

The Environmental Bi-Weekly



# High Country News

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Lander, Wyoming

Friday, November 19, 1976

Limits new housing starts

## Boulder adopts plan to slow growth

by Bruce Hamilton

Boulder, Colo., has become the first community in the Rocky Mountain West to attempt to slow down its growth rate by city ordinance. On the November ballot, Boulder voters narrowly approved a new law which will slow the city's growth rate down to 1.5%-2% per year by limiting new housing. Over the last six years, the city's growth rate has averaged more than three per cent per year.

The slow growth ordinance was conceived and promoted by maverick Boulder City Councilman Paul Danish and his ad hoc citizens organization known as Slow Growth. The plan was opposed by a majority of the city council, the Boulder Chamber of Commerce, and the Boulder Board of Realtors.

The plan is patterned after a growth-control law in Petaluma, Calif., which has withstood court tests of its constitutionality. The Danish plan will limit the number

13 million acres set aside to protect bears

## Grizzly critical habitat— what will be excluded?

by Bruce Hamilton



THE GRIZZLY has been driven from former range into a few remaining pockets of wilderness. The U.S. Fish and Wildlife Service wants to designate these few remaining strongholds as critical habitat. Opponents of the proposal argue that human use of the areas may be restricted by the designation.

Photo by Stouffer Productions.

The U.S. Fish and Wildlife Service has released its suggested boundaries for grizzly bear critical habitat in the Lower 48 States and many high country residents are up in arms.

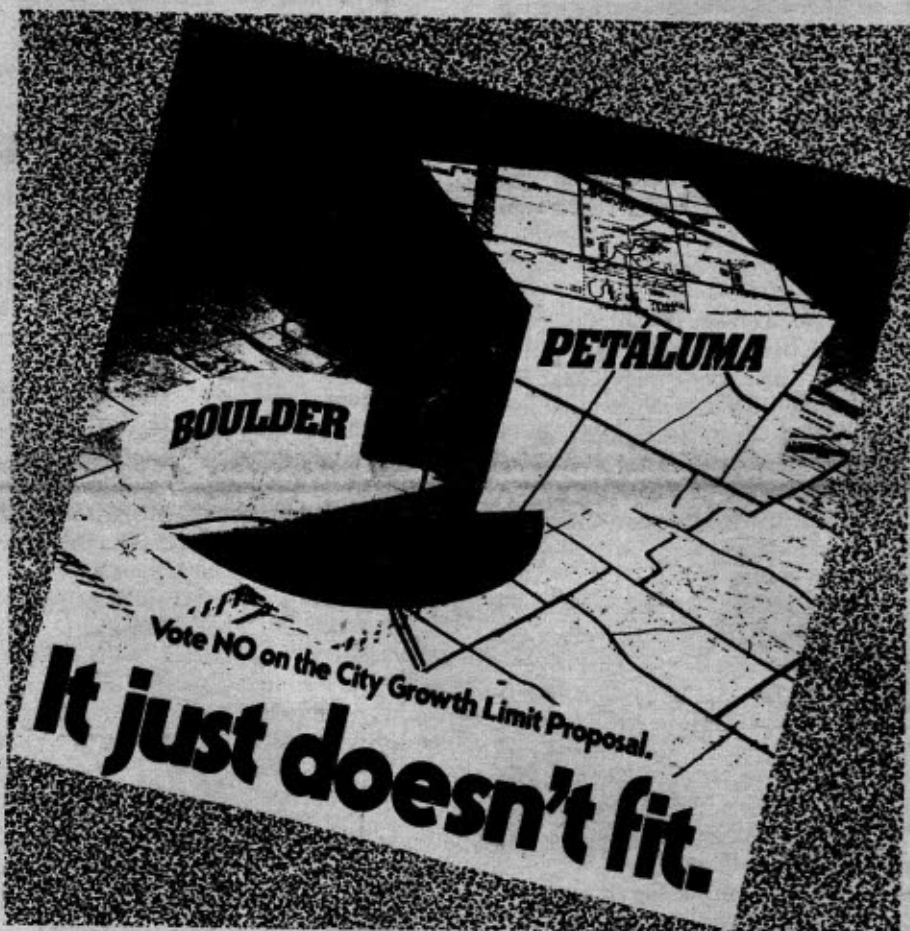
The *Jackson Hole Guide* editorialized that tourism in the area could be "shut down to a trickle" if the critical habitat proposal was adopted. The paper urged residents to protest the "barbed wire being drawn around our area and coming economic disaster."

The U.S. Forest Service says activities which might be "modified" in grizzly critical habitat include "timber management, livestock grazing, recreation (including wilderness use), oil and gas leasing, water diversion, and road and trail construction."

Keith Schreiner of USFWS says critical habitat designation won't set up any fences around the areas designated. "Designation of critical habitat does not mean an inviolate sanctuary, it does not demand a wilderness or pristine or undisturbed area, it does not mean a refuge or federal acquisition of private land as such. Critical habitat designation... of and by itself, will not prohibit any particular kind of land use or activity in the area," he told a Senate subcommittee hearing in Cody, Wyo.

Schreiner is sure what critical habitat designation doesn't mean. The problem is that no one seems to know just what it does mean. And until people know for certain what exactly is involved, it's hard to quell their fears about sacrificing their livelihoods for the protection of a few hundred bears.

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BOULDER'S SLOW GROWTH PLAN was modeled after one in Petaluma, Calif., which has withstood legal challenges. This ad was run in the BOULDER DAILY CAMERA by the Boulder Chamber of Commerce.

of building permits in the city to an average of 450 per year for a five year period. There are exemptions for small (less than five dwelling units) developments and certain low-income projects.

