

The Environmental Bi-Weekly

# High Country

# News

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Lander, Wyoming

Friday, June 6, 1975



Both the Charles Sheldon Antelope Range in Nevada and the Kofa Game Range in Arizona provide essential habitat for desert bighorn sheep (see centerspread). The Kofa Game Range covers 660,000 acres in southwestern Arizona. Besides sheep, it provides habitat for mule deer, ring-tailed cats, and peregrine and prairie falcons. The Sheldon is famous for its 578,000 acres of high desert mesa and rolling hills. It contains bald eagles and antelope, as well as bighorn. Desert bighorn photo courtesy of the National Park Service.

## BLM is new manager Game range transfer threat to wildlife?

by Marjane Ambler

In Reno, Nev., last week the miners who want access to the natural resources of the Charles Sheldon Antelope Range and the conservationists who would preserve the land and wildlife resources confronted one another at a Congressional oversight hearing. The hearing concerned the decision announced Feb. 15 to transfer three game ranges to the sole management of the Bureau of Land Management after years of dual management with the Fish and Wildlife Service. The occasion was noteworthy because it dramatically brought to the floor of the hearing

room all of the opposing interests.

After former Secretary of Interior Rogers C.B. Morton announced the long-expected change in management, 25 environmental organizations from across the country immediately sent a telegram of protest. A few Congressional leaders also reacted negatively and soon presented legislation to reverse the Secretary's action and to require Congressional approval of any future transfers.

Why the furor over three game ranges, little known except to locals and wildlife devotees? Who had heard of the Kofa Game Range in Arizona, the Charles Sheldon Antelope Range in Nevada, or the Charles M. Russell

National Wildlife Range in Montana — before conservation organizations and diligent columnists started reporting on the transfer?

The three ranges together encompass more land than the National Parks System. They have been managed, since their creation in the late 1930s to protect wildlife, by both the U.S. Fish and Wildlife Service (FWS — formerly the Bureau of Sports, Fisheries and Wildlife) and the Bureau of Land Management (BLM). The FWS managed the wildlife resources, and the BLM was in charge of

(continued on page 4)

# Letters



## TENO ATTACKS STRIP BILL CRITICS

Dear HCN:

I truly regret the massive campaign of misinformation and distortion by the Administration and some coal and utility companies in order to defeat the strip mining bill.

Our nation cannot afford to go much longer without the protection and regulation contained in this legislation. There is a real possibility, however, that the present bill may be killed because of the President's veto May 20 and the effort by special interests to misrepresent the intent and contents of the legislation.

To set the record straight:

This bill will allow the extraction of coal in the West by strip mining, but in an orderly and planned fashion. It is not a lock-up bill. It rather balances the need for coal to meet our energy needs and the desire to preserve some semblance of the land and life we now enjoy in the West. Charges that it will prevent strip mining are without basis.

A reclamation fee of up to 35 cents per ton is assessed for purposes of reclamation of abandoned mines, for subsidence problems (such as in Rock Springs), and to provide financial assistance for construction of public facilities in rapid coal development areas (such as Gillette, Hanna, Rock Springs, and Kemmerer). At least 50% of these revenues are directed to be used in the state collected. With the price of coal reaching four to six dollars per ton at the mine and \$15 or more per ton at delivery, a 35 cent per ton reclamation fee is going to have little effect on electric bills or the profits of the coal companies.

Some have said we have a state law and don't need federal strip mine regulations. Wyoming does have a law, and where it is stronger than the federal law, its provisions will prevail, if the bill passes. However, about 50% of Wyoming's land is federally owned. We must have federal regulations to deal with strip mining on federal lands; the state law will not suffice.

Prior to the House vote June 10 on overriding the President's veto, the House Interior Committee will hold hearings to provide the Administration an opportunity to verify charges against the bill. Among these are that 36,000 people would be thrown out of work. Former Secretary of Interior Rogers Morton testified before our committee that more jobs would actually be the result. Furthermore, the Bureau of Mines tells me that only 35,200 people were working in strip mining operations in 1974. How 36,000 could be thrown out of work because of this bill, I have no idea, but that is an indication of how this legislation has been misrepresented in efforts to destroy it.

I do believe that the bill is essential for Wyoming's coal development, both for the orderly extraction of the resource and to assure adequate protection for our lands, water, and way of life. It is a bill which merits the support of every Wyoming citizen. I will continue to support it and work to override the veto.

Respectfully yours,  
Teno Roncalio  
Congressman for Wyoming

(Editors' note: For more discussion of the criticisms of the strip mining bill, see page 10.)

## ARTIST CONCERNED

Dear High Country News,

I have enjoyed your publication for about two years now, and look forward to receiving it for many years to come. I regret that I am financially unable to help you out at this time. However, I would be more than willing to help in any other way I can. I live in Greeley, Colo. and am a photographer and artist with a deep concern for our mother earth. Please find enclosed an example of my work — the only kind of donation which I can give at this time. My great-grandparents were pioneers in this area, and I feel that I have a duty and obligation to preserve and protect it.

If I can in any way be of service, please let me know. Also please keep this photograph (original print) as a gift

to do with whatever you wish. Keep up the good work — more people need you. Will do what I can here to raise more subscribers. Thank you.

Sincerely,  
Robert M. Gillespie  
Greeley, Colo.

## HOW I CRY FOR YOU!

High Country News People:

At a public hearing on Colstrip Units 3 and 4 held in Missoula, Mont., Jan. 9 a ranch woman from the White Sulphur Springs area read this poem (song). I got a chance to chat with her later and found her to be one of the most amazing persons I have ever met. She was really down home. She asked me to submit this poem to your paper. This lady lives by herself in the back country. Has no phone, gets no paper, and very seldom comes out. But she is still as sharp as a tack. Thought it would be an asset to your paper.

Regards,  
Pat Smith  
Director, Student Action Center  
University of Montana  
Missoula, Mont.

OH, MONTANA! HOW I CRY FOR YOU!  
(Tune: "Oh, Suzanna" or read as a poem)

I had a dream the other night,  
When everything was still;  
I dreamed I saw the M P C  
A-coming up the hill; (Chorus or not)  
A rate increase was in its mouth,  
A tower in its eye,  
A ten-ton truck was headed south,  
Montana, don't you die!

CHORUS:  
Oh, Montana  
How I cry for you!  
(For) it's Power over People;  
You'll be skinned alive anew!

The 'lectric line was energized  
And killed five hundred critters;  
The Broadview line's been authorized,  
Say, how are ozone fritters? (Chorus or not)  
The Colstrip units three and four  
Are more than you can stand;  
The water's gone, the lungs are sore,  
You cannot read a brand! (CHORUS)

They say they'll fix it all up fine  
When guts and blood are mined;  
They want your life; they want your wine,  
And all the papers signed. (Chorus or not)  
Reclamation has its place;  
Here, man has tried to wrest it;  
But strip you down without a trace,  
No way to go but 'gainst it! (CHORUS)

Old M P C is hell on wheels;  
It's time the ranchers spoke  
Ground Anaconda 'neath their heels  
And put the head to soak! (Chorus or not)  
The M P C is filthy rich  
And spends a lot of money;  
Don't fall for its deceiving pitch,  
For they just think we're funny! (CHORUS)

Rosebud County's bleeding fast!  
The Yellowstone's dewatered;

The Ship of State has but one mast,  
And it has almost faltered. (Chorus or not)  
Don't be misled; their lies are rot,  
We're not against the wall.  
New ways exist; it can be got,  
There's energy for all! (CHORUS)

Farmers, ranchers, one and all,  
You'll lose your way of life;  
Irretrievably to fall  
To damnation and to strife! (Chorus or not)  
So if you love Montana much,  
Ride hard and search your soul;  
Don't let her die or feel the clutch  
Of P U's grabbing coal! (CHORUS)

## TETON JETPORT

Dear HCN,

Could you tell me if a jetport has been or will be put in at Jackson Hole, Wyo.? When I read of the idea, I was just floored. I love the Tetons, have been there many times before, and will return many times again. But the roar of jet aircraft in Jackson Hole country would destroy most of the reasons why I go there. I am not an outdoorsman, but that would be the desecration of something truly wild and beautiful and worth preserving in its quiet, natural state.

Sincerely,  
David C. Johnson  
Columbus, Neb.

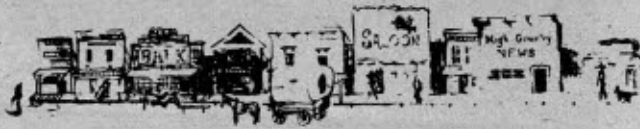
(Editors' note: In March, 1974, the National Park Service issued its final environmental impact statement (EIS) recommending against expanding the existing 6,300 foot runway in Grand Teton National Park to 8,000 feet. The runway extension was requested so that commercial Boeing 737 jet aircraft could land in Jackson Hole. The EIS recommended construction of other "improvements" at the Jackson Hole Airport including a parallel taxiway, parking lot, air traffic control tower, and flashing light landing system.

In May, 1974, Secretary of Interior Rogers C.B. Morton announced that all improvements, except runway extension, would be made. Morton called for a regional transportation study to look into alternate sites for the airport, before granting the runway expansion. He did not rule out the possibility of lengthening the runway to accommodate jet traffic, as the National Park Service had recommended.

Since last year, work has begun on the regional transportation study. However, some people feel that the capital commitment to improvements at the existing airport will weigh heavily against the proposal to close down the airport and relocate it outside the boundaries of Grand Teton National Park. They see the improvements as a foot in the door to seek establishment of a permanent expanded jetport in the park at the regional transportation study meetings.

Another political development that will influence the outcome of this controversy is the selection of a new Secretary of Interior to replace Morton. President Gerald R. Ford's nominee — former Wyoming Gov. Stanley K. Hathaway — is on record in favor of extending the runway to accommodate jets. If Hathaway is confirmed, a major battle over the airport could ensue. At the center of the controversy will be the new director of the National Park Service, Gary Everhardt. Everhardt was superintendent of Grand Teton National Park in 1974 when the Park Service recommended against extending the runway.)





# Hathaway flip-flops on strip mine bill support

by V. Crane Wright  
Citizens for a Good Secretary of Interior

On May 5, in confirmation hearings before the Senate Interior Committee on the nomination of Stanley K. Hathaway to serve as Secretary of Interior, Sen. Floyd Haskell (D-Colo.) asked Hathaway whether he would recommend to the President a signature or a veto on the Congressionally-passed strip mining bill. Hathaway replied that he had not seen the final conference committee version of the bill. Whereupon Haskell instructed Hathaway to do his homework and appear before the committee the following day with some substantive answers.

This was but one of a long string of Hathaway's similar responses. Time and again, before the committee, he pleaded ignorance (e.g., "I have not read the bill.") on key, high profile legislation in which the U.S. Interior Department is involved. It is obvious, from the hearing record that Hathaway was avoiding any commitment on these matters, which are of extreme import to this country's environment and resources. Given the more than two week span of the Interior Committee confirmation hearings, there's absolutely no excuse for this gross lack of diligence.

On May 6, Hathaway returned to the hearings having done half his homework. When Haskell and Sen. James Abourezk (D-S.D.) queried him about his stand on the strip mining bill, he was overwhelmingly positive in both both statement and tone. Some of his assertions were:

- "I like the bill. I think it is workable."
- "I think it is fine."
- "Yes, I would hope it would become law."
- "I like the bill."
- "I think it is the kind of bill the States can work with."

However, Hathaway very carefully couched these answers — designed to convey his seeming approval of the strip mining bill — with qualifiers. And he carefully left himself a loophole which would give him a logical (if devious) excuse for supporting a veto.

Thus we have the following sequence:

- May 6: Hathaway conveys impression that he supports strip mining bill.
- May 20: President Ford vetoes strip mining bill for reasons of economy and employment.
- May 21: Senate Interior Committee confirms Hathaway's nomination.
- May 21, immediately following committee vote:

Hathaway announces his support of the President's veto of the strip mining bill.

The details of this maneuvering are reported in the May 22 Rocky Mountain News.

We would simply submit that it is deception like this

that has already severely wounded the people's confidence in the federal government. Hathaway's deviousness on his position on the strip mining bill goes directly counter to the canons of directness and honesty so badly needed today.

Who is to blame for this? We cannot be so naive at this late date as to blame private interests who push for selfish goals. That has always been the way of things. Nor can we blame the Bureau (of Reclamation) employes who swim with the tide. . . . Nor, of course, can we blame the politicians, for we elect them.

When will the time come when Americans, who probably possess more information about the environment in which they live than any other people in history, will use this knowledge to keep it beautiful, resilient, and

healthfully productive? The unfortunate answer is, only when conservationists provide administrators, advisors, and politicians with the courage and backing to speak out and take action. We are to blame. These people are waiting for a clamor of voices, a barking of watchdogs, a commotion, and we are not providing it.

Alfred G. Etter  
GRAND CANYON : RESERVOIR OF THE UNKNOWN DEFENDERS OF WILDLIFE NEWS, April 1965



## Editorial

### Western governors' mallet lacks weight

The mighty mallet the governors envisioned when they formed the Western Governors' Energy organization is turning out to be formed of such diverse materials that its strength is nil. Last week Gov. Ed Herschler admitted that the 10 governors could not even agree on something as obviously essential as the federal strip mining bill.

According to an Associated Press story, Herschler said that most of the governors would like to see the veto overridden. However, at least two of the governors approved of the President's action.

When the organization was in the formative stages, there were defiant statements made insisting that this new alliance would assure a voice for the West in energy decisions. However, the iron will of two or three of the first members has been alloyed with those who are more easily yielding. The governors hoped to add clout through numbers.

If the strip mining bill tally is any indication, it isn't working. —MJA

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Box K, Lander, Wyoming 82520

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## Game ranges...

(continued from page 1)

mining and grazing.

Both conservationists and the Interior Department agreed the management was not working well under the dual system. As Asst. Interior Secretary Jack Horton said at the Western Governors' Conference in April, the decision to change was "simply an administration decision based upon the long-established principle that two cooks spoil the broth. . . . We had two people trying to manage a piece of land under the same regulations."

### TO SUBVERT THE ACT

The decision to switch to single management was expected soon; conservationists and some Congressmen favored turning the management over to the FWS. A top Congressional leader on the subject of wildlife, Rep. John D. Dingell (D-Mich.), reacted emphatically when the opposite decision was made, saying it was like "appointing the fox to guard the henhouse."

"Those who say that the Bureau of Land Management can do the job of protecting fish and wildlife just as well as the U.S. Fish and Wildlife Service are either naive, or ill-informed, or both! The U.S. Fish and Wildlife Service is our only federal agency which has the primary mission of protecting wildlife habitat and managing it for the benefit of wildlife. While the BLM has secondary responsibilities for wildlife, it also has other conflicting missions, such as mining, logging, livestock grazing, and fossil fuel development.

"When the Congress enacted the National Wildlife Refuge Administration Act of 1966, it intended that wildlife refuges and ranges would be managed by the Fish and Wildlife Service, not by other agencies with these built-in conflicts. Secretary Morton's proposal is an obvious attempt to subvert this act."

