds, it is advocating mining.

## Floating Rivers...

and swallows, warblers and a western tanager, flycatchers and gnatcatchers and the ever-present raven. We played football on the sandy beach, dressed for dinner (painting ties on our naked chests) and ate a hearty meal—and went to bed early, tired from the exhilaration of running Lava Falls.

Up early for a bit of birding on our last day on the river. Everything after Lava Falls seems anticlimactic—a long run (nearly 40 miles) in the small craft today, and we finally saw wild burros. I took the boat through some of the minor rapids (215-mile and 217-mile rapids) and through miles of narrow canyon full of cross currents and back eddies. Hotter than ever before, and we finally reached Diamond Creek, our take-out point, at 6 p.m. A big booze party—not for me—and a big chili supper and good talk of floating other wild rivers next fall or next year or whenever. I went to bed early, the river gurgling away not far from my sleeping bag in the sand.

Up early enough to see wild burros in the campsite (their home). Then we head up Diamond Creek (flowing) and Peach Springs Draw (dry) to Highway 66 near Grand Canyon Cavern and civilization, by jeep. We see deer and more wild burros and wildflowers, but the

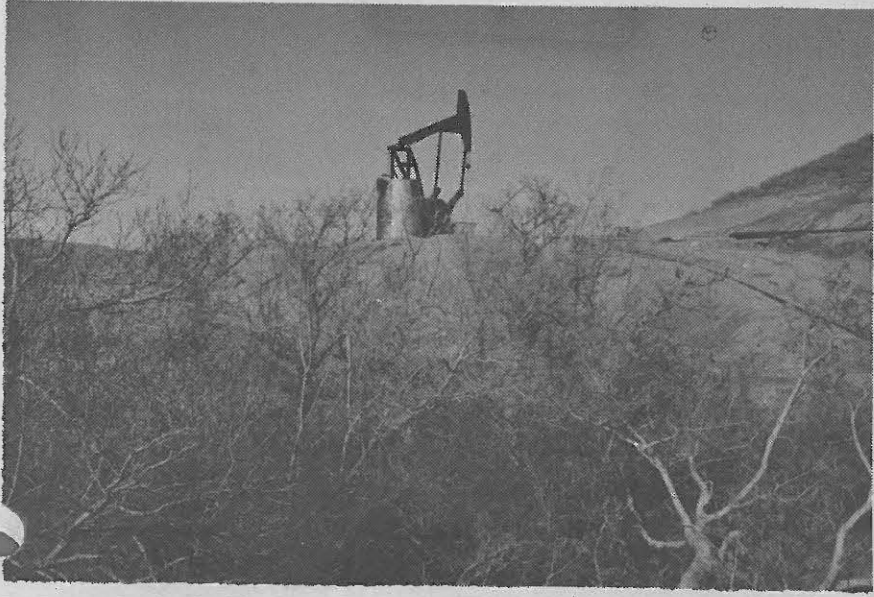
spell of the canyon is left behind, the mood of the river is lost, and I think of John Wesley Powell: imagine Powell and his men floating this river, never knowing whether the next bend might bring an impassable falls, knowing they could never go back and might not be able to walk out (three who tried died).

A river flowing only as much water as the little Snake River in Jackson Hole since Glen Canyon began impounding water in 1963; a dam with a life-expectancy of perhaps 90 or a hundred years—compared to the life of a free-flowing river. And yet a mighty river despite its being deprived of most of its tools, the silt and sand and rocks that are filling up Lake Powell even now, and much of its power—to produce power for consumptive man who must light the strip at near-by Las Vegas where we are stranded for the night for lack of plane reservations.

Yet that river carved the Grand Canyon, and the canyon is a place apart, a place where man can come to grips with himself, can match himself against the forces that shaped him. A place big enough to feel small in, wild enough to appreciate wilderness, quiet enough and isolated from the world enough to find solitude and to find time to think and feel and be.

# The Land Exploited...

High Country News—11  
Friday, June 25, 1971



The lure of great riches from Mother Earth is so great that all other values can only be lesser. Surface resources of land and water are virtually valueless beside barrels of oil or drums of uranium cake. Thus, when an oil company searches for, or finally produces oil, the values are measured in pools of oil far beneath the surface. What happens on the surface is not relevant to profit motives except that pumping stations, storage tanks, pipelines, and service roads must all be accommodated. The oil must flow to the consumer by the most expeditious and least costly route (to the oil company).

Costs to the lands and the watersheds are not considered. The land is expendable when a large drilling and pumping site is needed. Nobody cries over spilled oil - unless the spillage should affect the profit column.

The earth is cut, scraped, gouged, and pushed into gullies. Spoil banks and steep slopes erode and slough away. Water, drilling mud, caustic sodas, and waste oil escape the sumps and seek the lowest levels. All eventually come to rest in the watersheds and quite often in the flowing streams.