The city council has 120 days to adopt a system for deciding which developers will get the limited number of permits. If the council fails to adopt an allocation system, no new building permits can be granted.

The council could decide just to set minimum development standards and then give out the permits to the first 450 units which comply. Instead, Danish hopes the new permit allocation system will be set up to encourage environmentally sound and socially equitable housing. He believes preference should be given to development plans which incorporate maximum energy conservation and alternative renewable energy systems, or are in close proximity to social services, or preserve open space, or are low cost.

In this way, the city could direct the quality and location of development as well

as its rate. Danish hopes a series of workshops will be held around the city to get citizen input on how best to allocate new housing permits.

The Danish plan was bitterly fought by businessmen and some professional planners in the weeks before the election. Opponents argued that the plan was unconstitutional, exclusionary, would spur

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### SPECIAL ELECTION ISSUE

In the pages that follow, HCN studies the elections throughout the Rocky Mountain and Northern Plains region and discusses their significance with environmentalists from each state. See page 4.

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## HIGH COUNTRY

By Tom Belt

October's bright blue weather has given way to the hazy days of November. There have been a few clouds and a little fog, but not even enough rain to help the elk hunters.

One of the fascinating things about living in a region in which you are new is trying to anticipate the weather. You can't really anticipate weather anywhere, anytime. But you can come to know weather patterns, and you learn the direction from which the worst storms appear.

When you move, you have the fun of watching for signs. Of course, you expect it to be much like the old and familiar. It usually isn't. It throws you for a loop which makes it perplexing, aggravating, and fun — all at the same time.

This year I think I have learned a few lessons. We just finished a 186-day growing season, and I didn't take advantage of it. The peaches and nectarines were in full bloom on April 28. Swallows were winging in the air the following day. Spring had come but I wouldn't believe it. I missed a whole month of growing season.

The squash, the watermelon, and the last of the cantaloupe were picked on October 15. The largest watermelon was about 40 pounds — but it wasn't quite ripe. It would have been if I had planted it when the peaches were blooming, or shortly thereafter.

It is difficult to adjust your thinking to a differential in the seasonal cycles. It is only when you come to know more about the greater variety of plants which grow in a new area that it begins to sink in. Of course, if you go from Wyoming to Arizona, you know it is going to be different. But who would think of bamboo and white oaks from Tennessee growing in the same latitude as Wyoming?

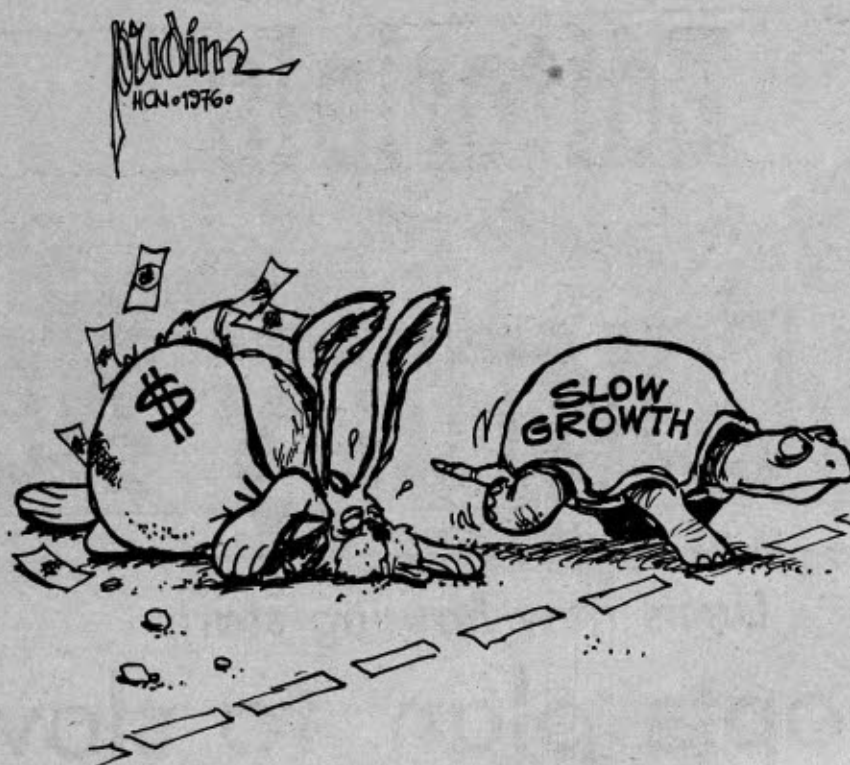
We have neighbors just up the road who not only have the bamboo and oaks but also a variety of other exotics including several magnolias. And near them, other neighbors have a beautiful tulip tree.

We have learned, too, that several root and cool season crops can be planted after the hottest weather in July. There is such a long, cool fall that they actually do better than if planted early.

Our location is on a steep slope facing east to southeast. We have good upslope and downslope air movements. So our situation is excellent for a great variety of fruits and nuts.

I can hardly wait to get them all planted. There are only a few problems — money to buy them all and pay for improvements needed to take care of them, and time. The latter is something I thought I would have plenty of. Alas, I can't believe how quickly the days come and go.

Each beautiful day brings something new. And there is always the weather to keep me guessing.



## HCN Letters

### SECOND LOOK

Dear editors,

I didn't appreciate the "salty" language of Edward Abbey in "Telluride blues, a hatchet job." I would think the editors could do a little editing or at least instruct Mr. Abbey he is not writing for *Playboy* — that what he is doing is trying to rescue open space from the commercial developer.

It is a serious business, and ridicule and humor along with "put-down" will not save open space. I think the article was a mistake and a conflict in the magazine's objectives. Please take a second look.