Dingell's remarks illustrate that not only do opponents of the move question the BLM's dedication to wildlife, but they are also suspicious of the motives behind the transfer. Many people, perhaps especially paranoid because of energy crisis priorities, fear the decision was made so that the ranges could be opened up to full oil and gas exploitation.

The 25 conservation organizations which protested cite the results of an investigation which show that while other federal agencies have been losing personnel, the BLM has added more than 800 positions. These additions were made to speed up the agency's activities in oil and gas leasing.

Sen. Lee Metcalf (D-Mont.) said the BLM is "the agency that's identified in the public eye with commercial use of public lands," according to a story in *The Missoulian*. He added that he had long recognized that the BLM has a "difficult job managing some of our most fragile lands without adequate popular and Congressional support." Metcalf favors FWS management for the ranges.

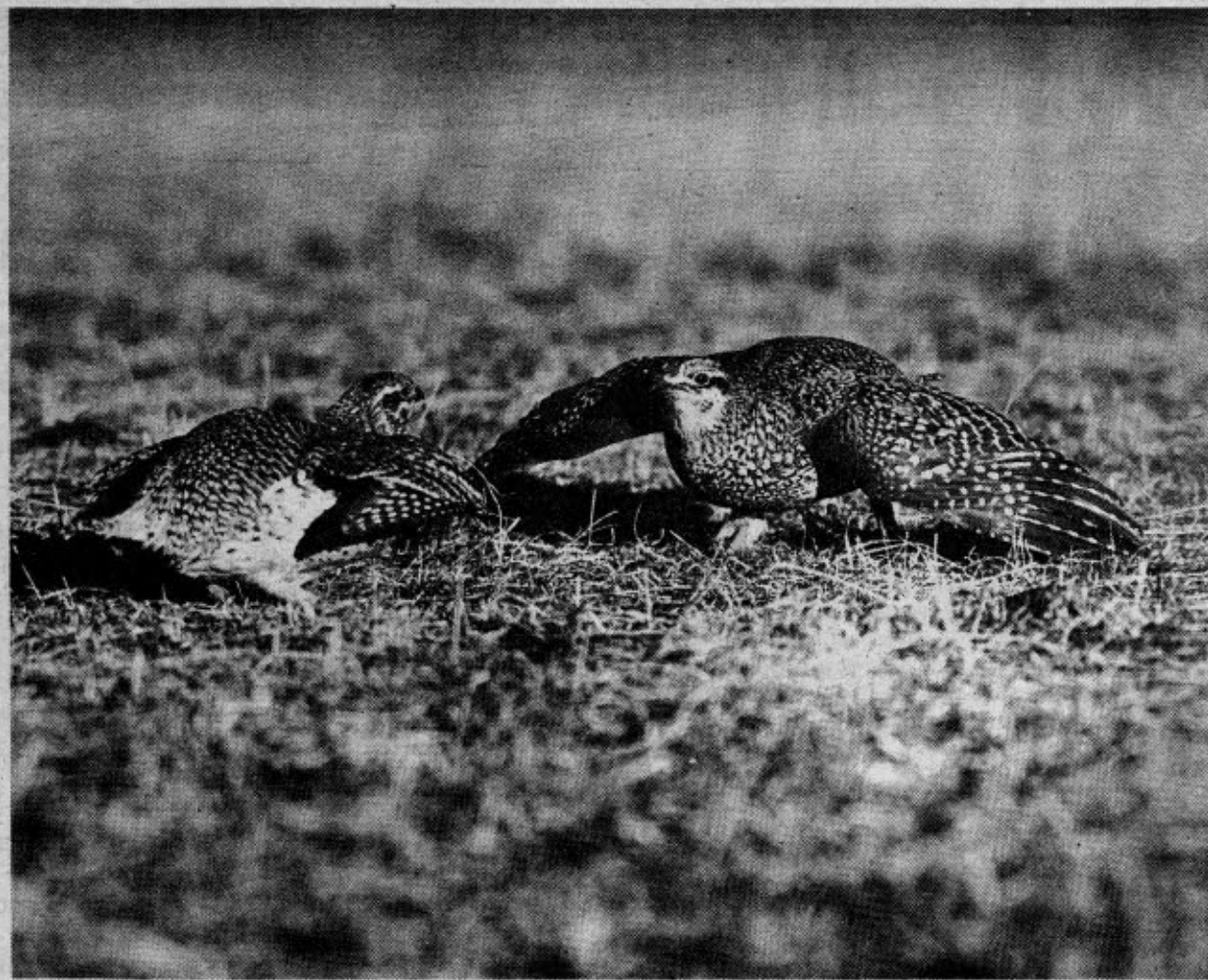
However, the BLM insists that it is the agency to do the job. BLM Director Curt Berklund told the National Wildlife Federation in March that the agency has both the intent and the capability to provide a program geared to

**Many people, perhaps especially paranoid because of the energy crisis priorities, fear the decision was made so that the ranges could be opened up to full oil and gas exploitation.**

wildlife management that will produce outstanding results. He said there would be no change in the present commitment to make wildlife management the dominant use on these three areas, with other uses subordinate and not in conflict with wildlife needs. The number of people previously assigned to manage these areas will not be reduced, he added.

The Montana BLM director, Edwin Zaidlicz, also responded to what he called "emotion and self-serving charges" made by a number of "special interest groups" about the BLM's abilities to manage the Russell Range.

He said that the 450 million acres of public land administered by the BLM makes the BLM the largest single administrator of wildlife habitat in the United States. He said that the BLM is the logical choice for the Russell Range since the range "cannot be considered a wildlife island. . . . Wildlife pass in and out of the range at will, and for this reason, the manner in which the BLM administrators adjoining lands is of critical importance to the big



The Charles M. Russell National Wildlife Range was created in 1936 especially to protect sharptail grouse and antelope. Now there are 40 species of mammals, 200 species of birds, 16 species of amphibians and reptiles, and 17 species of fish. The mule deer now exceed all other big game in number, and elk and bighorn sheep have been introduced. The Russell Range includes 980,000 acres of gentle rolling grasslands and steep forested ridges. Among the rare and endangered species for which the range provides essential habitat are bald eagle, prairie and peregrine falcons, osprey, and black-footed ferrets. Sharptail grouse photo by George D. Andrews, courtesy of Colorado Division of Wildlife.

game animals that use the range."

BLM land also surrounds the other game ranges.

Some opponents have questioned the BLM's legal authority to manage the lands, but Zaidlicz explained that the Interior Department's Solicitor has ruled there are no legal constraints to BLM's administration of the Russell Wildlife Range under a game range concept.

### WILL MARCHING ORDERS CHANGE?

Dale Burk, outdoor columnist for *The Missoulian*, has analyzed the transfer in several columns. Although he says he personally trusts Zaidlicz to manage the range as outlined in the BLM plan, he points out that "today's bureaucratic decision can be changed by a new man in the leadership position tomorrow. . . . Marching orders can change. And likely will. . . . They could, for example, order the game ranges opened up to mineral and gas exploration and development and all the promises in the world made by the state BLM director would be worthless in the

legislation on the subject, pending outcome of the hearings, according to *The Missoulian*.

### FOUR BILLS INTRODUCED

Two bills, one in the House and one in the Senate, deal directly with management authority for the game ranges. The Senate bill (S 1293) would put the three ranges solely under the FWS management. It is sponsored by Metcalf, Sen. Mike Mansfield (D-Mont.), Sen. Bob Packwood (R-Ore.), and six other senators.

The House bill (H.R. 5512) would require that all areas within the National Wildlife Refuge System be administered solely by the FWS. Dingell, Robert Leggett (D-Calif.), and Henry Reuss (D-Wis.) introduced the House bill. Both the bills would require Congressional action before land could be transferred from the FWS's care.

Two companion bills also provide for the National Wildlife Refuge System Organic Act of 1975: H.R. 1522 and S. 1268. They would withdraw all units of the National Wildlife Refuge System from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, subject to existing valid rights.

The House bill, but not the Senate, provides for the establishment of more than 85 million acres of National Wildlife Refuges and Wildlands in Alaska.

### SPECIAL INTERESTS SQUARE OFF

To allay some of the fears, the Interior Department proposed temporary withdrawal of all of the Russell range and 468,000 acres of the Sheldon Range. Some have already been withdrawn. This means there can be no exploration in the areas withdrawn until studies are completed assessing the mineral potential.

The hearing in Reno May 30 was called by Reps. Sam Steiger (R-Ariz.) and James Santini (D-Nev.) when they received a "landslide of letters" from mining and livestock interests. The mail overwhelmingly supported the transfer to BLM and opposed the mineral withdrawal that had been announced for Sheldon.

Conservationists interpreted the move for withdrawal as an attempt to blunt the objections of the environmentalists at the cost of alienating miners, according to Roger

Scholl, who testified at the hearing for the Wilderness Society.

As expected, the "special interests" who would be affected by the transfer or the withdrawal showed up for the hearing. The majority of the people attending were miners, according to Scholl, although many did not testify. There were also a few ranchers concerned about grazing rights. Speaking for wildlife and other natural resources, were the conservationists, who testified in about equal numbers to the miners.

The depth of the miners' concern seemed curious to some observers, according to Scholl, since mineral resources are minimal, limited to fire opal (popular with rock hounds), and to small deposits of mercury, gold, and a low concentration of uranium ore, which is not now economically feasible to mine. There are possible geothermal resources, but those with surface steam are not included in the withdrawal area.

Ranchers opposed the wilderness proposal in their testimony. Two-thirds of the Sheldon Range had been open



Antelope are found on both the Sheldon Antelope Range and the Russell Range. Antelope fawn picture by Don Domenick, courtesy of Colorado Division of Wildlife

to grazing since it was established, according to Scholl, even though some conservationists thought that wildlife suffered as a result.

In other cases, the FWS has tried to halt overgrazing by livestock. The BLM, on the other hand, has been criticized for its management of grazing practices, and this is one of the arguments often used against the transfer. The BLM has, for instance, proposed large-scale herbicide spraying of the sagebrush and extensive fencing on the Sheldon Range, according to an article in the *Los Angeles Times* by Lewis Regenstein. Regenstein points out that fencing would interfere with the free movement of the antelope and elimination of sagebrush would destroy plant life on which the sage grouse depend. He says the ranges were established, in part, because livestock grazing had seriously depleted forage necessary for antelope.

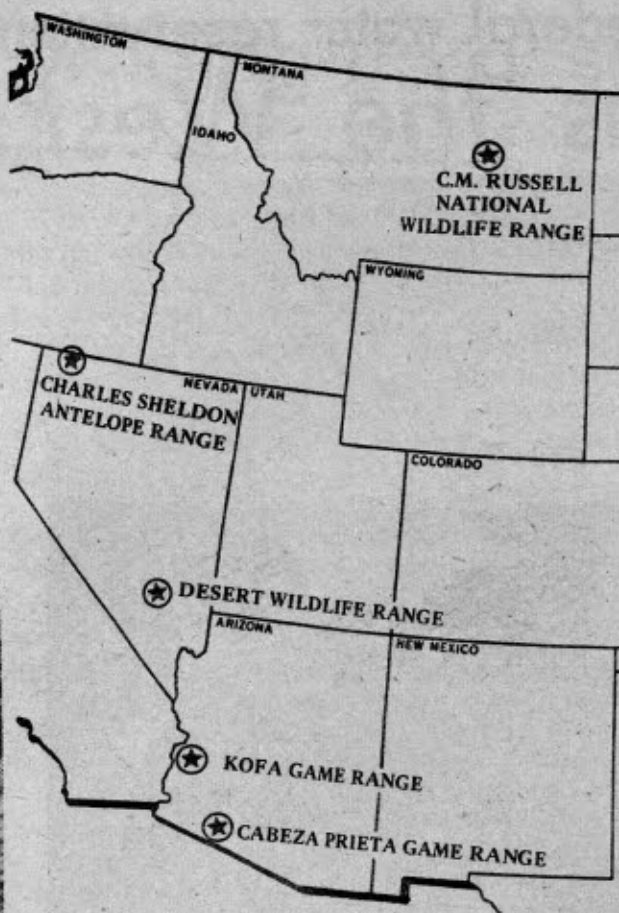
#### AUTHORITY UNDER WILDERNESS ACT?

The question of future wilderness designation also came up at the Reno hearing. A total of 538,000 acres have been proposed for wilderness in the area of Sheldon, including land in the range, in an adjacent game refuge, and in surrounding BLM land. In the Kofa, 542,000 acres of desert uplands and mountains have been proposed. Fifteen areas in the Russell Range are wilderness candidates.

President Gerald Ford has specifically deferred recommendations on acreage in the Sheldon and Russell ranges until mineral studies could be completed.

The BLM assures the public that proposed wilderness areas within the ranges will be managed for values specified by the Wilderness Act, pending Congressional action. The Wilderness Society says the BLM is not mentioned in the Wilderness Act.

President Gerald Ford has specifically deferred recommendations on acreage in the Sheldon and Russell



ranges until mineral studies could be completed.

The BLM assures the public that proposed wilderness areas within the ranges will be managed for values specified by the Wilderness Act, pending Congressional action. Conservationists say that the BLM does not have the legislative mandate to manage lands under the Wilderness Act.

#### THE ALASKA CONNECTION

Aside from the immediate concerns with the three game ranges, conservationists fear that the transfer action may pave the way for future transfers. The Wildlife Refuge System contains 350 units and more than 30 million acres in 49 states. Some fear what the Wilderness Society calls "The Alaskan Connection:" that this action only makes it easier to assign areas in Alaska, with more attractive mineral resources, to the BLM and then to exploit them.

Testifying on Metcalf's bill in Washington, D.C., in May, an Interior Department spokesman denied that there are other wildlife ranges or refuges that the department expects to switch to BLM jurisdiction. John Kyl, an assistant secretary of Interior, said there is no attempt to downgrade the three ranges. He told the panel that the Metcalf bill would "unduly restrict the authority of the Secretary."

#### BLM: A BIGGER QUESTION

Some changes in BLM regulatory authority will be made if the BLM Organic Act, which is not being marked

## Stripping pronghorn and ferret habitat

"The pronghorns of Wyoming's Powder River Basin, some 50,000 in number, and a variety of other wildlife, including some of the few remaining black-footed ferrets, are threatened by America's voracious appetite for energy," Raymond D. Mapston of the U.S. Bureau of Land Management told the Sixth Antelope States Workshop in Salt Lake City in Feb., 1974. The reason, according to Mapston, is that "underlying this productive area is one of the nation's largest, most lucrative deposits of readily stripable, low sulfur coal."

"Vegetative cover, topsoil, overburden, and entire wildlife habitat complexes will be stripped from vast acreages — perhaps as much as 500,000 acres — to get to the coal. . . For some, including the rare black-footed ferret and 10% of the world's antelope, the result may be disastrous," he said.