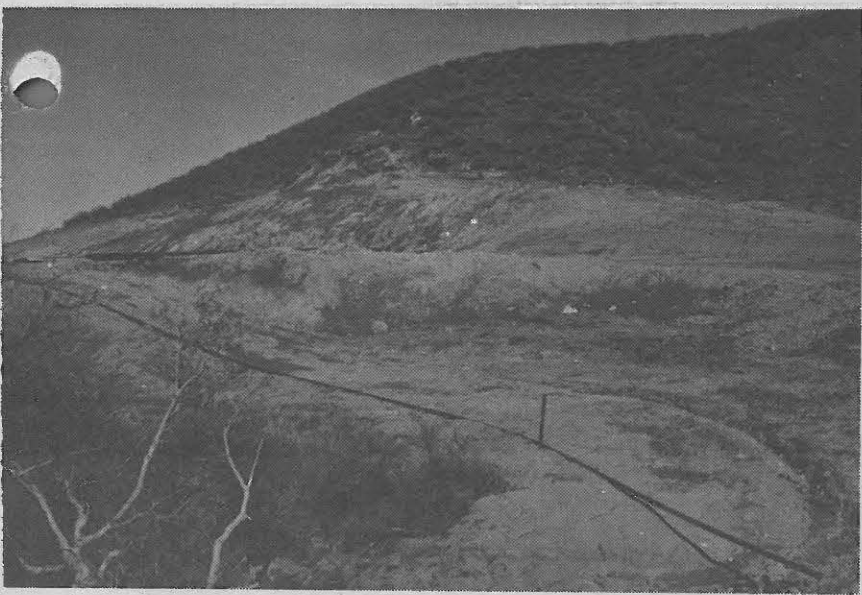


No reclamation of wounded earth is required - hence none is done. There may be penalties for polluted water - if detected - and so operations involving liquids are a little more careful.

This is the sordid story of a land exploited. It happens throughout the West, wherever men seek riches and ignore the land ethic. It happens with oil, coal, uranium, or any other means to quick wealth.

These photos are of oil exploration and production on a State land lease in central Wyoming. Similar scenes are repeated wherever oil is discovered. It might be the Powder River Basin of Montana and Wyoming, or the rich basins of North Dakota, Nebraska or Colorado.

Wherever damage to the land occurs, its protection and restoration should be considered an environmental cost, and, therefore, a cost of doing business.



## Thoughts

from the  
Distaff Corner

By Marge Higley

### Winter--Or the Fourth of July?

There's a lot to be said for Wyoming's weather. As a matter of fact, a lot has already been said about it! For instance: "Only a fool or a newcomer dares predict Wyoming weather." Or: "If you don't like our weather right now, just stick around a couple of hours--it'll change!"

An old friend had his own description. "Wyoming has only three seasons," Mac would say. "There's winter, of course,--and the Fourth of July--." Here he would pause, and his blue eyes would twinkle under the white brows as he continued, "and there's about three months of damn poor skiing!" This was always good for a laugh, but of course it isn't true.

"Of COURSE it isn't true," I kept telling myself, as we drove over Togwotee Pass through a blinding snowstorm during the last week of May!

A favorite sister had come to visit, and we decided that early spring would be a wonderful time to spend a few days in Jackson Hole. I hadn't been there for several years, and it was even longer since Pearl had seen that spectacular chunk of Wyoming scenery. As we headed northward, I found myself humming "Springtime in the Rockies," in spite of the fact that the precipitation probability was obviously about 99.44 per cent. By the time we reached Dubois, the tune had somehow changed to "Raindrops Keep Fallin' On My Head," and going over Togwotee, it was more like "White Christmas." I had expected to see snow on top, but not all this fresh white snow!

Suddenly, the snow stopped, and the late afternoon sun was warm and bright. Spruce trees on a steep slope across from us cast symmetrical black shadows far down into the white gully below. On the other side of the pass, the meadows were turning spring green, and in the distance loomed the Tetons--so high, and so blue and shining that they could easily have been mistaken for clouds.

Both of us cherished memories of camping by the edge of Jenny Lake many years ago, so we decided to drive there first, and then make our plans for the next couple of days. However, by the time we got to Moran, it had started to snow again, and the beautiful blue mountains had changed to a grey, somber mood, so we went straight through to Jackson, where we were happy to find a nice warm motel.

We awoke to a bright sunny morning.

"Well, I guess there really is a Spring, after all," I thought, as we headed up the west side of the river toward Moose, and eventually, we hoped, toward Jenny Lake, where we planned to eat our picnic lunch.

We were in no hurry, and we stopped often to admire the beauties of this bright, sunny morning. The quaking aspen along the roadside, with the sun shining through the new green leaves. A little creek, tumbling wildly toward the river over rocks and logs, and under the edge of a great overhanging snowbank. And those mountains! Too close, now, to appear blue, they were etched against the sky in stark black and white.

We felt a sudden chill as a bank of storm-clouds blotted out the sun's warmth. Almost in awe, we watched the storm move over the mountains. The high peaks faded from sight, one by one, as the wind whipped clouds of snow across the jagged peaks and roared down into the valleys. At times they would loom as grey shadows through the mist, then disappear again as the next gale passed. Shivering, we got into the car, and for a brief moment, I wondered if perhaps Mac had been right about Wyoming weather.

We had loitered so long that it was far past lunchtime, but we were determined to eat our lunch by Jenny Lake, and that's exactly what we did. We sat on the tail-gate of the station wagon (where we were protected from the raw wind) and ate cold sandwiches and drank hot coffee from the thermos.

The storm passed as swiftly as it had arrived. Once again, the sun warmed us, and the mountains reappeared. We walked along the shore of the lake. Snowbanks above were melting, and streams of water were cascading down every wash and gully. There was still lots of ice in the lake--but at the edge of it the pussy willows were bursting. And in more



Bids are pending for another section of paved, high-speed highway which eventually is set to go through the beautiful Clarks Fork Canyon, just south of the Montana line in Wyoming. The highway is planned for a location near the mid-foreground of the photo. It would penetrate the remote, rugged canyon at an immense cost both to the taxpayer and the environment.