W. J. Worthington  
Inglewood, Calif.

**Editors' note:** HCN has received several queries about the BuRec T-shirts pictured in the Oct. 8, 1976, issues. The T-shirts say: "Help Rebuild Teton Dam. Join the U.S. Bureau of Reclamation Engineers. Easy work . . . high pay. No experience necessary. Need not be responsible."

The Idaho Conservation League (Box 844, Boise, Idaho 83701) is selling the shirts for \$4.50 each for five or fewer. They're \$4.00 each for six or more. ICL must charge three per cent sales tax and postage.

### MORE AD POLICY ADVICE

**Editors' note:** To our delight, we're still getting letters from readers concerned enough about High Country News to offer advice on what our ad policy should be. As explained in the Oct. 22, 1976, "Dear Friends" column, we are now reevaluating our policy on advertising. Presently, we refuse all advertising that does not agree with our editorial bias. Because of our always tenuous financial situation and because of our concern over denying readers access to an opposing point of view, we asked the readers what you would think about our accepting more advertising. More letters are still welcome. As we said then, it's your paper.

### HCN IS BIASED

Dear HCN:

You asked in your Oct. 22 issue whether or not the HCN should accept all kinds of advertising — even non-environmental. I do not think you should. This is a specialist newspaper, emphasizing environmental control, not an everyday, ordinary newspaper! I want to read articles from an environmentalist point of view — otherwise, I can go elsewhere for news. How can anyone ever compare *Rocky Mountain News* with your newspaper; HCN is biased, face it. I realize your financial need for advertisements, but, please, don't spoil the "effect" with just any ad. After all, environmentalists in the West are still fighting in the minority, and we need all the pro-views we can get.

Thanks for a wonderful, enlightening newspaper! Whatever you decide, I will support all the way.

Terrie Moench  
Cheyenne, Wyo.

**Stuffing Party.** Help High Country News mail out sample copies of the paper. Stop by the office at 140 North 7th Street in Lander, Wyo., between 7:30-9:30 p.m. on Tuesday, November 23. Interesting conversation (if you'll be there). Refreshments. Entertainment. Bring a friend. Thank you.

### MUST BE PURIST

Dear Editors:

It seems to me that the policy you stated in your advertising brochure should still apply to your acceptance or rejection of advertising. Admittedly, the question of being, as you say, a "moral censor" is a difficult one. But it seems to me that an environmental newspaper must be more purist than other, regular newsheets, and try to make advertising accepted conform to editorial policy.

Personally, I would not be in favor of sacrificing any space to anti-environmental advertising.

You are doing a great work with HCN. I have especially appreciated Ed Abbey's hard-hitting articles.

Mrs. Louise G. Murie  
Moose, Wyo.

### PRESENT BOTH SIDES

Dear editors,

I support entities such as HCN because they espouse my beliefs and in their advertising are consistent with basic environmental principles i.e., they provide an alternative to everyday propaganda. I would mind the occasional objectionable ad.

This is not to say that HCN or others should not present both sides of any issue in their reporting. This would indeed be narrow and not in our best interests as environmentalists for then we would be assuming some of the stature of the opposition.

John G. Carter  
Mendon, Utah

### OVERWHELMED

Dear editors:

You have brought up the question of selling space to the enemy and mentioned in passing the matter of freedom of speech and the press. That freedom loses force and appeal when one side has a great advantage in money, as witness the rejection of the nuclear-precaution proposition in Montana. We who favored it were overwhelmed by the time and space bought by the opposition. No matter how good our arguments, we hadn't money to present them in force.

So I would suggest to you, though I doubt the method would work, that you accept from your adversaries only the paid space equivalent to that which the other side (our side) can afford.

A. B. Guthrie, Jr.  
Choteau, Mont.

HCN suggests you buy a

## Paper Tool Kit

One of the best tool kits to educate oneself, environmentally, is a subscription to High Country News.

This paper is one of the best educational tool kits being written in the Rocky Mountain West, has been for over six years.

Enclosed is \$10. for 25 issues of HCN the paper educational tool kit.

Or, send a tool kit to my friend:

Name .....  
Address .....  
City .....  
State ..... Zip .....

Sample copies sent upon request.  
Send to: HCN, Box K, Lander, Wyo. 82520

HCN wishes you a

## Happy Thanksgiving



The staff wishes you a good Thanksgiving. We also want to thank you for your donations to the Research Fund. The money is helping in several ways. Some of our travel expenses are being paid by the fund. Many of the stories written by our stringers are also paid for through the fund.

If you would like to make a tax deductible donation, make out your contribution to: "Wyoming Environmental Institute — HCN Research Fund." Send it to Wyoming Environmental Institute, P.O. Box 2497, Jackson, Wyo. 83001. Thank you.



# Editorials



## Were we outspent or outfoxed?

The elections are over, and those volunteers who worked so long and hard to pass nuclear safeguard initiatives are smarting at their defeats. "We now know elections can be bought," says one citizen organizer. And the talk has now turned to how to outlaw or eliminate corporate spending to influence elections.

## Who is Interior protecting?

Picture a crowded coffee shop in Circle, Mont. Ranchers, stymied by the weather, are talking about market prices and plans for the next season's crops. A neighbor comes in with some maps under his arm. A couple of heads turn his way when he sits down at the table and tells them he has copies of a map that shows which areas have been nominated by the energy companies for coal leasing. They're only mildly interested; the land destined to be strip mined might belong to someone they know.

Soon, however, the maps become the center of their angry attention as several of them discover that it's THEIR land that has been nominated — and they didn't know anything about it.