"There are growing expressions of optimism that mined areas can be restored to productive use. Unfortunately, the productive use referred to normally means establishment of one or two species — usually non-native — of limited value to wildlife. In

up in Congress, is passed. For one thing, the Organic Act may give BLM a clear legislative authority to manage wilderness areas.

Perhaps, the Organic Act would solve more basic problems and quiet some of the BLM critics as emphases within the agency change. Or, perhaps the only solution is that proposed by Tom Garrett of Friends of the Earth in his testimony on the Organic Act. Garrett questioned the very structure of the BLM, getting to the crux of the concern over the BLM jurisdiction over game ranges, as well as its other land management responsibilities.

He traces the history of the BLM to 1946 when it was formed by joining the General Land Office and the Grazing Service. He says, "At the core of our apprehension is the question of whether Congress should provide this great dowry (the Organic Act) to a union which should probably never have been forced to begin with. . . ."

"The key question is: should agencies charged with management of living resources on public lands be entirely separated from those engaging in energy development, mineral leasing, and other functions related to exploitation of non-living resources? . . . In the current climate, there is little doubt which set of concerns will be given priority. . . ." Garrett says.

## Mining may reduce rain

"There is considerable basis for alarm with regard to a potential reduction in Northern Great Plains precipitation due to energy resource development," writes Richard A. Dirks in the November-December 1974 *Journal of Soil and Water Conservation*.

Dirks, an assistant professor in the Department of Atmospheric Science at the University of Wyoming, said, "Climate is a fragile feature of the region's environment, which may be sensitive to small disturbances. A review of the mechanisms that may be important to climate modification on a regional scale shows that most tend to reduce rainfall, especially during the growing season."

"Preliminary research shows that areas receiving less than 10 inches of rain annually have little chance of rehabilitation, even with years of careful management. An estimated 25% of the land subject to strip mining in the Northern Great Plains is not suitable for rehabilitation," he said. "A reduction in annual precipitation would increase this area considerably."

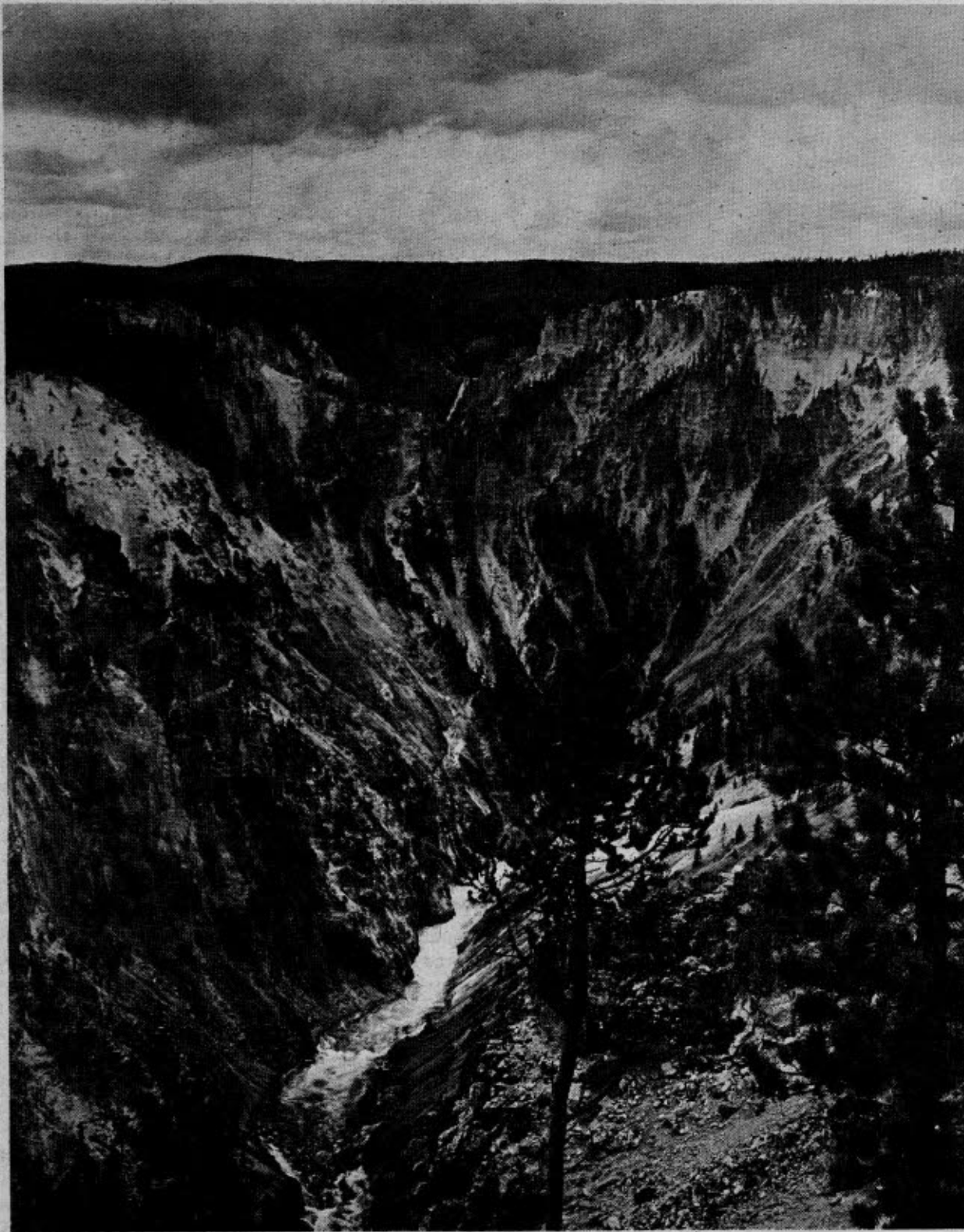
"The economic impact on agriculture in the Northern Great Plains could be disastrous," Dirks said. "Even more serious is the fact that the drought may be self-perpetuating. At a time when agricultural surpluses have given way to scarcities, it would be ironic if the development of coal resources to meet energy needs was to produce atmospheric changes that would result in widespread decreases in food production."

truth, no matter how careful the planning and the precautions taken during stripping and removal, our current reclamation technology falls well short of enabling restoration of the current diverse multi-species plant communities so vital to providing the basic needs of the abundant wildlife resources now living in the basin."

Mapston said, "A large human population influx and possibly creation of new communities will accompany energy development. The resulting increase in human activity is likely to have a greater impact on wildlife than the physical destruction of habitat."

"Assuming the best," he said, "the anticipated development will mean considerable modification of large acreages of high quality habitat and a proportionate decrease in wildlife populations. Assuming the worst, development will leave in its wake a vast area of man-made facilities, spoil piles, and giant power plants suitable for inhabitation only by those few species highly tolerant to man's intrusion."

## Federal water reservation Who owns the West's water?



**WATER WAR?** Federal reservations, like Yellowstone National Park pictured above, have implied water rights associated with the land. A move is on to quantify these federal reserved rights, and present water users are worried that their existing water rights may be in jeopardy. Lower Falls and Yellowstone River Canyon photo courtesy of Frontier Airlines.

by Bruce Hamilton

Tight competition for water in the West is forcing the U.S. government to assert its rights under the federal water reservation doctrine. Justice Department official Walter Kiechel has prepared a bill to be presented to Congress which would "clear up confusing situations where claims might be made under state law for water already belonging to the federal government."

Denver Water Board lawyer Glenn Saunders told *Colorado Business* that he sees Kiechel's bill as simply the first gun in a "long-awaited federal campaign to usurp our local state laws and take over our water." Water user groups and states are gearing up for a fight. A number of battles over the issue will be fought in the courts and the legislature.

The U.S. government maintains, and the courts have upheld, that the U.S. reserved all the water necessary to operate its lands when it set up Indian reservations, national forests, national parks, oil reserves and other formal reservations. The point that is receiving so much protest is that the U.S. also maintains that the water right priority date associated with these reservations is the date that the land was set aside, not the date that the government formally asks for the water.

This provision gives most federal water rights early priority dates which would precede, and therefore possi-

bly pre-empt, many private water rights now in existence.

A farmer irrigating since 1920 could find that the U.S. now claims right to his water because upstream it flows through a federal reserve that was established in 1915.

Supreme Court Justice William O. Douglas, dissenting in a case (*Federal Power Commission v. Oregon*) which helped establish the reserve doctrine, argued, "In the West, the United States owns a vast amount of land — in some states over 50% of all the land. If by mere executive action the federal lands may be reserved and all the water rights appurtenant to them returned to the United States, vast dislocations in the economies of the western states may follow."

The question of how much water the U.S. is entitled to has western water users understandably concerned. The

Northern Colorado Water Conservancy District now has the U.S. government in water court over a reserved water right claim. NCWCD attorney John Sayre says the federal water claims are minimal, "but if you establish the principle that the U.S. can come in and claim water with an early priority date, then there's no reason to expect that the demands will stay minimal. They will keep enlarging them, or at least they could."

Sayre notes that for the U.S. Naval Oil Shale Reserves in northwest Colorado, the government has asked for 200,000 acre-feet of water from the Colorado River. "That's no longer insignificant. That demand could upset the whole Colorado River."

Sayre argues that you have to look at the purpose for which the reservations were set aside. "For instance, national forests are to protect the stream flows for downstream appropriators — it specifically says that — and to help develop forest wood products. But the federal government seems to be implying that the Forest Service can use the water for all kinds of other uses. They're pretty near saying that on federal lands they can use all the water they want, anywhere they want, for any purpose. We think that has to be limited."

In *Arizona v. California* (1963) the Supreme Court found that "... certain reservations of public domain land for particular purposes, i.e. wildlife refuges, a national forest, and a national recreation area, carried with them implied reservation of sufficient unappropriated water to satisfy the reasonable requirements of those reservations without regard to provisions of state law."

In court cases to date, the quantity of water available under a reserved right has been measured as the quantity necessary to fulfill the purposes of the reservation, both at the present time and in the future. *Arizona v. California* (1963) quantified this amount for the Indian reservations in question as the amount needed to irrigate all the irrigable land on each reservation. For five Indian reservations and two wildlife refuges the court ordered just under one million acre-feet of water reserved.

### AIR OF UNCERTAINTY

"Many of the BIA's (Bureau of Indian Affairs) Indian reservations — especially the Crow and Blackfoot in Montana and the Navajo in Arizona — hold vast reserves of coal," *Colorado Business* points out, "and it could easily be argued that a valid purpose of reserving the lands was to enable the Indians to exploit their own resources. The entire Piceance Basin deposits of oil shale are contained in the 'Federal Oil Shale Withdrawal of 1920.' The BLM (Bureau of Land Management), which administers the withdrawal, could well argue the tract is a formally withdrawn federal reserve and thereby deserving of enough water to develop the resource."

The Justice Department is trying to dispel this air of uncertainty by introduction of the Kiechel bill. The bill calls for quantification of federal and Indian water rights within six years. These claims, under the bill, would be submitted to the states and formally settled in the courts.

Compensation for existing water users is not in the bill. "There is no compensation because the U.S. says it's their water and they don't have to pay for what is already theirs," explains NCWCD attorney Sayre.

The bill also provides for revised reservations every year. As new uses are found for federal land, more water can be reserved. James Barrett, a Wyoming special assistant attorney general assigned to the State Engineer's office, says this provision "negates the purpose of the bill." He says the provision for supplemental reservations still leaves the states in a position where they don't know how much water the U.S. ultimately wants. Barrett explains that each additional reservation would have a priority date of the original reservation, not the date that the new use was dreamed up and proclaimed.

Leonard Johnson, director of natural resources activities for the American Farm Bureau Federation, says

If by mere executive action the federal lands may be reserved and all the water rights appurtenant to them returned to the United States, vast dislocations in the economies of the western states may follow.

—Justice William O. Douglas  
U.S. Supreme Court

the Kiechel Bill is opposed by the Western States Water Council, the Interstate Council on Water Problems, and 35 states. NCWCD attorney John Sayre says, "Except for the Justice Department and the agencies of the United States, I haven't found anyone in favor of this bill."

**A DIFFERENT APPROACH**

"There are different approaches," explains Sayre. "We say that the federal reserved right can't be anything more than a riparian right which is limited to use on the stream — and only a 'reasonable use.' This would tend to minimize what the federal government can come in and claim under a reserved right."

If the federal reserved right is held up to be a riparian right limited to use on the stream, could it require minimum stream flows on federal lands?

"It could well, perhaps, do that," responds Sayre, "but only in the amount that is absolutely 'reasonable.'" Sayre says certain Colorado Front Range cities will have to bring that issue up because they divert water from the national forests and dry up tributaries of streams during certain times of the year. "To say that there has to be a reserved federal minimum stream flow could ruin these diversion facilities now in operation," he says.

The Forest Service is going to be involved in this kind of claim to assure that trees and wildlife on the national forests will always have the water they need," reports **Colorado Business**. "These claims could be substantial, warns the Forest Service's Giffin (Red Giffin, water and soils management chief for the Colorado-Wyoming division of the Forest Service), and they may impair the high-altitude headwaters diversions of the big eastern Colorado cities. Especially threatened may be the Twin Lakes Project, which supplies Colorado Springs and Pueblo. Twin Lakes regularly dries up headwater streams, and that will no longer be permitted," according to **Colorado Business**.

## Conservationists rate Idaho legislators

Seventeen members of the Idaho House of Representatives and 10 Senate members were given 80% scores or better in voting ratings by the Idaho Conservation League.

Coordinator Marcia Pursley said legislators were rated for votes on conservation issues during the 1975 legislative session.

Six House members and six Senate members received zero rating with no positive votes.

In the House, credit was given for votes supporting the land use bill, opposing a bill giving utilities an automatic rate increase if the Idaho Public Utilities Commission doesn't act on requested increases within six months, and opposing a bill defining regulations for encroachments on Idaho lakes. The League felt the bill weakened lakeshore regulation.

Credit was also given for two votes in the House committees: one in support of legislation to regulate the siting of power plants, and one to encourage the use of returnable beer and soft drink containers. Both bills died in committee.

In the Senate credit was given for votes in support of the land use bill, and for votes supporting five other land use bills which were rejected. Credit was also given for votes against a substitute land use bill proposed by Sen. Phil Batt, R-Wilder.

Credit was also given in the Senate for votes for a memorial urging Congress to leave the Chamberlain Basin in the central Idaho wilderness, for votes against the lake encroachment regulations, and for a study of legislation to authorize minimum flows in Idaho streams.

Copies of the ratings can be obtained from the Idaho Conservation League, Box 844, Boise, Idaho 83701.

## Land use opponent tells pressure points

The final committee vote on the House federal land use bill is expected next week. The outcome is uncertain. Rep. Sam Steiger (R-Ariz.), leading opponent of the bill, has indicated that 19 to 21 of the members of the House Interior Committee oppose the bill. With all committee members voting, 22 votes would be needed to kill it, according to **Land Use Planning Reports**.