## Critical Problem on Columbia

Editor's Note: The following statement was made at a press conference in Portland, Oregon, held by environmentalists and conservationists on the problem of nitrogen supersaturation in the Columbia River. Representative spokesmen at the conference were Pennfield Jensen, editor of CLEAR CREEK Magazine; Larry Cassidy, president of Northwest Steelheaders Council of Trout Unlimited; Art Solomon, vice-president of Northwest Steelheaders; Brock Evans, Northwest Representative of the Sierra Club; Mike Mitchell, Northwest director of SCOPE, and Larry Williams, director, Oregon Environmental Council.

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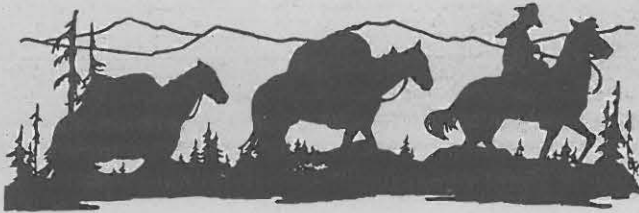
The nitrogen supersaturation problem created by ill-advised projects of the Army Corps of Engineers is perhaps the most critical environmental problem facing the Northwest. At stake is the future--not only of the salmon and the steelhead--but of the entire Columbia River Basin ecosystem. To be gained are the dubious economic advantages of increased electrical

power and "slackwater navigation" from the mouth of the Columbia to Clarkston, Washington on the Snake.

The "cost-benefit" ratio used by the Corps to justify its dams on these rivers is wrong. The "cost" of the death of the Columbia which they have failed to include in their calculations is catastrophic.

The Army Corps of Engineers can be stopped at this point by executive order of the President of the United States. We are united in demanding that President Nixon order the cessation of all present and future Corps projects on the Snake, Columbia and Clearwater Rivers until such time as the supersaturation of nitrogen problem and related environmental hazards are fully dealt with.

We are united as well in demanding that our senators and congressmen urge President Nixon to make this decision. We cannot allow the life in one of the world's greatest and most productive rivers to be destroyed by abuse and neglect. Similarly, we urge all who are concerned to write their senator and their congressman today. It is our last chance to save the Columbia River.



sheltered spots we found many tiny spring flowers--pink and white and yellow, against bare brown patches of earth.

Mac, of course, was wrong--this was a typical Wyoming spring! Belated, perhaps, and not always comfortable, but nevertheless, a promise of what was to come.

As I write this now, a couple of weeks later, the day is hot, and almost sultry. By the time it goes to press--who can say what it will be? I wouldn't dare predict!

## Changes in BLM

Director of the Bureau of Land Management Boyd L. Rasmussen since 1966 has been elevated to a staff position in the office of Secretary of the Interior Rogers C. B. Morton. His duties will include advice on departmental program direction and coordination of new national programs. The latter will include legislative proposals on land use policies, reorganization, and modernization of public land laws.

Rasmussen was brought over to the BLM in Interior from the U. S. Forest Service by former Secretary of the Interior Stewart L. Udall.

Rasmussen's successor will be Burton W. Silcock, 48, a native of Burley, Idaho, and a graduate of Utah State University at Logan. Silcock has been state director of the Bureau of Land Management for Alaska since 1965.

Environmental Spokesman for the Mountain West

## High Country News

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# THE WILD WORLD

by Verne Huser

The Corridor between Yellowstone and Grand Teton National Parks, bordered on the east by the Teton Wilderness and on the west by the Targhee National Forest, has been much in the news of late. First came the Park Service proposal for the creation of the John D. Rockefeller Jr. National Memorial Parkway between the parks and the suggestion that the Corridor be studied for inclusion in a National Recreation Area with the Park Service taking over jurisdiction from the Forest Service.

Such a change of status naturally produced agency jealousy, but I feel that the study—at least at the local level—was basically objective. Many local conservationists oppose any major developments in the Corridor, no matter who has jurisdiction, to take care of the traveling public attracted to Yellowstone and Grand Teton national parks, feeling that the area itself has important values that would be destroyed by too many campgrounds and too many tourist facilities.

Last week I took a white-water float trip on the Snake River through part of the Corridor, the same section of river that the Doane Expedition of 1876 floated on the first attempt to explore the Snake River from its source to the Columbia. The narrow canyon just south of the south entrance to Yellowstone National Park is full of rapids and wildlife; we got a good wetting and saw water ouzels (and their nests), harlequin ducks, moose and otter, sandhill cranes and elk—a really enjoyable wilderness experience.

Yet the chamber-of-commerce temperament and the tourist-trapping businessmen of the three-state area (Wyoming, Idaho, Montana) seem to want to kill the goose that laid the golden egg by bringing more and more people to the Yellowstone area—never mind the fact that Yellowstone is already crowded to the point where people rarely get a true park experience during July and August anymore. Officials in all three states have been critical of the Park Service lack of plans to turn the Centennial Year (1972) into a big drawing card for tourism, but the parks simply can't stand the additional impact. National Parks were not established to bring tourist dollars into Jackson Hole or West Yellowstone or Cooke City.