Outraged, they make a visit to the BLM office and discover that the federal government, which owns the coal under their land, won't even tell them who has plans to rip up their pastures, some of their homes, and even their town of Circle.

Incredible? Nope. It's happening all over the West as residents suddenly learn the significance of the first stage of the new "open" federal coal leasing process, a process that was merely a strange bunch of letters in the headlines before: EMARS.

Under EMARS (Energy Minerals Activity Recommendation System), the Interior Department will not say which companies nominate which coal tracts, nor what their plans are.

In Circle, Mont., members of the McCone Agricultural Protection Organization told the Bureau of Land Management, "As residents and property owners, we have a right to know who has such plans for our community, and what their plans are. Why is the BLM protecting these people? Are they so ashamed of what they're doing that they can't come out in the open with it?"

Lyle Quick, one of the members added, "When Ed Zaidlicz (BLM state director in Billings, Mont.) says that the federal government intends to see that federal coal mined, he doesn't seem to realize that 80% of the land in McCone County is privately owned, most of it homesteaded three generations ago, and this leasing program jeopardizes those property rights. We hope other people around the state and country wake up to what's going on out there." In much of the West, federal coal lies under private land.

The McCone County ranchers have not received a satisfactory response from BLM. We think it's a reasonable request and suggest that others who are also concerned write to the BLM national director, Curt Berklund, in Washington, D.C. 20240. Why not send a carbon copy to the McCone County folks, too, to let them know people around the country are aware and concerned: Write Lyle Quick, Circle, Mont., 59215.

—MJA

The ad wars that took place during the election were hardly evenly matched. In Montana, for instance, the nuclear safeguard forces were outspent 600-1.

But would the outcome have been any different if the ratio had been one to one? We suppose it all depends upon how effectively each side used its equal money to communicate with the voters. All the money in the world can't buy you a good argument.

We think there are very good arguments against nuclear power, but we aren't sure they were understood by the voters. Once you can convince a person that nuclear power is too hazardous for human use, then that person will just laugh at the pro-nuclear full page ads — even if they outnumber the anti-nuclear ads 600-1. Evidently, the voters weren't convinced. So they voted the status quo.

Nuclear safeguard proponents brought up complicated arguments about the impossible task of storing toxic long-lived plutonium, the problems with limited liability, the hypothetical reactor core melt down. This spawned a technical war of the atomic authorities — with each side matching up their PhDs. Both sides may argue that they won that battle, but in the minds of most voters it was a draw. It was beyond them — they needed something simpler to grasp.

The pro-nuclear forces offered the confused voter something simpler in their ads, something all of them could understand — the threat of being without energy. If you

ban nuclear power, you won't have energy to heat your house, the voters were told.

Safeguards supporters argued that it wasn't a ban: it was just a complicated way of making sure the plants are safe before we let them loose. That brought up the old complicated safety questions again, and the voters felt lost, confused.

Paul Danish, the Boulder, Colo., city councilman who ran the successful slow growth initiative against an incredible ad blitz by businessmen, says he'd be against limiting advertising. He believes if you've got good arguments, a good organization, and enough money to buy a few ads to make sure the public knows what you stand for, you can overcome all financially-lopsided campaigns. His success seems to prove his point.

We're not sure limiting corporate contributions would be a bad idea, but it's definitely not a panacea for initiative ills.

It is worthwhile noting that the only initiative relating to nuclear power that anti-nuclear forces won was one in Missouri where nuclear safety wasn't the issue. The initiative banned utilities from including the projected cost of constructing new power plants in their rate increases. Now that's an issue voters can appreciate: it hits them in their pocketbooks. Observers say it will also effectively halt new nuclear construction in the state because nuclear plants are more costly to build than fossil fuels plants.

Also witness the earlier success of the nuclear-stimulation initiative in Colorado. That initiative simply stated that the state legislature had to approve any nuclear gas stimulation experiments in the state. It

was a complicated issue framed in simple terms. When it passed, nuclear stimulation in the state was effectively halted.

The American public is slowly being educated about the potential hazards of nuclear power. The initiative battles which took place this year were an important part of that education process.

But the public may not be ready to tackle the whole nuclear issue with all its complicated side issues at once. Perhaps a more successful route would be to tackle the problem one piece at a time.

We'd like to see initiatives to give the state legislatures veto power over nuclear



plants. We'd like to see state laws regulating nuclear waste transportation, management, and disposal. Eventually, when the people are ready for it, we'd like to see a whole package of bills and initiatives passed which make sure that nuclear plants aren't built unless they are a lot safer than they are today.

We hope the volunteers behind the safeguard initiatives aren't totally discouraged and ready to give up the good fight. We lost. Now we need to start over on a smaller scale and build on our small successes.

—BH



### SUN SIGN SUBSCRIBER MESSAGE



Though you may be a Virgo or a Pisces by birth, if you have an "11-76" after your address label on this paper you're one of our Scorpio Subscribers. Every November we have to contact all you Scorpio Subscribers and urge you to send in another \$10 to renew your subscriptions to HCN.

It's hard. You Scorpio Subscribers are stubborn and keep putting off sending in your renewal checks. This forces us to send out a second reminder notice which costs us an additional 9-cent stamp.

We realize our Scorpio Subscribers tend to over-indulge in work and play and often don't have the time or the money to renew promptly. But Scorpios are also known for their power to rise above worldly difficulties. So call on the positive Scorpio virtues within you and send in your \$10 renewal today.

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Box K, Lander, Wyoming 82520



### Four more HCN ads printed


HCN ads appeared in four more publications this month.