Steiger has targeted six members of the committee for special attention. They are Reps. Allan T. Howe (D-Utah),

# Dividing up a shrinking planet

by R. C. Burkholder

As might be expected, it was Mr. A. Homo sapiens who had called for a public meeting of the Western Regional Committee for the Establishment of Bio-Ecolo- Environmental Priorities.

"Ladies and . . . er . . . Fellow mammals, birds, reptiles, and . . . er . . . Friends," Mr. A. Homo sapiens stammered as he addressed the Committee. "I . . . man . . . that is, we . . . all of us . . . have a problem."

"I wonder what he wants from us this time!" Mr. *Centrocercus urophasianus*, a sage grouse from Sweetwater County, Wyo., clucked suspiciously.

"I hope it isn't another dam!" Mr. *Oncorhynchus* species, a Pacific salmon from Oregon, burred. "I have it bad enough as it is!"

"Or another pesticide project!" Ms. *Chrysopa aculata*, a golden-eye lacewing from Idaho, fluttered.

"Or another poison program!" Mr. *Canis latrans*, a coyote from Box Elder County, Utah, yipped.

"As you all know," Mr. A. Homo sapiens went on, "we . . . all of us . . . are faced with an increasing shortage of pure water, clean air, and food. So," Mr. sapiens continued, "I feel that the time has come for us to determine our needs, and our priorities, and then take whatever action is necessary to . . ."

"Something tells me that my needs won't be of the highest priority," Miss *Scaphiopus hammondi*, a western spadefoot toad, lamented.

". . . to assure priority distribution of food, air, water, and habitat," Mr. sapiens continued.

"What habitat?" Mr. *Ursus horribilis*, a grizzly bear from southern Montana, growled.

"Mr. sapiens," *Bubo virginianus*, a great horned owl, asked politely. "You are speaking of priority and priorities relative to the necessities of life . . . or at least the necessities for a quality life. Would you please explain the basis or bases for determining said priority or priorities?"

"Well," Mr. sapiens replied, avoiding *Bubo's* huge, bright-yellow, searching eyes, "that is the

primary goal and objective of the committee meeting. You see . . . man . . . that is, we . . ."

"I think priority should be given on the basis of numbers," Mrs. *Ceresa bubalus*, a buffalo treehopper, volunteered. "After all, we insects . . ."

"I'll buy that!" Mr. *Creophilus villosus*, a hair rove beetle, shouted.

"If you're going to base priorities on numbers," Mr. *Gymnogyps californianus*, a California condor, squawked, "I think it should be on the basis of the fewest rather than the mostest! After all, there's only 55 of us left in this whole, entire world and . . ."

"I don't think we should base priorities on numbers in the first place!" Mr. *Bison bison*, a shaggy buffalo from Custer State Park, S.D., interrupted. "I think priority for air, water, food, and habitat should be based on size and weight!"

"I object!" Mr. *Monomorium minimum*, a little black ant, objected.

"Please! Please!" Mr. sapiens shouted, beating his lectern with his gavel. "This is supposed to be an exercise in constructive group discussion and decision-making. Now, if you ask me . . ."

"I have it!" Mr. *Vulpes velox*, a kit fox from Oklahoma, announced with a sly, foxy grin on his face. "Why not base our priority needs for air, water, food and habitat on our contribution to the overall quality of the environment?"

"Huh?" *Heterodon nasicus*, a western hognose snake, hissed.

"Simple!" Mr. *Vulpes velox* explained. "The air, water, food, and habitat each of us receive will depend upon on contribution to the ecological life processes; the more we contribute, the more we receive."

"Well, I sure contribute plenty to the well-being of birds, small mammals, and other insects!" Mrs. *Anabrus simplex*, a Mormon cricket from Salt Lake City, Utah chimed in.

"And I do my bit for hawks, owls, coyotes, bobcats, snakes, and almost everybody else!" Mr. *Peromyscus maniculatus*, a deer mouse from all over the place, squeaked.

"I hope the mountain lion element in this room won't forget us!" Miss *Odocoileus hemionus*, a mule deer from the Ruby Mountains of Nevada, added.

"And don't overlook my place in the scheme of things!" Mr. *Cathartes aura*, a western turkey vulture, interjected.

"Nor mine!" Mrs. *Myotis lucifugus*, a little brown bat, squeaked shrilly. "I may be ugly, but . . ."

"It seems to me," Mr. *Castor canadensis*, a beaver from the upper Salmon River country of Idaho, said thoughtfully, "that most, if not all, of us do have important and constructive roles to play in the ecological process except, perhaps . . ."

All eyes turned to the front of the conference room where Mr. A. Homo sapiens was standing behind the lectern.

"At least few, if any, of us are an absolute menace to the environment," Mrs. *Ardea herodias*, a great blue heron, commented, "except, perhaps . . ."

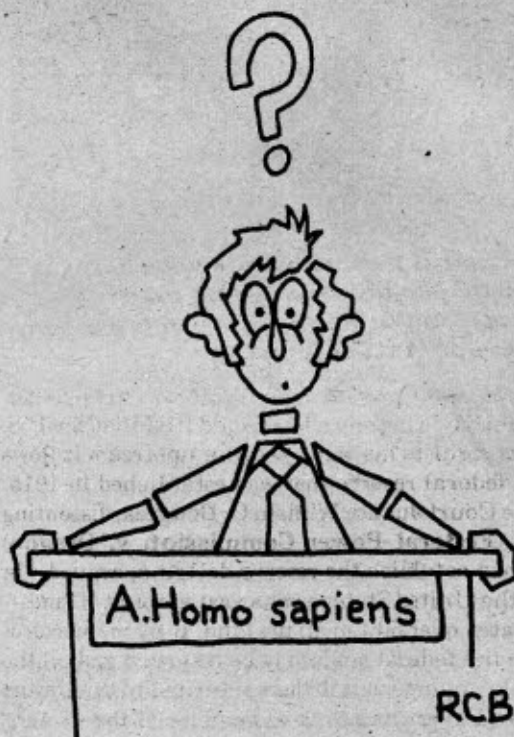
Mr. A. Homo sapiens began to fidget behind the lectern.

"Personally, I don't think we can resolve this matter of priority for air, water, food, and habitat," *Bubo virginianus*, the great horned owl, observed sagely, "until we have the answer to a very important question which no one in this room can answer except, perhaps . . ."

Mr. A. Homo sapiens nervously shifted his weight from one foot to the other as, again, all eyes focused on him.

"Mr. sapiens," *Bubo*, the owl, asked in a low, gently voice, "could you please explain your role in the ecological process and your contribution to a quality environment?"

"Well . . . er . . . cough! . . . I . . . that is . . . we . . . cough! . . . you know . . . like . . . I mean . . . er . . ."



Teno Roncalio (D-Wyo.), Philip E. Ruppe (R-Mich.), James D. Santini (D-Nev.), Roy Taylor (D-N.C.), and James H. Weaver (D-Ore.). Steiger believes these legislators could be influenced by strong lobbying in their home states. He hopes to kill the bill in committee. If it gets through the House Interior Committee, congressional passage is expected.

Rep. Morris Udall (D-Ariz.) is sponsor of the bill.

*High Country News benefit*  
**Bob Lewis and the desert bighorn**

"... as large as a Calf of one or two years old: Its Head is much like that of a Stag: and its Horns, which are very large, like those of a Ram: Its Tail and Hair are speckled, and shorter than a Stags: But its Hoof is large, round, and cleft as an Oxes."

—Juan Maria de Salvatierra  
Francis Maria Piccolo  
description of the Taye (Monqui  
word for the desert bighorn sheep) in 1697



Bob Lewis  
© 73

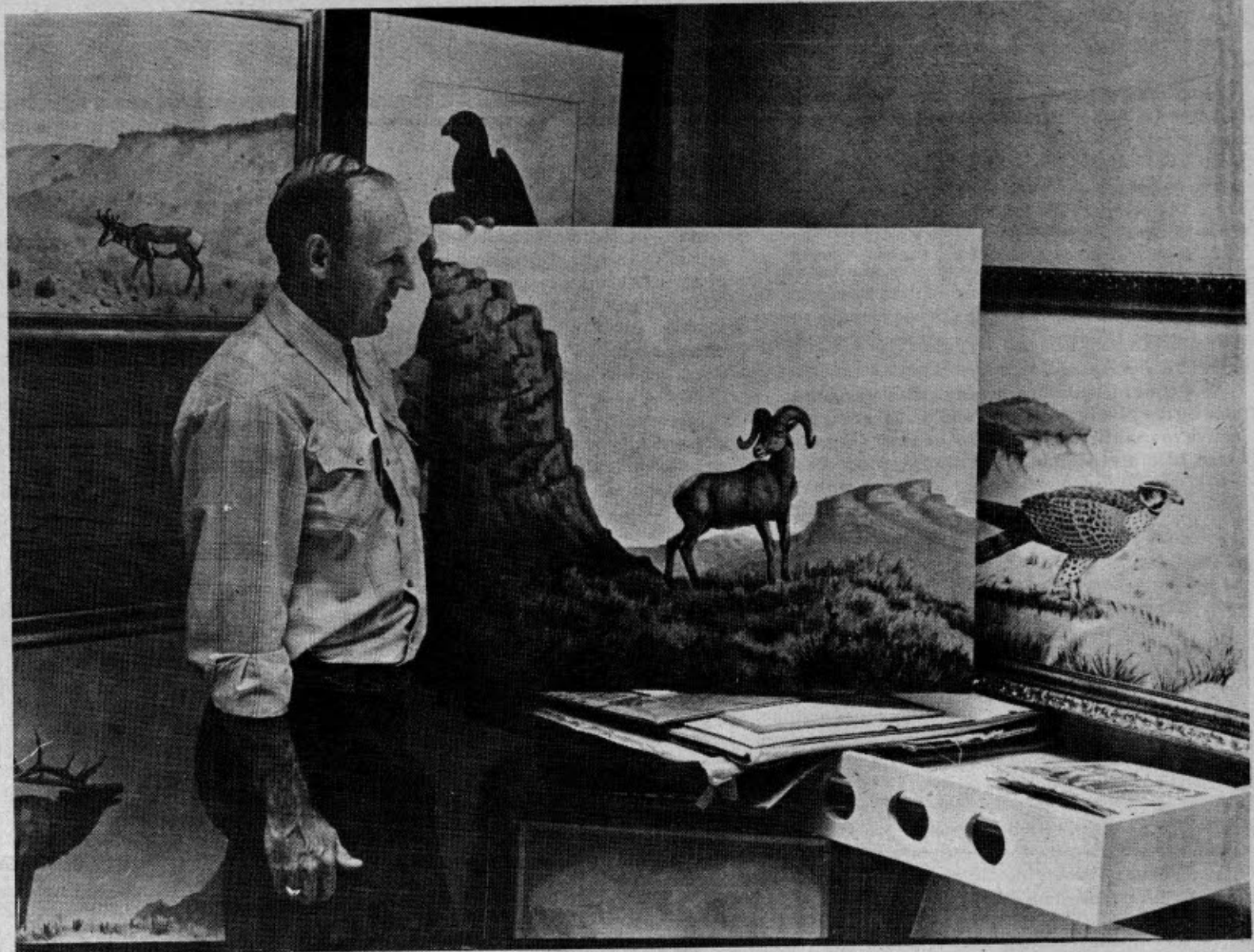
**DESERT BIGHORN PRINT SALE BENEFITS HCN.**

Numbered copies of this original Bob Lewis pen and ink sketch are available to HCN readers with the profits to go to HCN. Each copy of this limited edition will be signed by the artist and shipped to you for \$2. The prints are cut to fit a 9 by 12 inch commercial frame and are printed on heavy stock paper. Order your copy from High Country News, Box K, Lander, Wyo. 82520.



Bob Lewis displays his finished oil painting of a desert bighorn.

June 6, 1975 — High Country News-9



Putting last touches on an oil painting of an elk.

(Editors' note: Local wildlife artist Bob Lewis has offered to help out *High Country News* by offering prints of his desert bighorn sheep pen and ink sketch (at left) for sale with the proceeds to go to HCN. We want to thank him, and introduce his work to our readers through this article.)

Bob Lewis plays banjo with the Buffalo Chips at the Atlantic City Mercantile on most Friday and Saturday nights. His regular job is with U.S. Steel at the Atlantic City Iron Mine. In between all this activity, Lewis slips away to his second floor studio in Lander, Wyo., and practices his real love — wildlife art.

Brightly colored oil paintings of big game animals and birds of prey hang from every wall in his studio, illuminated by a skylight. On a wooden door is a calendar illustrated with Charles M. Russell prints. Seated, brush in hand, is Lewis.

The choice of Lewis' last two subjects — the desert bighorn sheep and the peregrine falcon — reflect his concern for threatened and endangered species of animals. "When I was a child in the Sandhills of Nebraska, I took

wildlife for granted because it was so plentiful," Lewis recalls. "My neighbors used to look at all hawks as creatures that ate chickens and would shoot every one. Pesticides also took their toll in my area.

"Nowadays we're more aware of the effects of pesticides and illegal shooting," he says. "But accidentally we've almost exterminated the peregrine falcon and the bald eagle."

Born in Valentine, Neb., in 1934, Lewis lived and worked on sandhill ranches during his school years. Living in the Central Flyway for bird migration, Lewis became acutely aware of waterfowl, sandhill cranes, great blue herons, and other birds that frequented the lakes, potholes, and streams of that area.

"I try to just sit and watch wildlife when they don't know I'm there," Lewis says.

When researching for a painting, Lewis relies on all the photographs he can gather, mounted animals, road kills, and reading descriptive accounts by naturalists. "Whenever possible, I go out in the field and take photos myself. With birds, it's especially important to memorize flight patterns. The descriptive accounts make me aware of color variations within a species," he says.

During high school, Lewis took art lessons via mail from an instructor at the University of Nebraska. Each week he'd mail paintings and sketches in to the university and corrections and comments would be sent back the following week. "That's the only course in high school I got straight A's in," Lewis confides.

Following high school he worked for the Nebraska Fish and Game Commission. "This kept me in contact with wildlife from the Missouri River area to the western grasslands," he says.

In 1956 Lewis came to Wyoming and traveled around the state working for Teton Drilling and Exploration Co. "During this time I was able to observe most of the Wyoming big game animals and was able to sketch them in their native habitat during free time," he says.

Today, Lewis enjoys his three-part job — U.S. Steel mine worker, banjo plucker, and wildlife artist. But within 10 years he'd like to devote full time to his art. He doesn't know if he'll make it, but he is inspired by the dream.

During the late Pleistocene (Ice Age), Asiatic ancestors of the desert bighorn are believed to have entered North America across the Bering land bridge. On this continent, two distinct species of wild sheep evolved: the Dall or thinhorn sheep of Alaska and northern Canada (*Ovis dalli*), and the bighorn sheep (*Ovis canadensis*). The bighorn extended its range from Canada to Mexico and from California to South Dakota. Seven subspecies of the bighorn are recognized, one of which — the Audubon or badlands bighorn — is now extinct.