What is best for the parks for their perpetuation as pieces of original America? And what is best for the Corridor? Should it be part of one of the parks? Should it be a national recreation area? If so, should it be administered by the Park Service or by the Forest Service? Should it be developed for its recreational potential or preserved as an integral part of the wilderness complex of northwestern Wyoming, a part of the free-flowing Snake River complex? All these questions need to be answered before any development or change of status is effected.

And almost before the controversy concerning the status of the Corridor had died down at the local level, a new controversy arose which bears heavily upon the future plans for the Corridor. Bradlaner Enterprises, Inc. of Idaho Falls announced their intention to begin a placer mining operation in the Corridor on 33 gold claims within the Corridor. Many people were downright shocked that the Corridor had been left open to mineral entry, but too few people are familiar with the 1872 mining laws.

Under those archaic laws, a person can file a claim (usually \$1.50 fee for twenty acres), telling no one but the county clerk. He can cut timber on the claim to build houses for himself and his family and his employees, and he can begin mining operations immediately. He can sell the claim, which constitutes a lien against the land, paying no taxes on the transaction because the land actually belongs to the Federal Government. He is not obligated in any way by the 1872 Act to consider the environmental implications of his actions. He can silt up the Snake River so that it no longer supports fish, and so that it runs as muddy as it does right now in the spring thaw throughout the year.

However, under the National Environmental Policy Act of 1969 (NEPA), the Forest Service, a Federal agency, is required to use all protective means at its disposal to prevent, eliminate, or minimize damage to the environment on national forest lands. Which law is valid when two laws conflict (see Sports Illustrated, April 26, 1971, article entitled "When a Law Fights a Law")? The 1872 mining laws have been questioned more and more frequently during this decade of the environment, both in the press and in the courts, and a show-down is imminent.

In a recent letter to the Jackson Hole Guide,



Photo by Verne Huser

Havasu Creek comes in at mile 156.7, where it has carved this shadowy canyon through the rock. Rod Nash in his inflatable kayak relaxes after exploring the approach to the upper canyon, the land of the aquamarine waterfall and flashing cascade. We had too little time to really explore the canyon itself—perhaps we'll hike in from above one of these days. (Rod Nash did a year later.)

## "Multiple User" Responds

In the June 11 issue of HIGH COUNTRY NEWS, we carried a story (on page 3) of a mining venture on the Snake River which was nipped in the bud. It involves 33 placer mining claims for gold on and along the Snake River. If dredging for gold in the important Corridor between Grand Teton and Yellowstone Parks were to be allowed, serious pollution of the Snake River would occur. Furthermore, even though the U. S. Geological Survey has noted the presence of quantities of gold in the gravels of Jackson Hole, it is so fine and mixed with so much sand and gravel that it is economically infeasible of recovery.

Following is the text of a letter to the editor of the JACKSON HOLE GUIDE from the president of the company involved in the mining. It is interesting to note the philosophy of this "multiple user" of the public lands.

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This letter concerning mining development in the area between Teton and Yellowstone Parks, commonly known as the "corridor", is in



Bradlaner Enterprises, Inc. suggested that the Forest Service closure to prevent a major mining operation in the Corridor (see letter this page) was "detrimental to the free enterprise system" and suggested that the closure would harm the economy of the nation at the expense of many. I would suggest that a mining operation in the Corridor would rather be detrimental to the aesthetic resources of the nation, that the 1872 mining laws themselves are detrimental to the free enterprise system, and that the many visitors to Yellowstone and Grand Teton National parks would all suffer from any major mining operation in the Corridor.

Senator Clifford P. Hansen was apparently instrumental in getting the closure to prevent mining in the Corridor, and we owe him our thanks. But this closure is at best merely a stop-gap; the 1872 mining laws must be revised if further threats of this kind are to be avoided. Should we not write our Wyoming Congressional delegates, asking them to support Representative Morris Udall's H. R. 6253 and Senator Henry Jackson's S. 921?

response to a request for a statement made through your newspaper.

It is unfortunate that certain pressure groups find it fitting and proper to sway public opinion and public servants to their point of view, at the expense of many.

This is particularly detrimental to the free enterprise system, the rights and privileges of citizens and the concept of government and its laws created by the Constitution of the United States and the Congress.

We, who enjoy nature and man's right to select and live in his own environment, under this system of government, feel that the "multiple use", concept of the resources of this nation, as conceived by the U. S. Forest Service and other governmental bodies and agencies, is best fitted to meet the needs and desires of all the citizens of the United States.

An economic loss, not sustained, exists only in the minds of the people who would venture forth to make a known economic potential a reality.

Such as it is in Teton County.

It has been stated by reliable and reputable authorities that there are known gold ore reserves, mapped by agents of the U. S. Government, just east of the Tetons, in Jackson Hole, Wyoming, which exceed in gold content, all the gold ever mined in the United States. These known reserves are said to equal 50 cubic miles; some 300 million ounces.

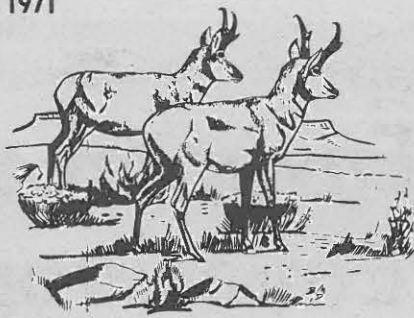
The management of Bradlaner Enterprises, Inc., has clearly stated its intention to begin development operations, in an area of public interest, as soon as practicable.