Thank you, Ennis C. Blake, of Washington, D.C., for running ads in both the **Washington Post** and your local weekly. (We wondered why we were receiving requests for HCN from Maryland.)

Susannah and John Lunt of Littleton, Colo., stopped by the office to tell us that they had placed an HCN ad in their local paper.

Jim, Betty and Emily Maguire of Boise, Idaho, have struck again with yet another ad in the **Idaho Statesman**.

In the May 7, 1976, issue of HCN we printed sample ads and asked our readers if they would place one of them in their local papers. Readers have placed 18 so far. If you would like some ads to publish, please let us know. With your help High Country News may well become a household word. Thank you.



**Somebody's spending a lot of money to kill growth control. Guess who? VOTE YES FOR SLOW GROWTH**

**AD WAR.** Growth control opponents ran a series of full-page ads against Danish's plan. Slow Growth ran the counter ad above in the **BOULDER DAILY CAMERA** to let the voters know who was spending thousands of dollars to defeat the proposal — the local chamber of commerce and the board of realtors.

## Slow growth...

(Continued from page 1)

urban sprawl outside the city limits, and would raise the cost of housing. Between \$12,000-\$15,000 was spent to kill the proposed ordinance — four to five times as much money as Slow Growth spent to promote the plan.

One ad run by the Committee for Reasonable Growth Planning — a front for the Boulder Board of Realtors — read: "Don't expel our high school graduates from Boulder. If you allow the Danish growth limit proposal to pass, most of our high school graduates will be excluded from Boulder. They will not have the choice of settling down in the hometown where they grew up because Boulder will have become an exclusionary community open only to well-to-do."

Danish pooh-poohed this claim, arguing that the newly-required 1.5%-2% growth rate would allow room for Boulder's young people to stay in the city as well as allow for limited immigration. The plan does not cut off growth by setting a growth ceiling — it merely slows growth to a manageable rate, says Danish. "I feel it's really a moderate approach to the growth problem," he says.

Danish also disputed the claim that limiting building would drive up prices. He points out that some low income housing is exempted from the ordinance and the allocation system could be designed to favor low income projects.

Danish, who says he has "no compunction about counterpunching," ran counter ads including one saying: "The Boulder Board of Realtors claiming the slow growth proposal will raise the cost of housing is like Jack the Ripper being against vivisection."

### GRASSROOTS MOVEMENT

Boulder, a city of approximately 80,000 residents, has had a long-standing interest in growth control. In 1971, voters rejected by a 58% to 42% margin a ballot proposal to put a growth ceiling of 100,000 residents on the city. At the same time, Boulder voters gave overwhelming approval to an initiative directing the city government to take

all steps necessary to hold the rate of growth to a level "substantially below that experienced in the 1960s."

Since the 1971 vote, the city has conducted "growth control by hassle," according to Danish. "The city planning department has required that developers meet all the standards, but no concrete action has been taken to slow growth," he says.

The city and the county have a joint Boulder Valley Comprehensive Plan to guide growth. Danish calls the document "a plan for the orderly destruction of the valley instead of the disorderly destruction of the valley."

Danish ran for his city council seat on a platform which included slowing down

Boulder's growth. This summer he prepared his growth control plan and asked the city council to place it on the November ballot. When the council rejected Danish's request 5-4, he decided to circulate petitions to put the plan on the ballot.

Danish and Slow Growth started passing petitions on August 19. Within a month, they had the 5,300 signatures needed to place the proposal on the ballot. Then the ad battle began.

Opponents of the Danish plan relied on radio spots, full-page newspaper ads, and newspaper inserts. Danish calculates that more was spent per voter to defeat his initiative than was spent to defeat the nuclear initiative or the returnable beverage container initiative at the state level in Colorado.

### TOO BIG FOR LEAFLETS

Slow Growth ran some newspaper ads, but relied heavily on personal contact and leafleting. Danish and 50 or 60 volunteers distributed 28,000 leaflets explaining the slow growth plan.

"Boulder is too big of a town already," the exhausted Danish told HCN after the election. "If you don't believe it, try leafleting it!"

"One of the good things about doing a petition drive first is you create a strong reservoir of supporters to help you win the election," says Danish. "Also, passing a petition is a good way of canvassing. You get to talk to people personally about the issue and convince them."

On November 2, Boulder had the largest voter turnout in its history — probably due in part to the close Presidential election on the same ballot. In the end, Danish's plan won approval by a 550 vote margin — 51½% to 48½%.

"I expected it to win bigger," says Danish, "but when you stop to think of the media blitz put on by the opposition, we did very well."

The vote showed the liberal precincts around the University of Colorado campus and downtown Boulder favored Danish's plan. It was rejected in many of the newer, outlying neighborhoods, according to the **Denver Post**.

Danish argues that historic growth "can't be tolerated in Boulder because it would break the urban infrastructure and destroy all the desirable qualities of the town's environment." If Boulder continued to grow at three per cent annually, in just 10 years the population would reach 100,000 — 25% larger than it is now.

Danish hopes the new ordinance will revitalize the central city and make Boulder more livable by reducing urban sprawl. To accomplish this, the ordinance requires that on the average no more than 275 of 450 available annual permits can go to projects outside the city center. Some voters feared this would lead to tearing down existing downtown neighborhoods and replacing them with apartment buildings. Danish says this won't happen because "there is more than enough vacant land in central Boulder to accommodate the area's share of the dwelling units."

Another common worry was that if Boulder slowed its growth, development pressure would increase just outside the city limits.

Danish says this will happen only if the county commissioners allow it. He points out that the commission has been in favor of "vigorous steps" to control growth in the unincorporated parts of the county around Boulder. One possible tool that the commissioners favor is a county-wide open space plan, which would permit the county to acquire land and keep it in agriculture.