Desert bighorn are an "ecological entity," according to the biologists. Any bighorn living under relatively arid desert conditions, no matter what subspecies it may be, is called a desert bighorn. "The range of the desert bighorn has not changed since the white man's arrival, but the animal has disappeared from some areas within its range and numbers are dangerously low in others," writes Gale Monson of the Desert Bighorn Council. "Available data indicate there are about 10,300 desert bighorn in the United States (in Arizona, California, Nevada, New Mexico, Texas, Utah; traces in Colorado and Wyoming) and 4,200 in Mexico."

"With the westward spread of civilization," writes Richard Manville of the U.S. Fish and Wildlife Service, "the herds of bighorn (both desert and mountain) began to diminish. Domestic sheep were introduced near Pikes Peak and elsewhere in Colorado about 1878, and the bighorn began to suffer from scabies and depleted forage. The bighorn were essentially gone from the Black Hills of South Dakota about 1887, although a few lingered until 1899. In the Yellowstone region of Wyoming, several thousand bighorn (plus elk, deer, and pronghorns) were slaughtered for their hides from 1870 to 1877. Severe hunting and heavy snows eliminated bighorn from the Mount Shasta region of California by 1883. By 1890, in the Gallo and Gallinas Mountains of New Mexico, Smith recorded that 'the now almost extinct mountain sheep' was only occasionally seen. Along the Mexican boundary, Mearns reported that as early as 1894, bighorn were scarce in northwestern Sonora as a result of excessive hunting by the Papago Indians. These few cases will typify the predicament that confronted the native bighorn."

Desert bighorn eat browse, forbs, grass, even cacti. They prefer grass when it is available. Because of the arid environment they live in, water availability can be the single most limiting factor for bighorn herds. During the hottest, driest part of the summer, bighorn may go for eight days without watering, but when available they will water every day.

In the Death Valley area of California, competition for water holes between sheep and tourists and miners has greatly restricted the bighorn range.

Adult desert bighorn vary in color from a dark slate color that is nearly black to a light tan or rusty red. Underneath the fleece, the skin is black.

"The horns are a corneous sheath of keratin covering a bony core," wrote Charles Hansen, an international authority on the desert bighorn and an employe with the National Park Service. "They are permanent and elongate from the base. Adult ram horns may measure 30 to 40 inches long, 22 to 26 inches wide, and 12 to 14.5 inches in circumference at the base. The horns are used for butting other rams and to obtain food."

"During the rut," wrote Hansen and Oscar Deming of the Desert Bighorn Council, "rams stage spectacular ritualistic head butting bouts with rules of conduct and a special sequence of acts. The animals appear to require a period of conditioning for their head and horns before they are mature enough to enter these bouts. Rams below four years in age have only limited bouts, and do considerable butting of trees and rocks to strengthen themselves for this ritual."

"Significant competition for food and water occurs with deer, burros, domestic sheep, cattle, horses, and goats," reports Fred Jones of the U.S. Bureau of Outdoor Recreation. "The fact that bighorn usually occupy rougher terrain affords considerable freedom from competition. However, direct competition has extirpated bighorn from many areas of their original range, and reduced their numbers in others."

"Man's impact on bighorn habitat is the greatest detrimental factor," says Hatch Graham of the U.S. Forest Service in California, "with increasing use and pollution of key areas, usurpation of water, and lack of understanding as the principal threats. An awakening to environmental problems and a general improvement in public attitudes are the best hope for the future."

by Bruce Hamilton

10-High Country News — June 6, 1975

## Colstrip opponents debate power demands

Battle lines were drawn May 20 as lawyers for all sides began examining witnesses at the Colstrip power plant hearings in Helena, Mont. The hearings are being held before the Montana Board of Natural Resources and Conservation to determine whether five utilities will be allowed to build two 700-megawatt coal-fired generators, Colstrip Units 3 and 4.

The possibility of exporting coal from the state to be burned nearer the Northwest load centers was among the main topics that former Montana Power Company president George O'Connor, the first witness, was asked to discuss.

O'Connor insisted that the power that would be generated by the plants is essential, and that there is no alternative to coal-fired plants to meet energy demands between 1978 and 1983 in the Northwest. Montana Power would own 30% of the output from the plant, with the rest shared by four other utilities in Washington and Oregon.

Exhibits prepared by the applicants indicate the five

companies will have shortages ranging between 368 and 1,281 megawatts of their average energy needs between 1980 and 1986 unless the plants are constructed, according to Associated Press accounts of the hearing. The exhibits indicate the shortages would be far greater during hours or seasons of peak demand.

Many of the questions aimed at O'Connor were designed to show that hydroelectric facilities or coal-fired power plants in other states could fill this need. However, O'Connor said that the lag between planning and putting a generating plant into operation is such that it would be impossible to now begin planning alternative facilities to Colstrip 3 and 4 and have the construction completed in time.

Testimony presented by the power companies has stressed a need for regional energy planning and construction of large facilities to meet regional needs, rather than the needs of just one state, according to Associated Press.

The Department of Natural Resources previously re-

commended that the Board of Natural Resources not allow the Colstrip construction, partially because Montana has no public need for that amount of power.

Montana Power also insists that it would be uneconomical to export the coal out of Montana. Figures contained in a document presented by Montana Power indicated that the cost of transmitting power from the proposed coal-fired plants would total about \$1.8 billion over the expected 37 year life of the project. This was contrasted with an estimate of \$2.2 billion for the cost of shipping the same amount of coal westward by rail from Colstrip to Hot Springs in northwestern Montana. It listed the difference at more than \$391 million.

Arden Shenker, attorney for the state's Department of Natural Resources and Conservation, questioned O'Connor at length about whether other plants were in the planning stage for the Colstrip complex. O'Connor firmly denied that there were any Montana Power plans for generating plants beyond the proposed units 3 and 4 and the already approved units 1 and 2.

As the questioning grinds on, it appears that the hearings may continue for most of the summer. The Board of Natural Resources will then decide whether to allow construction of the plants.

The Board of Health began hearings Thursday, June 5, on air and water quality questions. Under state law, the Board of Natural Resources apparently cannot allow the construction unless the Health Board certifies that the plants would not violate the air and water standards, according to Associated Press.

The Colstrip hearings are the first real test of the Montana Utility Siting Act, which requires that companies demonstrate that the power plants are needed by the public and would be environmentally compatible.

## EPC rebuts Ford's veto message

On May 20 the White House issued a position statement defending the President's veto of the proposed Surface Mining Control and Reclamation Act of 1975. We are printing below an edited version of the Environmental Policy Center's rebuttal. The EPC is an environmental lobbying and information-gathering group at 324 C St., S.E., Washington, D.C. 20003 (202) 547-6500.

If you agree with them, they urge you to help override the strip mine veto by contacting your representatives in the House by June 10. If the House votes to override the veto by a two-thirds vote, the bill will move to the Senate, where it also must win a two-thirds approval.

### ADMINISTRATION OBJECTIONS

- 36,000 jobs would be lost
- higher utility bills
- greater dependence upon imported oil
- coal production would be reduced
- regulatory delays
- reclamation fee is an unnecessary increase in coal cost

### EPC REBUTTAL

A. The AFL-CIO, U.M.W., and U.A.W. support the strip mine bill because its reclamation requirements would actually increase the number of jobs in the mining industry. The White House job loss estimate is based upon interpretations of the bill which Department of the Interior officials admit are "unreasonable." The estimates were not based upon a site-specific investigation.

B. Electric utility bills have risen drastically during the past 18 months, particularly in the eastern states, where the 50% increase in the cost of imported oil has encouraged domestic oil and coal producers to raise their prices. Coal prices have continued to go up in pace with the rising cost of oil — so much so that while coal production costs have gone up about 30% in the last two years, coal-company profits are as much as 500% higher than in 1973. This means that coal companies could absorb the costs of reclaiming strip mined land, without passing the costs on to consumers. And it's important to remember that the costs of reclamation translate directly into jobs, because it will take more workers in the stripping industry to put mined land back into shape.

C. The White House estimates the U.S. will have to import an additional 215 million barrels of Mideast oil at a cost of \$2.3 billion for every 50 million ton production loss as a result of this bill. Oil can only be substituted in utility boilers that have the capacity to burn oil — so any loss of metallurgical coal tonnage would have to be made up by other metallurgical coal. Generally speaking, stripped coal tonnage losses will be made up by increased underground mining and strip mining on less steep slopes in Appalachia. The unused capacity in deep mines in 1973, due to working less than three shifts per day and less than 50 weeks per year was in excess of 75 million tons.

D. Since Pennsylvania's strip mine law has become effective, production from strip mines has continued to increase and the number of small operators (average of 15 miners) has not diminished. The Pennsylvania law is the model upon which the performance standards in the federal bill are based.

E. The charge by the Administration that the bill would lead to years of regulatory delays is not substantiated

except to speak in ambiguous terms about the "ambiguous, vague and complex provisions" in the bill. The implementation timetable is designed so as to encourage cooperation among the states, the Secretary, and the coal companies to set up regulatory processes. Regulatory delays are likely only if the coal industry litigates or otherwise seeks to avoid implementation of the regulations.

F. The reclamation fee is set at 35 cents per ton for strip coal and 15 cents per ton for deep coal. At \$25 per ton, that represents a 1.4% increase in the cost of coal. This slight increase, which is insignificant relative to the abnormally high profit increases enjoyed by the coal companies in recent months, need not be passed on to the consumer.

With this modest reclamation fee, however, the nation can make a major commitment to begin repairing the approximately 1.7 million acres of abandoned strip mined lands. This abandoned lands reclamation program will create many jobs in high unemployment areas of Central Appalachia and the Midwest.

## Courts to decide state power over federal land

Although many opponents and proponents have tried to simplify the issue to their advantage, the question of whether or not state strip mining controls apply to mine activity on federal land will have to be settled in the courts.

Phil Hamilton, chief of the Branch of Lands and Minerals for the BLM in Wyoming, says there is no clear cut court precedent regarding it. Hamilton, who is the chief adjudicator for the Wyoming BLM, says there is a Constitutional question of federal sovereignty involved for either state jurisdiction over federal land or over federal coal.

Presently, the state of Wyoming is enforcing its strip mining regulations cooperatively with the BLM on federal lands. Mining companies are meeting both federal Interior Department and state Department of Environmental Quality requirements. The BLM hasn't raised any objections to this arrangement, nor has any mining company complained formally.

However, Hamilton says the state has never tried to refuse a permit to a company on federal land. When it does, the issue would likely be taken to court, he says. Problems now are minimal since there is not much difference between present Interior Department regulations — without the strip mining bill — and Wyoming state regulations, he says.

However, Wyoming has just implemented its 1975 regulations. Now there is certainly one area of conflict is the new state provision for landowner consent, which federal regulations do not now include. The state provision is basically the same as the landowner consent section in the vetoed federal bill.

If the veto is overridden and the federal bill passes, it provides that federal lands programs "shall, at a minimum, include the requirements of the approved state program." (Sec. 523a) This means the federal law would sanction state regulations, assuming the state program is approved.



**RANCHERS PROTEST.** Basin Electric's proposed Laramie River Station near Wheatland, Wyo., "can do nothing but destroy the agricultural economy of the area," local rancher Bob Harman told the State Board of Control. The Wheatland Irrigation District, Pioneer Canal, three Laramie River water users associations, the Albany County commissioners, and 20 individuals including Harman protested Basin's application to change 4,000 acre-feet of Boughton Ditch agricultural water to industrial water for the power plant. "Those of us on the Laramie River have come to realize that Southeast Wyoming is a water short area," Harman said.

**CARLSBAD N-WASTE TOMB.** The Energy Research and Development Administration has allocated \$250,000 to begin developing its plans to permanently bury high-level nuclear wastes in a 3,000 foot deep salt mine near Carlsbad, N.M. Dr. Frank K. Pittman, director of ERDA's waste management division told Don Kirkman of the Scripps-Howard newspapers staff that ERDA is totally committed to the Carlsbad burial plan and called it superior to an earlier scheme to use salt mines in Kansas. ERDA is now working on an impact statement on Carlsbad waste disposal. An earlier statement on the plan was withdrawn last year after it was severely criticized.

**UTAH CANT COPE.** John W. Coleman, planning coordinator for the Bureau of Land Management's Price-Moab District in southeastern Utah says the local communities will have difficulty adjusting to the energy boom planned for the region. "When the Emery Power Plant becomes a reality, and with other large power plants proposed for the area, this is going to put pressure on the area that they're not going to be able to cope with," he told the *Deseret News*. "They haven't the water, sewer, fire, and police." Coleman said Rock Springs, Wyo., "had the ability to cope with it, but I don't think they have down there (in southeastern Utah)."

**INDUSTRIES EASE THEIR IMPACT.** The Southwest Wyoming Industrial Association, an organization including power companies, coal companies, and trona companies, is helping boom towns in their area finance improvements. The group has guaranteed two loans for \$75,000 and \$100,900, and donated another \$42,985 to help finance medical services in the area.



**WHEATLAND CONSERVATIONISTS UNITE.** Farmers and ranchers around Wheatland, Wyo., have formed the Laramie River Conservation Council to study the effects of the proposed Basin Electric power plant to be built near Wheatland. Landowners in the area are concerned about threats to agricultural water, condemnation for power lines across ranches, pollution from the 1,500 megawatt power plant, and social impacts. Sen. Cliff Hansen (R-Wyo.), speaking in Cheyenne last month said once people in Wyoming see the benefits power plants can bring to the state in the form of jobs and taxes, they may change their thinking about them. Pictured above is agricultural land along the Laramie River near the proposed power plant.

## The Hot Line

energy news from across the country

**SOLAR ENERGY SAVES.** Consumers could save millions of dollars annually if solar power systems were used by utilities, according to Virginia Knauer, President Gerald R. Ford's consumer affairs specialist. Knauer cited an Arthur D. Little Co. report which said that utilities could save up to \$750 million a year using solar systems. The report also said homeowners could save \$350 to \$500 a year using mass-produced supplementary solar power systems.

**MORE NUCLEAR FUELS.** Japanese and South African scientists have each made progress toward lessening the present shortage of fuel for nuclear power plants. The Japanese have extracted uranium from sea water with a higher concentration of the ore than the country's most promising on-land deposit. Experiments designed to collect uranium from 40 tons of sea water daily are to start in July. Scientists have estimated the oceans of the world contain as much as 5 billion tons of uranium. Meanwhile, South Africa has disclosed a few details of a new uranium enrichment process which is said to be simpler and perhaps 25% cheaper than the gaseous diffusion system currently used in this country.

**EASTERN OIL SHALE.** The Midwest and East have oil shale reserves more than 23 times the size of the western reserves presently being leased by the federal government in Colorado, Utah, and Wyoming. John Humphrey, research manager for Dow Chemical Co., says the eastern shale reserve is "so large it represents over 60 times our current crude-oil reserves of 40 billion barrels." Under Michigan alone, he said, about 2.5 trillion barrels are estimated to exist. He advocated a \$42 million federal program to develop Michigan shale.