The Board of Directors of the Company question why this particular area, much less scenic than those areas held by other mining interests, was arbitrarily singled out for protection. There appears no aesthetic or economic justification for such action.

Although the Company believes there was no political motivation behind recent Forest Service closure of this area to earth moving machinery, the Company legal staff is reviewing this matter.

The management of Bradlaner Enterprises, Inc., has been directed by its officers and directors, to point out that the economy of this nation lies in the development of its natural resources and utilization of the economic wealth derived therefrom. Without such development and creation, there can be no means to support the protection of its aesthetic resources.

Robert D. Rudd  
President  
Bradlaner Enterprises, Inc.  
Box 2882  
Idaho Falls, Idaho 83401



## A Baby in the Desert . . .



Along about the first week in June, doe antelope seek seclusion amongst the hills or across the vast reaches of the deserts and plains of the West. Here, they have their babies - diminutive creatures with long, gangly legs that can outrun a man within hours after their birth.

This sequence of photos was taken by Ken Richardson of Lander, Wyoming, while on a trip into Wyoming's Red Desert. The pronghorn fawn was lying on the dirt road as the photographer approached. Then it jumped up and ran, displaying its long legs and ability to leave danger behind.

The Red Desert is one of the last-remaining, undeveloped pronghorn antelope ranges in the country. Studies are now being made to develop management plans for this great natural resource. Many people feel that a large area within the desert should be set aside for special management of the pronghorns and wild horses.

Much of the desert is underlain with coal, oil shale and uranium which is subject to strip mining. Sheep grazers would like to fence and cross-fence the desert for the benefit of their herds. Such developments would jeopardize both the pronghorns and the wild horses.

If you are interested in preserving part of this great area for the benefit of these creatures, write Secretary of the Interior Rogers C. B. Morton, Interior Building, Washington, D. C. 20240, expressing your concern and interest.



# ENVIRONOTES



## Engineer Decries Mining Law

A University of Utah engineering professor and associate dean of the engineering college, Dr. Noel deNevers, says present mining laws can destroy the concept of wilderness and recreation areas. He said in a paper released for publication that "... scarring and destroying of recreationally rich forest lands and mountain areas now to obtain minerals for private profit - minerals already stockpiled and without strategic defensive values - is no longer in the national interest." He also warned against "the environmental hazards of allowing anything less than stringent regulations" in future oil shale production in Utah, Wyoming, and Colorado.

## Utah May Get Oil Shale Plant

Utah Rep. Sherman Lloyd has predicted that a pilot oil shale plant may be in operation by 1976. The lawmaker said he hoped his state would be able to acquire two of the federal leases, totalling more than 10,000 acres. Plant construction and the first significant production of oil could follow in three to five years from acquisition of the leases.

## Nevada Has New Environmental Agency

Governor Mike O'Callaghan of Nevada has appointed an Advisory Environmental Commission, a hearing board, and a State Board of Environmental Protection. In announcing his appointments the governor said, "This may mean the difference between life and death to those who come after us."

## Wyoming Looks at New Agency

Wyoming Governor Stanley K. Hathaway has asked the Legislative Executive Commission on Governmental Reorganization to look at the possibility of an environmental agency. The governor said the state had been waiting to see how the federal government was going to deal with environmental protections, and it was now apparent the Environmental Protection Agency was consolidating various agencies into one. He said it might be possible to bring water pollution, air pollution, mining and reclamation controls, and perhaps others into one state department. The State of Washington now has a Department of Ecology created from a design recommended by the Stanford Research Institute.

## Hells Canyon Moratorium Out

The Senate Interior Committee has reported out a bill which would ban construction of dams in Hells Canyon of the Snake River for seven years. The ban does not protect the area from further inroads by mining, timbering or other developments. Idaho Conservationists are asking for consideration of the Hells Canyon-Snake National River bill (S. 717) which would give the area national park status and preclude further inroads into the great area.

## Study Criticizes Water Waste

The National Water Commission's first study on future water demands has sharply criticized large-scale water diversions and the waste of water by irrigators in the Colorado River Basin. The report shows that 80 per cent of a consumptive uses of water in this country is for irrigation of crops, and notes that most irrigation "occurs in the arid and semiarid West." The report says reclamation projects make water available "at prices below cost, and these low prices stimulate an overuse of water." The study also questions the need for large diversions of water to support irrigation.

## Grazing Fees Back in the News

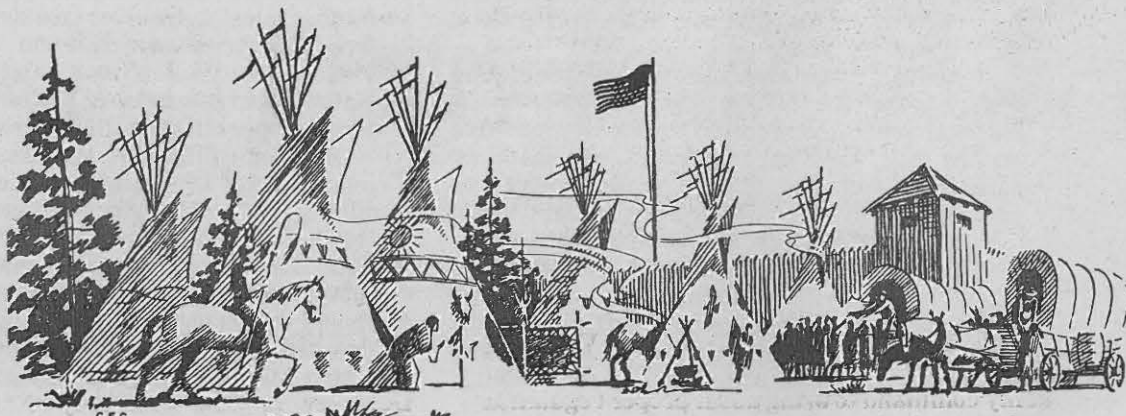
Western senators have sponsored a bill which would take the authority for setting grazing fees on public lands out of the hands of the administering agencies and put it into the hands of Congress. The bill would also severely limit the authority of the Secretary of the Interior in refusing to renew grazing permits. The bill would freeze grazing fees at or near present levels, subject to changes in livestock prices. Under the present system, grazing fees would continue to increase at annual increments until a fair market price was reached. It would result in doubling the present fees.