Danish says another alternative would be to have the city annex new satellite developments and thereby bring them under the new slow growth ordinance. Also, the Danish ordinance directs the city council to develop amendments to the Boulder Valley Comprehensive Plan (a city-county plan) to bring about a growth rate of no more than two per cent per year in the Boulder Valley Comprehensive Planning Area.

"Even though we won, we've still got problems," says Danish. He anticipates court challenges by developers, and he's not sure how vigorously the city will defend the ordinance.

"We intend to keep Slow Growth in existence," he told HCN. "If litigation develops, we intend to see our side is fully represented in court."

## Diminutive Danish against growth

by John Sabella

(Editors' note: The following profile is excerpted from the Nov. 13, 1975, **STRAIGHT CREEK JOURNAL**. It was written a year ago, just after Paul Danish won a seat on the Boulder, Colo., city council on a platform which included controlling the city's growth.)

Paul Danish considers himself the Boulder, Colo., city council's toughest environmentalist.

He has promised to "fight growth tooth and nail," and he professes optimism about the influence he will be able to exert. "The council majority," he says, "will be sympathetic to growth, but not monolithic. Decisions will be made on an issue-by-issue basis, and I'll raise hell and try to swing some votes my way."

Whether or not he will ever prevail with the council remains to be seen, but there is little doubt that the scholarly, 33-year-old newspaper reporter will do his homework. His basement apartment is jammed with floor-to-ceiling shelves laden with books on political science, history, technology, science fiction, and just about every other subject.

Other shelves are piled with back issues of the 15 periodicals Danish receives each



**PAUL DANISH, exhausted and unshaven following the slow growth campaign.**

week — **Petroleum News, The Military Review, Time, Newsweek, The Manchester Guardian, The Jerusalem Post, Harper's, Commentary, Technology Review, Smithsonian, Flight** — it looks like the public library.

Cartoonist Rob Pudim, Danish's friend, colleague, and landlord, says Danish recently spent an entire vacation in his apartment reading. He keeps his phone in the refrigerator so the ringing won't bother him. Pudim predicts that a collapsing bookshelf and avalanche of books will eventually kill the diminutive Danish.

(Pudim and Danish jointly put out the strip cartoon "State of the Union" sometimes carried by **High Country News**.)

Danish possesses a zany brand of wit which may make things hot for his foes on the council. His most famous exploit was naming the grill at the University of Colorado Memorial Center after Alfred E. Packer, "because the room has historically striven to emulate those qualities exemplified by Packer." Packer, of course, was the state's first and only convicted cannibal.

On another occasion, the 5 foot 3 inch Danish stated his position on the growth issue. "Of course I'm against growth," he said. "I've been that way since I was born."

Pudim thinks that, despite the potential for frustration, Danish will enjoy himself on the council. "He's going to be the environmental conscience," Pudim says. "With his background, he's going to offer witty, knowledgeable criticisms. It's a vicious combination."



REP. TIM WIRTH

## Colo. conservationists suffer defeats

A number of Colorado Democrats who were swept into the statehouse in 1974 were swept out this election. Unfortunately, says Ron Lehr of the Colorado Open Space Council (COSC), many of them were also strong environmental supporters.

Now both houses, not just the Senate, are dominated by the Republican party. Lehr doesn't seem to mind. He says that having both houses in the control of one party — "whichever party" — will be an improvement. And he points out that most of the environmentalist-backed land use legislation in Colorado has come from Republicans.

"Maybe, we'll see some movement in the land use area," Lehr told HCN.

The real disappointment for Colorado environmentalists were the defeated initiatives. COSC had supported four of the 10 measures on the ballot. Each of those four lost. The measures dealt with nuclear safeguards, replacement of the grocery tax with a mineral severance tax, mandatory beverage container deposits, and Public Utilities Commission accountability to consumers.

Conservationists attribute the defeat of these measures to the costly advertising campaigns waged by corporations. Foes of the bottle bill and the nuclear safeguards initiatives each raised around \$400,000 to defeat the ballot measures — that was about 50 times more than the bottle bill backers spent and four times more than the nuclear initiative backers spent.

The dollars apparently had the desired effect. A *Denver Post* poll indicates that voters changed their mind on both the bottle and the nuclear initiatives shortly before the election, when the media campaigns were in full swing.

Corporations "bought" the election, a number of political observers in Colorado have agreed. The *Rocky Mountain News* called it "a case of gold poisoning."

"Part of that rush (to the polls) was

caused, unfortunately, by the giant injection of corporate dollars into the election. Some \$2 million was spent — and most of it a crescendo of NO," said the *News* in an editorial.

The solution proposed by the *Denver* newspaper is the same one proposed by Meladee Martin of Coloradoans for Safe Power, the group which put the nuclear initiative on the ballot. Colorado should have a law prohibiting corporations from trying to buy popular support for items on the ballot, they say.

A ruling on the constitutionality of such a law in Montana, which prohibits corporate contributions to ballot issues is expected soon from the Ninth Circuit Court of Appeals. Montana's law preventing contributions to individuals has not been challenged, however.

An aide to Gov. Dick Lamm, who ran in 1974 on a strong environmental platform, believes that more than money spoke at the polls.

"The public is saying it wants more careful weighing of all the effects of environmental legislation: we are going to have to be responsive to that," Jim Monaghan, Lamm's environmental and land use aide told a *Denver Post* reporter.