**NUCLEAR STIMULATION OF OIL.** The Soviet Union has exploded underground nuclear devices to increase the yield of marginal oil wells, according to United Press International. The United States has used nuclear blasts to release natural gas, which has caused some citizen controversy in this country, but this is the first time nuclear energy has been used to unlock oil reserves.

**INDIANS CHOOSE SOLAR.** One tribe of Indians is choosing solar energy as a solution to some of its problems. The Quechan Indians of California plan a solar energy power plant to help solve its unemployment problem. The Quechan are trying to recover land through the courts which they gave up in a 1893 treaty, subsequently broken by the U.S. The treaty had promised irrigation systems, tools, and water in exchange for the 30,000 acres along the Colorado River. If they win, the plant would be built there.

**NUCLEAR FIRST, SOLAR?** "I'd like to be able to tell you that solar energy is our first commitment, but it isn't. Nuclear technologies are. I can't even tell you it (solar energy) comes second. I've already told the coal industry it comes second," said Frank Zarb, Federal Energy Administrator, quoted in the Powder River Basin Resource Council's *Powder River Breaks*.

**CITIZENS TO WATCHDOG UTILITIES.** A Ralph Nader group thinks citizens should be monitoring utility policies. The group envisions an independent organization of lawyers, economists, and accountants in each state to do the monitoring. The organization would be paid by a check-off on monthly phone, light, gas, or water bills. The utility would collect the money and turn it over to the consumer action group. The sponsoring group is trying to rally support in various states.

**ENVIRONMENTALISTS WIN ON WASTES.** The Natural Resources Defense Council and the Sierra Club and other environmentalists have won a battle on nuclear power plant wastes disposal method. The Energy Research and Development Administration (ERDA) has announced a year's delay to give experts time to reassess the environmental problems that nuclear wastes pose. Gov. Cecil Andrus, the governor of Idaho, which is being considered as a storage disposal site, said he was pleased to see the delay.

## Emphasis ENERGY

in the Northern Rockies and Great Plains



**NEVADA WANTS N-WASTES.** Nevada wants to be the site for temporary surface storage of nuclear wastes. Other western states have expressed reservations about being chosen as a dump site, but the Nevada legislature and Gov. Mike O'Callaghan have sent a resolution to the Energy Research and Development Administration urging use of the Nevada Test Site. The state would also like to see solar energy research conducted on the site.

**GASIFICATION PLANT POSTPONED.** A Panhandle Eastern Pipeline Co. proposed coal gasification plant near Douglas, Wyo., has been postponed at least a year. Construction was originally scheduled to begin in July, 1975. Lack of a national energy policy, inflated project costs, and recent changes in both state and federal laws on siting, construction, and operation of major energy facilities, were the reasons given for the delay.

**SLURRY LINE V. JOBS.** Wyoming AFL-CIO officials have come out against the proposed Wyoming-to-Arkansas coal slurry pipeline because it would rob Wyoming of valuable jobs. Rather than export the coal and the jobs, the labor leaders want to see power plants and railroads built in Wyoming. "Our low unemployment (4.6%) makes Wyoming look like an oasis and people are turning to us for jobs," said state union president Paul Johnson. "Next to Alaska, we're the hardest hit with out-of-state people hunting jobs."

**GARBAGE POWER SCRAPPED.** Two plans to turn garbage into power in Colorado have been scrapped, apparently due to financial belt tightening. The Adolph Coors Co. of Golden had planned to convert its wastes into natural gas. But Coors has suspended research on the project, "because we now need to direct all company resource into obtaining gas and coal — our regular resources," a company spokesman told *Colorado Business*. Energy Conversion Systems, Inc., a company which planned to absorb more than one-fourth of Denver's trash and make it into electricity, has had similar problems getting started. Thomas Spooner, ECS's vice-president, says financial backers have had trouble coming up with the money to pay for long-term mortgages. In the meantime, the cost for the \$7.5 million plant has soared to \$11 million since last July.

**SOLAR CONTEST.** The Bitterroot Resource Conservation and Development Committee is offering \$600 in cash awards to high school and vo-tech students in Ravalli, Missoula, and Mineral Counties, Mont., who come up with the best projects to help people understand how to use wind and solar energy. Projects may be in the form of model legislation, economics and feasibility studies, art, information dissemination, or other areas of interest in the field.

**JUDGE CALLED COAL ADVOCATE.** *Coal News*, the newsletter of the National Coal Association, has called Montana Gov. Thomas Judge the "new coal advocate." *Coal News* says Judge has come out in favor of the state building a coal gasification plant near Glasgow, Mont., to replace natural gas supplies cut off by Canada. "The governor somehow did not this time denounce surface mining which would be the only feasible method of producing coal for a gasification plant," said NCA president Carl E. Bagge. "I would like to welcome him into the ranks of those of us who are concerned about energy as well as the environment."

**SHALE INDUSTRY STILL ALIVE.** Paraho Development Corp. plans to begin this year a \$76 million project to build a full-scale oil shale retort. The new retort will be built on the Naval Oil Shale Reserve near Rifle, Colo., where Paraho has been operating a semi-works pilot project for the past 20 months. The scale-up is a critical step in proving the commercial feasibility of a full-scale shale oil industry.

**SLURRY LINE V. TRAINS.** Frank Odasz, Rocky Mountain manager of Energy Transportation Systems, Inc., the company which wants to build a Wyoming-to-Arkansas coal slurry pipeline, says trains can't do the job alone and are hazardous. He said by 1990 an estimated 150 million tons of coal will be developed in the Powder River Basin and the capacity of the railroads would only be 96 million tons by that date. "The difference of 54 million tons must be moved by some other method," he says. Odasz says that in Lusk, Wyo., there would be about 46 unit trains of 100 to 110 cars each day running through the heart of town by 1990. "That's about two an hour, for every hour, night and day," he says.

# Nat Reed: 'Stop using coyote as scapegoat'

"Coyotes and the energy crisis seem strange bedfellows. Nevertheless, they share many complexities and contradictions," Assistant Secretary of Interior Nathaniel P. Reed told the Denver Rotary Club in April. "Collectively, the problems with which they confront us illustrate the paradoxical nature of resource management decisions faced by this country's leaders on the eve of its 200th anniversary."

Reed told the Rotarians that since 1940, federal efforts

## Study says sheep loss 86% due to coyotes

A Montana study is providing additional information on the old and sometimes heated controversy related to coyote-sheep relationships, according to the Wildlife Management Institute. Data collected from the study indicate that the coyote can inflict significant damage to unprotected domestic sheep herds.

The study was initiated by the University of Montana on an 8,500 acre ranch in the Bitterroot Valley south of Missoula. Funded by the U.S. Fish and Wildlife Service, the investigation was designed to record all sheep losses, both by predators and from natural mortality. From March to October 1974, no controls were placed on the coyotes. The predators were allowed to take as many sheep as they would. However, 61 coyotes were killed on the area shortly before the study began.

About 2,000 sheep were exposed to predation during the six-month reporting period. Coyotes killed 429 sheep, 364 of which were lambs. That amounted to about 86% of the total sheep deaths. Two sheep were killed by golden eagles. Two were killed by feral dogs. The dogs also wounded 11 more.

Although the predator kills were high, researchers said that lack of control was part of the cause. "What we have shown," the researchers said, "is that coyotes under certain circumstances do kill sheep." They said, "People who want to latch onto our study and flaunt it as proof against coyotes are mistaken. We are just printing the results of a baseline study which had little or no controls placed on the coyotes. We are not using our data to make generalizations on the coyote-sheep problem everywhere."

The researchers said the coyote problem varies from area to area. In some places they are no problem at all... in others they are. They said there has to be selective control and that new devices are being developed to help.

alone had killed about three million coyotes at a cost of more than \$183 million in federal, state, and private funds. "No other wildlife species has experienced a more intensified eradication effort at the hand of man, nor has any been exposed to a broader arsenal of weapons," he said.

Despite the eradication campaign, sheep numbers in the U.S. declined from 45 million in 1940 to 15 million in 1974. "The largest decrease occurred in those years when the greatest number of coyotes were being killed, and when poisons such as strychnine, thallium, and 1080 were used on a gigantic scale throughout the West," he said.

Reed said he saw "no benefit to either the taxpayers or the sheep ranchers in attempting to kill every coyote that breathes."

"In addition to a subsidy of millions of dollars of federal funds for killing coyotes, the sheep industry has been supported by wool incentive payments, tariffs, import restraints, and grazing fees on public lands far below fair market value. Yet, the industry continues to decline.

"Just as the pragmatic conservationist is one not asking to go back to pre-settlement times, so must the pragmatic sheep rancher realistically confront his true problems. These problems are labor costs, competition from synthetics, American's preference for beef, primitive management techniques, and poor husbandry. These problems have far greater impact on the wool grower than losses to predators," he said.

"The monies spent killing coyotes would have been much more productively applied to disease research, increasing range sheep birth rates, and developing methods to allow the sheep rancher to depend on science and not fate for his yearly lamb and wool crop.

"The sheep industry can make an important contribu-

tion to food and fiber production in this country. It will do so only when it stops using the coyote as a scapegoat."

Turning to the topic of energy production and consumption, Reed said, "We are undeniably a crisis-oriented people. Until we are faced with impending disaster, we give little recognition to the situation."

Reed said, "Many Americans look at strippable western coal as a panacea to bail us out, but only three per cent of our total coal reserve is strippable."

He said, "Frankly, the only immediate impact we can have on the energy situation is conservation."

Reed played down any hope of reaching energy independence. "Let's face it," he said, "I suspect the best we can do is stockpile for the very worst and then only for a relatively few days. Interdependence is part of the late 20th century, and it is certain to be part of the 21st and 22nd centuries. We are not alone in the world, nor is any other nation. It is foolish to assume otherwise.

"A certain paradox in the energy picture is the cost of developing the new technology which will give us freedom from the energy crisis. As we face a national level of deficit spending, which could reach 86-95 billion dollars, we are surely mortgaging our grandchildren's future. What can we afford to give up to pay the price for energy development? What must we give up? The environment?"

"If our planning does not accommodate environmental integrity, then the mortgage we must leave our descendants will be far more painful than national debt. We may leave them no future at all."

"The ages of easy answers are well behind us," he concluded. "But the measure of this nation cannot be easy answers. I believe that we have faced no more critical period of choices than those which now are before us."

## Lower basin states rally around water

by Gary Nabhan

Two resource planning conferences held in Tucson, Ariz., in May could have a profound effect on the future management of river systems in the West.

Almost a century since John Wesley Powell originally outlined the intrinsic limits to development in arid-land watersheds, land managers have begun to talk in terms of "carrying capacity." It was clear that there are limits to the amount of life and disturbance which a riverine ecosystem can hold. Man's plans now affect what kinds of life are included or excluded from every river in the West.

The conference sponsored by the University of Arizona Office of Arid Lands Studies evaluated new energy sources in relation to the cost of maintaining the present environment. One upshot was that energy development in the Upper Colorado River Basin could be limited if Colorado, Wyoming, Utah, and New Mexico fail to deliver the legally-dictated amount of river water to the Lower Basin.

It appears that mining and power production industries in both basins may be planning to use more water than the Colorado watershed can provide. Since a 1922 interstate compact has ordered that 8.25 million acre feet of water a year must be delivered from the Upper Basin to the downstream states and Mexico even if there is a natural water shortage in the Upper Basin, any drought may inhibit energy development in the Colorado's headwaters.

Yet there are difficult economic and environmental problems with energy development in the Southwest, too. Eminent ecologist and physicist Howard Odum suggested that hidden costs in coal, oil shale, and solar technology will make it cheaper for us to purchase Arab oil for many more years.

Instead of maximizing the intrinsic resources which are attractive to people in the Southwest, coal development creates "disorder" in a striking landscape, breaking down the structure of the soil built through the ages, Odum pointed out. Though soil has for decades been lost through overgrazing in the area, there are some threatened sections of the watershed which have sustained Hopi farming continuously over 400 years.

Odum suggested that instead of extracting minerals now, people should concentrate on enhancing the quality of local resources.

"It's a great pleasure to hang on to things, to do things well," Odum added.

At the wildlife conference across town, a symposium on

forest and range habitats for non-game birds, biologist Roy Johnson urged that we hang on to the natural floodplain vegetation which is so crucial to Western wildlife. Concerned with overgrazing, flood control, phreatophyte control, and dam plans, the Park Service researcher noted that riparian cottonwood stands have not been managed as the rich, natural wildlife sanctuaries that they are. Man's impacts have broken down the regenerative cycle of cottonwood stands upon which high densities of breeding and migrating birds are so dependent. If land managers will accept non-game species as "wildlife" too, then these habitats can be presented as extremely productive natural areas. Dr. Johnson suggested that "non-consumptive" uses such as bird watching and low density picnicking be acknowledged in cost-benefit analyses for river management plans.

While dryly recognizing that Arizona "has more water experts per acre feet of water" than any state in the union, Roy Johnson showed why the infrequent rivers of the West deserve so much attention. For Lucy's warblers, explorers, kingbirds, and kayakers, those thin veins of water are the lifeblood of the region.

Proceedings from both conferences will be available for purchase in coming months. For further information, write:

Symposium on management of forest and range habitats for non-game birds  
Arizona Game and Fish Department  
State Office Building, Room 164  
415 West Congress Street  
Tucson, Arizona 85701

Water Requirements for Lower Colorado River Basin  
Energy Needs  
Office of Arid Lands Studies  
1201 East Speedway Blvd.  
Tucson, Arizona 85719



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# Western Roundup

## N.D. farmers criticize Garrison

The Bureau of Reclamation's Garrison Diversion project in North Dakota, which was originally justified in terms of its benefits to farmers, has come under heavy criticism by the North Dakota Farmers Union. The farmers group has urged Congress to hold funds for the project "until a Congressional committee has had an opportunity to fully investigate the inequitable treatment of landowners and other problems associated with the project. . . . The North Dakota Farmers Union further believes that unless a thorough review is conducted to correct the present problems of the project that the Garrison Diversion project will produce significantly fewer benefits for the people of this region than originally anticipated when it was authorized." These comments were made in NDFU testimony submitted May 14 to the Senate Subcommittee on Public Works Appropriations.

## Montana EQC aims to legalize clout

The Montana Environmental Quality Council has proposed a new set of rules for environmental impact statements. The council made the rules in response to District Court Judge Gordon R. Bennett, who ruled that the EQC's lack of regulations dealing with environmental impact statements meant that procedures now in effect actually have no legal force. Next the EQC-adopted rules will go to the governor's Commission on Environmental Quality for revision and eventual adoption under the Montana Administrative Procedure Act.