## Radioactivity Still Not Known

Homeowners at Grand Junction and Durango, Colorado, who used uranium tailings for fill around their houses will not know if radiation constitutes a health hazard for at least another two months. An equipment breakdown at the Southwestern Radiological Health Laboratory at Las Vegas will prevent analysis of raw data.

## Mining Act in Force Soon

Montana's new Hard Rock Mine Reclamation Act may be put into force as early as mid-September. A public hearing held to discuss proposed regulations brought reactions of general satisfaction although some witnesses wanted tighter regulations on stream alteration and water pollution, and a means of refusing mining permits where ecological values were important.



# Eagles vindicated...

was not required to remove any of the illegal fencing.

The charges against the five men are considered "low misdemeanors." The maximum sentence for a conviction would be a \$100 fine and the possibility of six months in jail on each count.

Irvine was released on a \$3,000 bond. His trial date was set for July 13-15 in Justice of the Peace Court in Casper.

Commenting on the arrests, Dr. Elvis Stahr, president of the National Audubon Society, said the eagle deaths did not end with the arrests. In a statement issued from his New York office, he said in part, "As the Audubon Society testified at a congressional hearing in Washington earlier this month, these killings will continue until the government adopts strict controls over the use of poisons in the environment and puts an end to the whole concept of wanton destruction of birds and wild animals and an end to the outdated philosophy that "varmints" should be shot on sight.

"Ranchers' livestock can be protected without destroying our wildlife heritage."



William D. Ruckelshaus, administrator of the Environmental Protection Agency, says his agency is powerless to stop the use of poisons. He said he could not prevent further accidental poisonings of rare or endangered species unless Congress strengthens pesticide-control laws.

He told a Senate subcommittee investigating the eagle deaths that "instances like this will continue to occur."

Ruckelshaus testified that, "six shipments of ... thallium, 65 pounds in total were made to ranchers in Wyoming during 1970 and 1971. Four of these ranchers used the thallium to bait carcasses."

Evidence turned up by the Wyoming Game and Fish Department indicates the thallium was dispersed to many areas of Wyoming.

The federal government has already moved to suspend registration of thallium and the Environmental Protection Agency has issued an order to ban interstate shipment of the poison.

The Wyoming State Board of Agriculture met and decided to remove thallium sulfate from the list of registered pesticides for a six-month period.

A news release on the meeting said the six-month removal was done pending further study of the predatory animal control program being conducted in Wyoming.

The Wyoming Outdoor Coordinating Council, a spokesman for many conservation and environmental groups, adopted a resolution on May 22 and presented it to Governor Stanley K. Hathaway. The resolution asked for a comprehensive state investigation of the whole matter of the use of poisonous substances.

Governor Hathaway's reply of May 26 said, "It is unfortunate that the pesticide application and control act that I proposed to the 41st Legislature was not adopted. Despite the accent given this legislation in my message to the Legislature, it attracted little public interest and even little support from the environmental organizations represented by the Wyoming Outdoor Coordinating Council. This bill and other environmental legislation was lost in the Legislature because of lack of support and extreme concentration by environmental groups upon the Green River legislation. (A concentration of effort to keep the governor from ramming through legislation which would have given the state the power to dam and divert the waters of the Upper Green River - editor.)

"I reiterate that this was unfortunate because the pesticide application and control act would have given the State Government the capacity to do some of the things that the resolution of the Outdoor Coordinating Council suggests. (The governor does not mention the fact, however, that his ranching constituents in the State Senate had so riddled the pesticide application and control act with special interest amendments that it would not "have given the State Government the capacity" to act in the public interest. The bill was not even considered in the House because of this - editor.) Very frankly, we do not have adequate funding, personnel, or authority to make a complete investigation of the importation, possession, sale, transfer, use and other disposition of all poisonous substances within the State of Wyoming.

"This does not mean that we intend to sit on our hands until the next session of the Wyoming Legislature. I intend to use all of the resources at my command to bring about proper regulation and control of pesticides and other poisonous

substances. Any information that is obtained in the process will certainly be made available to the citizens of Wyoming."

Thallium sulfate is an odorless and tasteless chemical that looks like common table salt. It is so dangerous that one gram can kill a 155-pound man. (Ten grams equal approximately one-third ounce.)

During Lawrence's investigation, he found that one rancher had used 25 pounds of the poison to bait the carcasses of 30 sheep and two cows.

Wyoming's sheep ranchers maintain that predators cause excessive losses and that they must use every means to control them. According to the State Board of Agriculture, predatory animals, including eagles, constitute one of the major management problems for the sheep and wool industry.