## Slim chance for new siting act S.D. Oahe opponents win

Opponents of the controversial Oahe Diversion Project in South Dakota (see HCN, 10-10-75) were successful in unseating incumbent project proponents on the November ballot. Five of six incumbent members of the Oahe Conservancy Subdistrict board of directors who were up for reelection were defeated by candidates encouraged to run by the United Family Farmers. The United Family Farmers is a local landowners organization which opposes the project.

Two of the newly-elected directors — Leonard W. Naessig and Glenn Overby — are members of United Family Farmers. UFF hopes to place enough sympathetic people on the board of directors to halt the project. UFF fears the irrigation project will destroy valuable farmland and other natural resource values just to bring water to already productive land.

The 11 member board now only has three hard core Oahe supporters left on it. Seven of the board members generally agree with the UFF position and one is uncommitted.

"This election really means that the board and the affected farmers can now come up with desirable alternatives to the present project," says UFF President George Piper.

South Dakota's two Republican incumbent U.S. Representatives — Larry Pressler and James Abdnor — easily won reelection. Two years ago, Pressler ran on a platform calling for a moratorium on the Oahe Diversion, but now he supports the project. Esther Edie of the South Dakota Environmental Coalition says Pressler is very approachable on other environmental issues and is on the House Environmental Study Committee. Edie says Rep. Abdnor "ought to be considered seriously as a candidate for the Dirty Dozen campaign." The Dirty Dozen is a list of 12 incumbent anti-environmental candidates for the House chosen by Environmental Action of Washington, D.C.

In state races, Democrats lost 19 seats in the legislature. This switch "will probably make the passage of environmental legislation considerably more difficult," says Edie. But she adds that there are "some very environmentally-sensitive Republicans" in the legislature, too. She fears the Republican majority in both houses may cut back funding to the State Department of Environmental Protection and says she has "little hope" of getting through a comprehensive energy siting bill just reported out of the legislative interim natural resources committee.

Republican Charlotte Fischer defeated

incumbent Democrat Jack Weiland for chairman of the Public Utilities Commission. Weiland had been environmentally-sensitive. Fischer said in her campaign she was inalterably opposed to any kind of nuclear facilities within the state.

## N.D. environmentalists say they're optimistic

"A major upset" in North Dakota where Democrats narrowly took control of the statehouse for the second time this century is interpreted as a victory for environmental legislation — especially coal legislation. Democrats, who will control 52 of the 100 seats, have been "generally more favorably inclined than Republicans" toward environmental legislation, according to Mike Jacobs, publisher of *The Onlooker* at Mandan, N.D., and a long-time North Dakota political observer. The Democrats have favored increasing the coal tax to as high as 33%.

Democrats' victories in the western part of North Dakota, where coal development is imminent, prompted a party leader to say the vote was "a repudiation of the Republican policy on coal development." Republicans have controlled both the house and the senate since 1964.

Environmentalists applauded three major individual victories — one Democrat and two Republicans. Rick Maixner, former president of the United Plainsmen, an agricultural environmental group, won a seat in the house campaigning on coal and coal taxation.

In addition, two incumbent Republicans — the only two members of the 1975 legislature to win perfect ratings on an environmental checklist — won reelection, Ken Knudson and Clarence Martin. The checklist was distributed by the Sierra Club and the United Plainsmen. At the same time, many of the legislators who had been identified as supporters of the West River Diversion were defeated. The diversion is a plan opposed by environmentalists which would supply water for energy development.

In the Senate, Stella Fritzell, a Republican and the only member of the 1975 legislature to identify herself as an environmentalist, was reelected.

Jacobs reports that wetlands might not fare as well in the 1976 legislature. Gordon Berg, who has been twice convicted of illegally draining wetlands, was elected to the house. Legislation is expected which

would forbid the governor from allowing the U.S. Fish and Wildlife Service to purchase easements for protection of wetlands for waterfowl habitat. The proposal is gaining support.

Although coal policy was a major point of contention in the gubernatorial race, the race was not crucial for environmentalists, according to Jacobs. There was little difference between the candidates, he says. Incumbent Gov. Arthur Link beat challenger Richard Elkin by a 51% to 47% margin. Link has a "go slow" attitude toward coal development. He has been accused by Elkin of having no policy and being indecisive, an accusation first made by the United Plainsmen a year ago. Elkin, who heads the state Public Service Commission, and Link both have mixed environmental records.



RICK MAIXNER

## Republicans sweep Idaho

The GOP swept the Idaho elections, and environmentalists in the state are worried that many of the new Republican officeholders will be insensitive to conservation issues.

The two biggest defeats for conservationists were the reelections of incumbent U.S. Reps. Steve Symms and George Hansen. Symms and Hansen have very poor environmental voting records. Symms was picked by Environmental Action for the Dirty Dozen list of the 12 House incumbents with the worst conservation records. Democratic challengers Ken Pursley and Stan Kress were backed by The River of No Return Wilderness Council and other conservationists in the state.

Republicans increased their majority in the state House of Representatives to 48-22. Democrats picked up one new senate seat, but the Republicans still dominate by a margin of 20-15.

The *Idaho Statesman* says odds appear to be poor for new legislation such as energy conservation and minimum streamflow.

The *Statesman* points out that GOP conservatives, aided by industry financial contributions, ousted many moderate Republicans in the primary before going on to win against their Democratic opponents. The legislature "appears more likely to reflect the influence of major corporations on resource, energy, tax, and other issues," says the *Statesman*.

This shift to the right poses a threat to the effectiveness of Idaho's Democratic Gov. Cecil Andrus. Andrus has been a champion of environmental causes in Idaho, but now faces a veto-proof House. Andrus is rumored as a top candidate for the Secretary of Interior post in President-elect Jimmy Carter's cabinet. Idaho conservationists from both parties are afraid if Andrus goes to Washington the state's environmental protection programs may suffer.