## More eagles poisoned in Colorado

Four golden eagles killed by illegal predator poison have been found in the Meeker, Colo., area. That brings to 12 the number of eagles poisoned in Garfield and Rio Blanco counties this spring. Eight, including six bald eagles, have been found near Rifle, Colo. The poison used, in both cases, was thallium sulfate. The U.S. Fish and Wildlife Service is conducting an investigation on the poisonings, which are both a state and a federal offense. A Rocky Mountain News account claims that the top agent on the case has known for longer than a month which rancher near Rifle set out the poison. But "the case is too flimsy, the U.S. attorney's office in Denver has decided. It won't prosecute unless there is more direct evidence that man placed the poisoned baits, such as might be offered by a witness," the News said.

## BLM vehicle regs ruled inadequate

A suit which charged that the Bureau of Land Management's rules allowing unrestricted use of most public lands by off-road recreational vehicles pose a danger to the environment was won in federal court in May. U.S. District Court Judge William B. Jones ruled that the rules violated both the National Environmental Policy Act and a 1972 executive order, which directed federal agencies to establish zones in which the vehicles could and could not be used. The suit was filed by the National Wildlife Federation.



### YELLOWSTONE ELK CAUSE COMMENT

A Montana Fish and Game Commissioner blames National Park Service management for the huge losses of elk in the late spring snows in Yellowstone National Park. The commissioner, Dr. Les Pengelly, also claims that the service may be causing permanent damage to the winter range land that supports the herds. "No place else in Montana are elk dying like this," Pengelly told a University of Montana audience this month. Pengelly advocates protecting the winter range by trapping excess elk for other states wishing to establish elk populations. But service officials are reluctant to tamper with the park's ecosystem, even though, Pengelly claims, there are 13,000 elk on a winter range area that was once estimated by park managers to be capable of supporting only 5,000 animals. "Elk are not a vanishing species, but elk ranges are kind of in short supply," Pengelly says.

## Sandhill cranes foster whoopers

The U.S. Fish and Wildlife Service has taken 14 eggs from the nests of wild whooping cranes in Canada and placed them in the nests of greater sandhill cranes in Idaho. The transfer was made in an attempt to save the whooper, which is nearly extinct. The sole surviving flock of 49 whoopers nests in Canada and winters in Texas. Greater sandhills were chosen as foster parents because they are a close relative to the whooper, service officials said. The sandhills are expected to lead the young whoopers south for the winter and escort them back to Idaho in the spring.

## Trailers cost more than houses

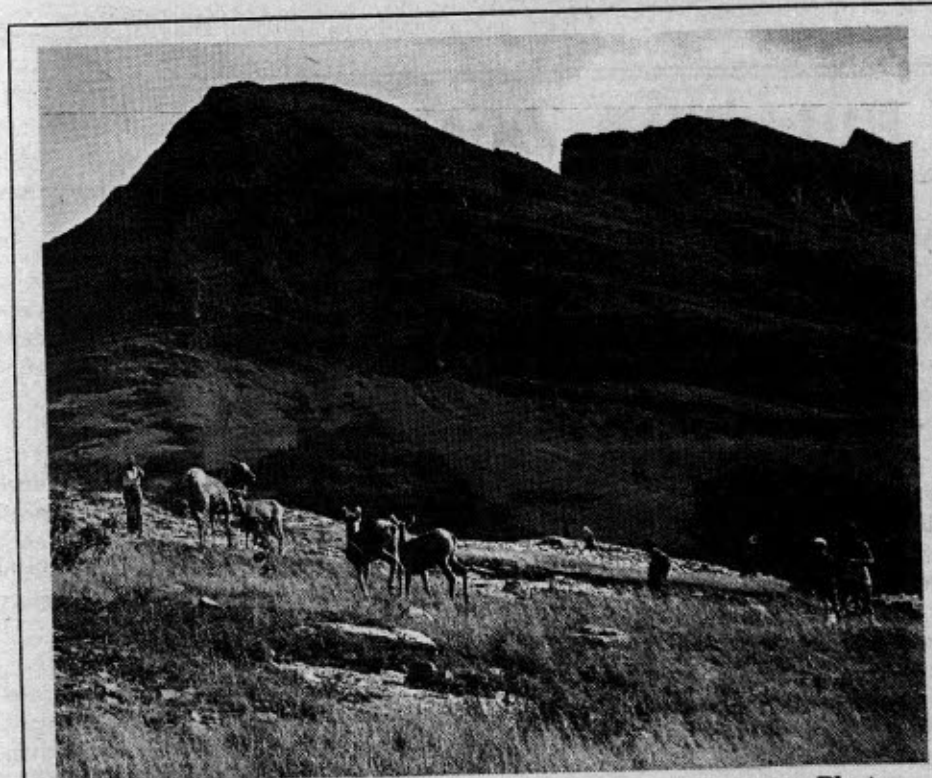
"Although mobile homes are frequently pointed to as low-cost housing for a transient population, studies show that over a period of several years, it is actually more expensive to buy a mobile home than a house," reports Shale Country in the May 1975 issue. "While it is easier to get financing for a mobile home, the monthly payments, including space rental in a park, usually will amount to about as much as the payments for a \$25,000 conventional home. In addition, as a conventional home is appreciating in value, a mobile home is depreciating, so that after a few years, the mobile-home dweller is left with a potentially worthless piece of property. Shale Country, an oil shale industry magazine, says the solution is to "upgrade both the quality and appearance of mobile homes and parks."

## Salmon fishing banned on Snake

The Idaho Fish and Game Commission has banned all sport chinook salmon fishing this year because of a seriously depleted spring fish run. The ban applies to the Snake River and its tributaries. It coincides with a similar ban imposed by Washington and Oregon on the Columbia River. "Fisheries biologists lay a certain amount of blame for the low fish runs on the many hydroelectric dams on the Columbia and Snake Rivers," a UPI report says.

## Montanans ask for more wilderness

Montanans have gone to Congress to plead for more wilderness in their state. They claim that the U.S. Forest Service overlooked nine critical areas in Montana during its roadless area review. Montana's two senators, Lee Metcalf and Mike Mansfield, have introduced a bill to initiate wilderness studies in these areas to test their suitability for protective Wilderness designation. The Senate Interior Subcommittee on Environment and Land Resources held hearings on this bill, the Montana Wilderness Study Act (S. 393), in May. In a column for The Missoulian Dale A. Burk compared Montana's battle for these nine areas to the battle over the Lincoln-Sagegoat Wilderness along the Continental Divide. "There, too, the bureaucracy involved, the U.S. Forest Service, overlooked some of the most outstanding wilderness qualities to be found on the North American continent. And there, too, was where the people took their case to Congress and proved it," Burk said.



Montana Department of Highways Photo

### BIGHORN STOP TRAFFIC

The Park Service has been plagued with "sheep jams" in Glacier National Park recently. Much like the black bears of Yellowstone, Rocky Mountain bighorn sheep are flocking to the park's highways to eat whatever tourists offer. The behavior is "a holdover from the 1930s," says Robert Morey, park wilderness specialist. Years ago park sheep were fed hay. The ewes have lost their fear of man "and passed the trait on to the lambs. It has reached the point that even in the summer, when hiking the trails near Many Glacier, the sheep will come up to you. Hold out your hand and they lick it to get the salt," Morey says. Park officials plan a crackdown on tourist's illegal feeding of wild animals. Sheep feeding is classed as a misdemeanor violation.

14-High Country News — June 6, 1975

## Thoughts from the Distant Corner

by Marge Higley

A trip through Yellowstone Park at the end of May can be a delightful experience. That is, most years it can. The heavy tourist traffic of July and August has not yet crowded the roads and facilities, and most of the animals graze close to the roads, almost unaware of the passing traffic.

My daughter and her family had driven to Lander, Wyo., from their home in Arizona. We hoped to all go to the cabin in the Colorado mountains for some fishing, but late spring snows up there had made the roads almost impassible for a few days at least, so we decided to take the granddaughters on a quick trip through the park while we waited for the roads to dry.

We made reservations for the five of us at Old Faithful, and early on a sunny Thursday morning we packed sandwiches and coffee for lunch, and headed north. It was still early when we arrived at Moran Junction, so decided to drive over to Jackson so the children could see the elk at the elk refuge. Well, this year, it seems that most of the elk have already headed for the high country, but we did see a few, and also some trumpeter swans. A chill breeze made it more comfortable to eat our lunch in the car. Then we headed back to Moran Junction and Yellowstone, planning to drive from the south entrance to West Thumb and over to Old Faithful that afternoon, and then tour the circle the next morning. We had planned our travel just right to arrive at our destination late in the afternoon. However . . . the road over Craig Pass to Old Faithful was closed because of snow, which meant that we would have to drive the circle to get where we were going.

The roads were completely cleared, but snow was piled so high at the edges that we could hardly see the beautiful scenery! To two little girls from Arizona, the snow was exciting. We stopped several times to let them throw snowballs, and the novelty of this almost made up for the fact that we didn't see one single bear! At Canyon Village snow and snow-removal equipment made it impossible to get a good look at the canyon or the falls, so we headed west, toward Norris. Across the flat meadowlands we ran out of the snow, and were lucky enough to see several bison, trumpeter swans, and two coyotes. From there, through Madison, and on down to Old Faithful we saw hundreds of elk and more bison. Earlier in the day we had seen moose, so that by the time we reached Old Faithful we felt that the ride had been worthwhile, in spite of the snow.

After supper we watched Old Faithful do its hourly duty, and then wandered around on the narrow paths and boardwalks over steaming springs and bubbling mudholes, all drawing "oh's" and "ah's" from the girls. Then back to the inn to put two tired and excited little girls to bed. (The littlest one, fighting sleep, wanting to stay up until Old Faithful "interrupts" just one more time!)

Next morning we hiked over to Morning Glory pool, and back to the inn by a circuitous route through springs and geysers. We were lucky enough to see Beehive Geyser spout just as we were passing by. We all agreed that there was no point in coming home over the same route we had traveled, so we departed through the west entrance, cut through a corner of Montana and down into Idaho through some beautiful scenery. Then back into Wyoming, through Pinedale, Farson, and over South Pass into Lander, arriving home about 10 o'clock. We added hundreds of antelope to our tally of wild animals. Lisa (the 10 year old) had been counting horses since she had left Arizona, and this last day brought her total up to something like 2869! We all helped her count, so the figure might not be completely accurate. Kelly, unimpressed by the horse counting, slept most of the way home.

We agreed that it was a great way to spend a couple of days waiting to go fishing, in spite of the fact that we didn't get to see everything. A telephone call to a neighbor near the cabin in Colorado assured me that the road was dry enough up there . . . and there was still a week of vacation left . . . we could get ready in one day, and go up about Sunday . . .

So guess what happened Saturday morning? No, not more snow — the weather, in fact, was beautiful. But Saturday morning Kelly came to the breakfast table saying "Look, Daddy — I have funny little red bumps all over me!"

I guess the chicken-pox will last just about as long as the rest of the vacation!



WIND RIVER RANGE. One of the areas described by Finis Mitchell in his new hiking and fishing book, *THE WIND RIVER RANGE*. Photo by Finis Mitchell

### Book review

## Wind River Trails

by Finis Mitchell, Wasatch Publishers, Inc., 1975, 4647 Idlewild Road, Salt Lake City, Utah 84117, 142 pages, \$2.95, paperback.

A packable guide for those who come to Wyoming's Wind River Range to hike and fish. *Wind River Trails* offers less history and less technical climbing information than the old standard on these mountains — the *Field Book: Wind River Range* by Orrin and Lorraine Bonney. It does offer Mitchell's personal advice about the mountains he knows intimately.

Starting from each of the 17 entrances to the range, Mitchell discusses what he sees as the basics — the slope of the trails, the sights, and the size of the fish. He throws in associated delights — such as where to pick huckleberries and where to see moose.

Mitchell has scaled 198 peaks and taken thousands of pictures of the Wind River Range. In 1930 he set up a fishing camp on Mud Lake near the Big Sandy Opening. Now over 70, he still leads trips into his favorite back-country.

"We don't stop hiking because we grow old, we grow old because we stop hiking," Mitchell says.

The book includes a short autobiography, a food and equipment list, simple maps, and vital information about the range's idiosyncrasies.

"It's apt to snow anytime in this high country. In the summer of 1974 it snowed on us the 6th and the 8th of August and three times afterwards before the first of September."

It's a special range and Mitchell knows it well. —JN

## BULLETIN BOARD

### USE OF WASTES

A study is now available titled *Conservation of the Land and Use of Waste Materials for Man's Benefit*. The study was prepared for the Senate Agriculture Committee. To obtain a copy, write to U.S. Senate Agriculture Committee, U.S. Senate, Washington, D.C. 20510.

### COMPUTER RIDES

A computerized car pooling service is now available to anyone in the Denver metropolitan area. The service is free. Applicants are matched by home addresses, work sites, and schedules. People who wish to participate should apply to the Denver Regional Council of Governments, 1776 S. Jackson St., Denver, Colo. 80206. The service is financed by a \$165,150 federal highway grant matched by \$18,350 in local funds.

### WYOMING WORKSHOPS

Citizen's Workshops on Energy and the Environment will be held in Wyoming in June. The sessions are sponsored by the U.S. Energy Research and Development Administration and will be directed by John W. Steadman, assistant professor of electrical engineering at the University of Wyoming. For more information write to Steadman at Box 3295, University Station, Laramie, Wyo. 82071.

### SOLAR YES, NUCLEAR NO

"A transition to a solar energy economy is desirable and realizable," concludes a study conducted by the state of Oregon. Since "nothing short of perfection is safe," the study calls for a complete halt to nuclear power development. This revolutionary report, "Transition," is available for \$5 from the Office of Energy Research and Planning, State Capitol, Salem, Ore. 97310.

### GUIDE TO INHOLDINGS

*Inholdings: Threats to Our Public Lands* is a 12 page citizen's guide to the problems created by private lands surrounded by public lands. For a copy write Natural Resources Council of America, Suite 911, 1025 Connecticut Ave., N.W., Washington, D.C. 20036.

### VOTING ANALYSIS

The League of Conservation Voters has released its evaluation of the voting records of members of the House of Representatives in 1974 on environmental issues. Copies of the evaluation, with a rundown on votes by each Congressman are available for \$2 from the League of Conservation Voters, 324 C Street, S.E., Washington, D.C. 20003.

### NUCLEAR DATA ACCESS

The Federal Energy Administration now has a Nuclear Statistics Division to disseminate data on nuclear power. If you need information write to: Howard Walton, Nuclear Statistics Division, FEA, Washington, D.C. 20461.

### SOLAR ASSISTANCE

Persons interested in obtaining federal funds for solar energy research or development projects can receive a list of contacts in the Energy Research and Development Administration through Rep. Pat Schroeder (D-Colo.). Contact Marc Rosenbaum in Rep. Schroeder's Denver office, 303-837-2354.

### BIG PINEY PLAN

A proposed land use plan and environmental statement for the Big Piney Planning Unit of the Bridger-Teton National Forest in Wyoming is available for public comment. Deadline for comments is July 20. For more information write to District Ranger Rodman Barker, Big Piney, Wyo. 83113.