The Wyoming Cooperative Crop and Livestock Reporting Service reported on April 26 that ranchers claimed a loss to predators of 130,200 head of sheep and lambs for 1970. It said this was 35 percent of the total loss, as compared with 29 percent lost to predators in 1969.

The report showed a loss of 8,400 head of lambs and 200 sheep to eagles in 1970. That compares with 6,700 head of lambs and no reported losses of sheep in 1969.

The same report showed a loss of 22,400 head of sheep and 72,600 head of lambs to coyote predation. In 1969, the figures were 21,000 head of sheep and 59,600 head of lambs.

The president of the National Woolgrowers Association, Vern Vivion of Rawlins, Wyoming, has suggested that a ban on all hunting and fishing in Wyoming might be one way to aid in predator control.

He said he would ask the environmental committee of the Woolgrowers to consider such a suggestion at a meeting on June 29 at Jackson Lake Lodge.

Vivion said, "There is a possibility that if the hunting of all wild game were stopped, there would be a larger and more natural food supply for predators, especially the coyote. And this in turn might have a marked effect on the number of domestic livestock killed by predators."

Vivion continued, "The reproductive ability of the uncontrolled coyote might tax the combined abilities of the elk, deer, antelope and even rabbit to propagate to maintain the desired balance, but this together with an efficient repellent applied to domestic livestock could very well be a solution to this nagging problem."

Vivion also said the taking of fish from streams, lakes and rivers by sport fishermen has materially reduced the food supply of the bald eagle. He said if this food source were protected, it would eliminate the necessity of the eagle to seek other food sources.

Another sheepman, this one from Texas, has come to the support of the Wyoming sheepraisers. Walter G. Downie, in a letter to THE NATIONAL OBSERVER, said a typical "adult golden eagle in the area where I live will, during the approximately three-month lambing season, kill an average two lambs per day.

"Usually he will go out early and kill a lamb for breakfast. Then, after a few hours digesting his one, he will nail another one for supper. Luckily for us sheepmen, the typical eagle usually skips lunch."

Back in Washington, Assistant Secretary of the Interior Nathaniel P. Reed said the Wyoming eagle problem demonstrates that tougher agency actions and tighter laws are needed to protect America's national bird and other species in danger of extinction."

## McKinley Magnificent

One of nature's most magnificent sights is Mt. McKinley, 20,320 feet of grandeur. Now, through June 30, Alaska visitors can take advantage of a special bargain tour to see McKinley, and the teeming wildlife that populates the slopes of North America's highest peak. The three-day "McKinley Safari" travel package includes transportation to and from McKinley on the Alaska Railroad, two nights of lodging at famed McKinley Park Hotel, the fabulous eight-hour tundra wildlife tour, and a varied collection of nature talks by park rangers. Total cost is \$49.50 per person from Fairbanks or \$59.50 from Anchorage, children under 12 free when accompanied by their parents.

If you can't take advantage of this wonderful bargain, but plan to be in Alaska later in the season, McKinley Park Hotel still has openings every day through September 12 in the newly-expanded facility. For reservations write: Mt. McKinley National Park Co., Reservation Department, Mt. McKinley National Park, McKinley Park, Alaska 99755.

## Environmental Eavesdropper

LOONEY LIMERICKS

by Zane E. Cology

A camper called "Hotshot" McGuire  
Is not a guy to admire.  
He can cast a great fly--  
Has a true marksman's eye--  
But leaves camp without drowning his fire.

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Two University of Nevada professors have designed an automobile engine which would be fueled by liquid nitrogen. The two mechanical engineers say the pollution-free engine would be noiseless and economically competitive with the internal combustion engine.

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Scientists from 25 countries gathered at an international conference on nuclear fusion research say that nuclear fusion power will not be possible until at least the year 2000. The fusion power is considered to be an answer to the demands for an unlimited supply of electrical energy without environmental side effects.

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William D. Ruckelshaus, administrator of the federal Environmental Protection Agency, told a press conference in Denver that of the three major types of pollution, agricultural pollution is the least adequately controlled. He said his agency is accelerating programs designed to see that agricultural pollution is subject to controls as strict as those already imposed on domestic and industrial pollution.

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A Gallup poll shows 67 percent of the American public is in favor of youth conservation camps. The majority would back a proposal to require all young men between the ages of 16 and 22 who are out of school and out of work to join a youth conservation corps.

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Actress Shirley MacLaine, told the National Democratic Club that what the world needs is fewer babies. The first woman ever to address the club in its 137-year history also suggested that the government should stop taxing childless couples more than parents, that there be more voluntary sterilization for men, and luxury taxes on diapers and rattles.

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A survey for the Association for Voluntary Sterilization revealed that more American males were sterilized last year than in any previous year. Some 750,000 men were sterilized in 1970. The association has estimated that about 75 per cent of all sterilization operations are now performed on men. It said about 3 million citizens of childbearing age are sterilized.

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Dr. George Bergstrom, professor of food science, nutrition and geography at Michigan State University, says mankind is hurtling into a hunger crisis that science alone cannot stop. The food expert says that earth's resources are dwindling rapidly and no scientific trickery can meet the food demands of an ever-spiraling population.

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An official of Owens Corning Fiberglas Corp., Charles E. Peck, contends that inefficient buildings are wasting millions of barrels of heating oil, billions of cubic feet of gas, and millions of kilowatts of electricity each year. Because of the push on low first-cost, buildings are inefficiently designed from an energy conservation standpoint. He said reflective windows to avoid heat buildup and greater insulation thicknesses would conserve much energy.



Black Canyon of the Gunnison National Monument near Montrose, Colorado is a spectacular granite gorge sculptured by nature for 2 million years. In the canyon's deepest part, about 10 miles in length, the depth ranges from 1,730 to

2,426, while the width narrows to 1,300 feet at the rim and as little as 40 feet at the bottom. Rim drives with overlooks and foot trails to the canyon rims take the visitor into this awesome world of somber solitude.

## VIPs Recreate History

The Department of the Interior's National Park Service has opened its ranks to "Volunteers in Parks, known as VIPs," a new program inaugurated this spring at Scotts Bluff National Monument. Eleven individuals have signed up to help with the summer interpretive program.

Starting June 19 at 5 p.m. and continuing on weekends throughout the summer, the VIPs will

### "Tune in" on Park

International Telephone and Telegraph, of San Fernando, California, has been awarded a contract in the amount of \$11,662 by the National Park Service for the purchase of 30 low-powered radio transmitters for Yellowstone National Park, Superintendent Jack K. Anderson announced recently.

These small transmitters will be located along park roads, at entrance stations, viewpoints, parking areas and in thermal basins broadcasting interpretive and safety information to park visitors. The messages will be received by visitors over their personal car radios by tuning into 650 on their radio dial. It is anticipated that the transmitters will be put into operation in early August.

The radios are considered a major improvement in providing increased services and information to visitors to Yellowstone and an important addition to the park's safety program.

They offer an opportunity to contact visitors inside their vehicles, encourage them to take fuller advantage of the park's resources and acquaint them with unfamiliar hazards which they might encounter in the park. Many of the messages will stress that visitors should get out of their cars and walk the trails in order to fully appreciate the natural values of Yellowstone.

Statistics indicate that fewer than 5 percent of the visitors passing a wayside exhibit actually stop and read it, whereas 50 to 80 percent of visitors passing one of these radio stations will tune in. Through the use of the radio system a significant increase in the number of visitors contacted is possible with very little visible intrusion on the roadside scene, Anderson said.

help conduct a living history demonstration at the Monument. They will recreate a camp scene on the Oregon Trail. VIPs in costumes of the 1850 period can be seen making camp at their Conestoga Wagon. They will reenact such routine skills as meal preparation, wagon wheel repair, and demonstrate the use of various items used by the pioneer travelers.

The volunteer program allows talented and knowledgeable people the opportunity to serve the visitor and their country in furthering some of the programs of the Service. Volunteers will not be used to replace full time or seasonal Park Service employees, nor will they be used in maintenance. The VIP will not be considered employees of the Federal government except for coverage under the Federal Employees Compensation Act for work-related injuries.

Life on the trail was not easy and this the VIPs will try to convey to those who are interested in history. Visitors are urged to stop by between 5 and 8 p.m. on Saturdays and Sundays to learn more about our heritage.

## Careless Fires Cost

The United States Attorney has accepted \$25,000 settlement for the suppression costs and damages of the Sheep Park Fire which in 1968 burned 160 acres of timber and rangeland on the south slope of Green Mountain, near Jeffrey City, Wyoming.

In making the announcement, Daniel P. Baker, State Director of the Bureau of Land Management in Wyoming, said that the settlement was made after civil suit was filed against Roberts Drilling Company of Casper.

The fire broke out when two employees of the company were using a butane torch to heat coffee at the drilling site and were unable to control the flames as they spread to the nearby grass and sagebrush.

"Careless and negligent use of fire is a serious hazard on much of the public land in Wyoming," Baker said, "people who start fires may be liable for the cost of putting them out as well as the value of the lost resources."

## Activities Scheduled

The summer visitor activities schedule for Wind Cave National Park in South Dakota has been announced by Superintendent Lester F. McClanahan.

Traditional cave tours are offered daily from 7:30 a.m. to 6 p.m. every one half hour to every 15 minutes.

Seven special candlelight tours are scheduled from 9 a.m. to 4:30 p.m. daily.

Beginning on June 21, three 4-hour cave crawls will be given by Park Rangers each Monday, Wednesday and Friday. Reservations are required in advance for this tour.

A 2-hour long evening auto caravan leaves the Elk Mountain Campground daily at 6:30 p.m. The caravan features views of wildlife along Park roads.

Beginning June 20 a morning auto caravan will also leave the Elk Mountain Campground daily at 7 a.m.

A 4-hour nature hike into various areas of the Park will leave from the campground each morning at 8 a.m.

Campfire talks will be given each evening at about 8:45 p.m. in the campground amphitheater on area geology, wildlife, scenic attractions, and other subjects.

## Tour Recorded

A recorded cassette tape tour of the Black Hills has been marketed by three Rapid City, South Dakota, men, Dr. A.J. Barrett, Bill Robinson and Jim Twedt.

The three men form the Paha Sapa Features organization which has produced the tape covering points of interest along a tour through Keystone, Mount Rushmore, Iron Mountain, Custer State Park, The Needles, Hill City, Custer, Pactola Lake and Highway 40.

A brochure accompanying each tape includes a map of the area and points out that the tape is strictly subjective. "It doesn't make choices for you .... just gives you the selections to be made for picture taking, dining, stopping, seeing and relaxing."