# Charlie Scott: from Wyoming to Washington D.C. (and back again)

by Joan Nice

The minute you meet Charlie Scott, he'll start dealing you surprises. You begin by wondering how someone with a straw hat ever found such a serious-looking pair of black-rimmed eyeglasses. You wonder how he climbed clear to the top of Washington, D.C., civil service ranks at such an early age. Why, just as quickly, he came back home to Wyoming again.

Scott is now a rancher south of Casper Mountain in Wyoming. His place is called the Two Bar Ranch.

When I arrive, the ranch mechanic asks me if I've come to take a picture of the birds or "the president." Scott, president of the Murie Audubon Society, has evidently trained the ranch hands to welcome birdwatchers.

I'm after the president, I tell him. He directs me out a dirt road to "the south 700" where Scott is busy irrigating a hay meadow. He owns and manages 60,000 acres in all. He likes to run things, he says.

The evening before he spent helping the Wyoming Outdoor Council hammer out their plans for the year. He's practical about things, often beginning his comments with: "My experience as a bureaucrat tells me..." Only 30 years old, he's still able to lean back like a venerable sage and recall lessons learned during his first career — in Washington D.C.

Scott lasted five years as a "bureaucrat" — then quit because he liked Wyoming and he had finished what he set out to do. He was fascinated by Washington D.C. He is equally fascinated now about running the family ranch and helping out the environmental movement in Wyoming.

When Scott started graduate work at Harvard Business

School, he expected to become a banker and eventually to return to his home in Wyoming. When he graduated in 1969, the government offered him more challenge than the banks did, Scott says. So he went to work for the Department of Health, Education, and Welfare. Much of his effort was directed toward untangling HEW's grant programs.

Later he tackled projects for the Environmental Protection Agency. He worked on their refuse act and their radiation program and then became budget officer for their water program. Finally, he moved up to work directly under EPA administrator William Ruckelshaus and his deputy, Robert Fri. There he designed and implemented the agency's internal planning and budgeting system.

He set up a system which established measurable goals for regional EPA managers.

HEW, Scott says, "was oriented toward getting Congress to pass legislation. Once it had passed, it was assumed the legislation would implement itself. But legislation means that people in your sub-organizations have got to do something. And you've got to keep track of them."

Scott says that measuring success is one of government's toughest jobs. "What does cleaning up pollution mean? Do you measure tons of pollutants? Which pollutants? Or do you measure stream miles cleaned up? How the heck do you measure cleaned up?"

Lacking the profit measure of private industry, it is difficult for the government to insure that money is being spent effectively. This lack of measures "is the strongest

argument I know of for decentralizing as much of the power and responsibility of government to the lowest possible level," Scott says.

Take, for example, local school boards: "The local community is in a good position to tell whether the school board is doing its job or not," Scott says. "It would be hard to tell from Washington."

The EPA plan took about a year and a half. Then the job started looking "staffy, less interesting, straight budget analysis," so he moved over to the new, notoriously chaotic, Federal Energy Administration.

At the end of February of 1974 "there was fairly widespread feeling in Washington that we were likely to have gasoline rationing," Scott recalls. He remembers walking

(Continued on page 16)

## Eavesdropper

environmental news from around the world

LOONEY LIMERICKS  
by Zane E. Cology

Oh is there a spot where the buffalo wallow,  
Where the deer nestle down in the pine forest hollow,  
Where "multiple use"  
Is no excuse for abuse,  
Where nature's own way is the path that we follow?

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**ILLEGAL AIR.** May 31, 1975, was the date when states were supposed to effect federally-approved air pollution abatement programs in compliance with the Clean Air Act. That date has passed, and only 89 of the nation's 247 Air Quality Control Regions are in compliance. Environmental Protection Agency Administrator Russell Train says that even though the deadline wasn't met, substantial progress has been made. For instance, since 1970 there has been a 25% reduction in sulfur dioxide pollution nationally — 50% in large metropolitan areas.

**AEROSOL ATTACKED.** The Oregon legislature has passed, and Gov. Bob Straub says he will sign, a bill banning many aerosol products in Oregon after February 1977. Continued use of aerosol products could be destroying the protective layer of ozone in the earth's atmosphere, according to some scientists. The Natural Resources Defense Council is taking the Consumer Product Safety Commission to court demanding that aerosol cans be banned at the national level.

**BILL WOULD LIMIT CORPS.** A bill to "get the Feds off the south 40," according to Idaho's Sen. James A. McClure, has been introduced by McClure, Sen. Frank Church (D-Idaho), and Sen. James Buckley (CR-N.Y.). The bill would limit the powers of the Army Corps of Engineers over certain inland waterways. Under the bill, lakes and streams that lie mostly within one state would come under state control, if the state has a permit system similar to the Corps federal permit system. The Corps has traditionally regulated navigable waterways and a recent court case expanded the Corps' jurisdiction to all the waters of the United States.

**EXPORTING NEPA.** Through the U.S. Agency for International Development (AID) DDT, Aldrin, Dieldrin and other pesticides that are strictly controlled or banned in this country have been exported for use in foreign lands. National Audubon Society, Sierra Club, Environmental Defense Fund, and Natural Resources Defense Council have asked AID to file an impact statement as required under the National Environmental Policy Act on their program. AID has refused and now the four groups have filed suit to make NEPA apply to U.S. overseas programs.

## Hedonistic Ascetics Illuminating With Harshness, Misanthropy, Condescension, Humor, Integrity and Originality?

What?

The following article, by Peggy Clifford, appeared in the March 21, 1974 Aspen (Colorado) Times.

**THE STATE OF THE MEDIA** in Colorado is, to put it as gently as possible, wretched. If the *Rocky Mountain News* has gotten a little better recently, the *Denver Post* has gotten a lot worse. The state's television stations daily celebrate mediocrity in all its forms. With few exceptions, the smaller media follow their Big Brothers' dismal lead.

In fact, the most interesting medium in the state is *Mountain Gazette*, a sometimes quirky, sometimes startling monthly journal which is issued in Denver for subscribers around the country.

As its name suggests, the *Gazette* has something to do with mountains. But mountains are complicated territory, the most complicated territory on earth, and so the *Gazette*, having chosen that terrain, occasionally has nothing to do with mountains.

From time to time, strict mountain-tamers complain about this vagabond tilt, but it is the tilt which makes the magazine interesting and, sometimes, valuable. To its editors, Mike Moore of Denver and Bill Rollins of Aspen, mountains are arrangements of stone and dirt and trees and snow, but they are also labyrinths, metaphors, places, issues, lessons and messages. Or so the contents of the magazine suggest.

Thus, an issue rich with ads for climbing equipment may contain not one word on the best way to approach the north face of Mount

Whatever, but many words on environment, growth, art, design... and wandering. Yes, there is a very real devotion here to wandering. It seems fitting, for it is wanderers—whether psychic or physical—who discover things and discovery is what *Mountain Gazette*—if it is about anything—is about.

Not revelation, which takes your head apart and reassembles it and you in a slightly different way, but discovery, that little jolt which usually improves the day in some way.

It is not all good; in fact, sometimes it's a bore, overcome by uniformity (which people often mistake for unity), dragged down by a sameness of tone and attitude. But, more often than not, it's worth reading.

Its layout is spare and elegant and its writers (from all over the country) are, by and large, talented. All mountain men, in the broadest sense of the word, who sound nothing whatever like the crisp, clever wordsmiths who inhabit the Big Apple and whose look-alike, think-alike prose is familiar to every literate American.

This is not mass society journalism; this is ascetic hedonists or



hedonistic ascetics illuminating themselves and their times with harshness, misanthropy, condescension here, humour, integrity and originality there. There is not much in the world they take seriously, yet sometimes they take themselves terribly seriously. But these contradictions and confusions are blessedly mortal and make for a good prickly (and appropriately alpine) texture.

It's pretty chilling going sometimes, in fact, but—like mountain air—it's a nice change from the cozy intimacy the indoor journalists purvey. As long as it keeps its claws, the *Mountain Gazette* will never achieve an enormous success. Not because it isn't good, but because, to most people, a bird in the hand is worth two in the bush and the *Gazette* is definitely in the bush.

If its editors are smart, it will stay there—beyond the reach of all the fact-worshippers, hard news addicts, how-to zealots and plastic hipsters.

## Mountain Gazette

A subscription to *Mountain Gazette* is \$6 for one year (12 issues), \$9 for two years (24 issues) or \$12 for three years (36 issues).

A subscription is available by writing: *Mountain Gazette*, 1801 York Street, Denver, Colorado, 80206.

16-High Country News — June 6, 1975

Charlie Scott

# Wyoming to Washington D.C. (and back again)

(Continued from page 15)

by gasoline lines that were a mile long. FEA made him Deputy Director of Gasoline Rationing.

In a few months, Scott and the staff he organized set up a contingency plan. But then the embargo was lifted. "Thankfully, the need for our plan wasn't there — so we just folded the office."

Scott predicts that any rationing program — including the one he devised — would be painful for America.

"For one thing it would be very expensive," he says, "\$1½ to \$2½ billion. It would also be a big inconvenience. To get the coupons at the post office — the Christmas mail rush compounded several times. And you have a real restriction on people's freedom when the government tells them how much gasoline they can have."

Through the scheme he devised, each licensed driver would receive eight coupons worth about five gallons of gas each. The coupons would be resalable on the open market for 80 cents to a dollar a gallon, Scott estimates.

He predicts that politicians will be unlikely to approve gas rationing in response to gas shortages in the future. "Any politician who got himself tagged as responsible would be unable to win his next election. So I think you may get a fair amount of noise, but nobody is going to take the responsibility for pushing it through."

Higher gasoline taxes, on the other hand, might be a practical way of controlling consumption of gasoline, he says.

"A gasoline tax is more progressive than people think it is," Scott says. "The rich use two or three times as much as the poor. And demand is a good deal more elastic (as the price goes up the demand goes down lower) than economists thought."

Seasoned at the age of 29, Scott decided "it was either stay in and become a bureaucrat for life or get out when the rationing office folded. I didn't want to be a bureaucrat for life. I did know I enjoyed running something."

So he went from organizing the bureaucracy to managing the land. His principle product in the new venture is easily measured: six-month-old calves.

His father, Oliver Scott, a retired medical doctor, bought a large "sheeped-out old place" near Casper, Wyo.



Charlie Scott, irrigating the south 700

20 years ago. "It was so overgrazed you wouldn't believe it — some of the range was really no more than shifting sand."

He and his father tried to restore productive range and to prove that it could pay. They had some successes. They turned one dry place with four foot high sage into belly-high grass with a spring running through it. Now on separate ranches, they are still working to improve other parts of the range. "We're trying to manage the range in such a way that it retains its productivity long-term," Scott says.

Scott has noticed that other ranchers in the state are doing a better job of managing their range recently. "I would say that overgrazing is significantly less of a problem now than it was 20 years ago," Scott says. "You can still see some horrible examples, but they are getting fewer."

He is an advocate of rest-rotation grazing. "Rest rotation is using the ground intensively enough so that cattle get into all parts of the pasture. By rotating pastures they give the choice parts a chance to recover and stay in good health," he says.

For now Scott is very busy with ranching. In the fall and winter he will shift his attentions to a number of Wyoming's conservation groups. He's on the Board of Directors of the Wyoming Environmental Institute, nominated to the board of the Wyoming Outdoor Council, and president of the Murie Audubon Society. Last winter he was one of the eight full-time staff members of the Wyoming Citizens Lobby at the legislative session in Cheyenne, monitoring the work of and providing information for the appropriations committee.

For now he seems pleased to be back in the West, pleased to be "running something," wearing irrigating boots and a straw hat in his official capacity. He dons his bureaucratic tie, only occasionally, for his volunteer jobs. He says he's rather glad he came home.

And so apparently are three of the state's major conservation organizations. As one Wyoming Outdoor Council member puts it, "How many conservation groups have a Harvard Business School grad to plan the budget?"

## Dear Friends,

Charlie Scott, the subject of this issue's back page, returns to Wyoming from life as a bureaucrat in Washington and warns us all to keep government as decentralized as possible. Local schools can be judged best by local communities, he says, and that holds for environmental programs as well.

As we think of the battle over utility siting laws, his words ring true. We say we don't want the federal government deciding that the Northern Plains or the Four Corners Area will be the boiler rooms for the nation. Better to let the states site power plants — and better still, give the local communities veto power. Centralizing all that power in Washington could turn parts of our home into a national sacrifice area. The Rocky Mountain and Great Plains states don't have the votes in Congress to counter the wishes of the over-populated, over-polluted coastal states and the Midwest.

However, we must be careful when we use "local control" as the rallying cry. At a recent Wyoming Farm Bureau natural resources committee meeting in Casper, Wyo., a spokesperson for the League of Women Voters was asked to speak on a state stream protection bill. Knowing that the Farm Bureau favored decentralization and had opposed the League-backed stream bill in the last legislative session, she played on the farmers' fears. "You don't want the federal government coming into Wyoming and classifying rivers under the National Wild and Scenic Rivers bill, do you?" she asked. She argued that a state bill would be more responsive to the farmers' and ranchers' apprehensions about stream preservation.

Her argument was thrown back at her during the questioning session. "Why don't we decentralize this rivers bill still further and let the local governments manage river protection?" one Farm Bureau member asked.

Trying to picture county commissioners or city officials reacting to a proposal to preserve a river that runs

through several counties, she knew that approach would never work. But what could she say? She'd already made the case for local control.

River protection is a land use decision, and the arguments heard over the federal land use bill bring the local v. federal control arguments into focus. Here the same conservationists who argue against federal utility siting turn a different color and call for federal land use controls. We argue that in some cases there is an overriding national or state interest in certain land use decisions and that local control won't suffice. Local government could recognize the value in a unique wetland area, but it could more easily recognize the financial value of allowing a developer to fill the wetland and destroy it forever.

A broader perspective is needed in the decision-making process — even if it means involving the cumbersome federal government. Would we have a National Wilderness Preservation System today if we had left wildland preservation up to local discretion?

On the surface, consistency does not concern conservationists. If you are searching for a constant theme, it is probably that we seek a level of control that we have ready access to and that is receptive to our ideas about protecting and enhancing natural resource values.

If the national priority is energy-at-any-cost, then perhaps state and local governments are more receptive to environmental protection. If the local government seeks all commercial development regardless of the toll it takes on natural values, then perhaps the state or the federal government can be shown that such local decisions impact resources belonging to all the people, not just a local minority.

It's pragmatism at its finest. Allegiance is pledged to the land, not to any one particular level of government.

Conservationists have been accused of being responsible for everything from shutting down the nation's economic growth to driving the nation's maternity wards out of business. One thing we are rarely accused of is

being in bed with any other interest. We seem to offend every interest at one time or another.

Local government can be friend and foe. The Forest Service can be ally and arch enemy.

It's a lonely position to be in. How much easier it would be to have a government agency look out for our interest. But in this business, conservationists sue the Environmental Protection Agency as often as the Corps of Engineers.

No bedfellows. Just a solid mission and pragmatism that makes us look inconsistent.

—the editors

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