The *Statesman* recently ran an editorial urging Carter to select Andrus' friend — former Oregon Gov. Tom McCall — for the Interior post so that Andrus could stay in the state.

6-High Country News — Nov. 19, 1976

# Sympathy for land emerges in Utah

Environmentalists in the traditionally growth-oriented state of Utah feel that at least some of the politicians chosen by voters in the last election are more concerned about environmental protection than any of their predecessors.

Environmentalists won a few and lost a few, of course. But they are especially optimistic about their new Democratic governor, Scott Matheson, and their new legislature.

"Reviewing the roster of who's who this year, it looks as if Utah is in much better hands than before," says Jan Johnson of the Utah Environment Center.

Viewed as net losses for environmentalists were the defeat of Utah's Senior Sen. Frank E. Moss (D) and Rep. Allan T. Howe (D). There were mixed feelings about the environmental records of both of these candidates. But their opponents are feared to be less sympathetic to environmental causes.

Gov.-elect Scott Matheson ran against Atty Gen. Vernon Romney. Johnson calls Matheson "a strong proponent of environmental protection." In response to a questionnaire from the Utah Environment Center, Matheson said he was against federal subsidy of synthetic fuel development, for wilderness preservation, and for the concept of no significant deterioration of

air quality — if states are given the flexibility and the power to determine what "significant deterioration" means.

Matheson, a former Union Pacific attorney, is a protege of Gov. Calvin Rampton (D), who decided not to run for another term.

The biggest surprise in the Utah election was the sound defeat of three-term Sen. Frank Moss by political newcomer Orrin G. Hatch. Although political observers point out that the voters had a variety of reasons for voting against Moss, his filibuster which killed the Clean Air Act amendments in this session of Congress is considered to be one of the factors contributing to his defeat.

Not too much is known about the attitudes of the man who came out on top —

40-year-old Orrin Hatch. He is clearly a conservative, however, and has worked as an attorney for some of the major oil firms in Philadelphia, Pa.

Rep. Allan Howe's defeat by another political newcomer, Dan Marriott, seemed to be primarily a reprimand from the voters for Howe's involvement in a sex scandal. Nevertheless, Howe was viewed by many environmentalists as an asset to environmental protection in the state.

No one seems ready to make any guesses about where Marriott will stand on environmental issues, although his responses to a Utah Environment Center questionnaire make him sound sympathetic to the cause. He told UEC that he felt energy conservation was "the most important approach to solving our long-run energy

crisis." He also suggested tax incentives for insulation and "a serious consideration of solar energy. Clean air legislation, he said, "should carefully balance protection of the environment with a sane program for development of needed energy resources."

Environmental concern was not high in the 1975 legislature, Jan Johnson recalls. She sees a change for the better coming up in the next general session. Democrats lost control of the house by five seats and boosted their control in the senate by five seats.

In the House almost one third of the representatives will be newcomers. One of those newly elected, Jeff Fox (D), interprets the new faces as a slight boon for the environment.

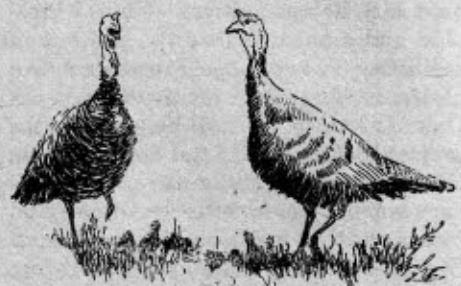
"At least the next legislature won't be a rubber stamp for unlimited development," he told HCN. He estimates that about 10 new legislators (in a legislature that numbers over 100 including both houses) are environmentally concerned.

Fox is critical of Utah environmentalists' general lack of participation in state politics.

"I don't think environmental groups understand political power," he said. "Every environmentally concerned person should run as a delegate to their party's state convention. They should run viable candidates. They should make politicians afraid to vote against environmentalists."

Fox and a few others like him managed to do what some environmentalists have said is impossible in Utah — confess his environmental sympathies and win an election. He by no means presented himself as a radical. And the environment was only a peripheral issue for his inner city constituents. But he did tell voters that he intended to protect the state's parks, canyons, and mountains as Utah's natural resources are developed. He supported the development of solar and other forms of alternate energy. He supported cheaper utility rates for those who consume small amounts of power.

And he and a few others like him won in the state that, Kaiparowits opponents will remember, hangs environmentalists in effigy.



## 'Dirty Dozen' head Rhodes reelected

Arizona voters rejected a nuclear safeguards initiative, returned an anti-environmentalist to the House, and rejected another anti-environmentalist's bid for a Senate seat.

House Minority Leader John Rhodes (R-Ariz.) easily won reelection despite conservationists' opposition. Rhodes was singled out by Environmental Action as the head of the group's "Dirty Dozen" list — a slate of 12 incumbent congressmen with the worst environmental voting records.

Another former Dirty Dozen designee — Rep. Sam Steiger (R-Ariz.) — was defeated in his race for the Senate seat vacated by Sen. Paul Fannin. The surprise winner was Democrat Dennis DeConcini, a 39-year-old county prosecutor from Tucson. Steiger was notorious among environmentalists for his attempts to block strip mining control legislation and a federal land use law. Steiger also favored damming the Grand Canyon. DeConcini did not run a campaign emphasizing Steiger's anti-environmental record and the senator-elect's attitudes toward conservation are largely unknown.

Proposition 200 — the state's nuclear safeguard initiative — was defeated soundly. One supporter of the initiative told HCN that "we didn't lose it by as much as we thought we would." The Arizona initiative was similar to other defeated nuclear initiatives around the country. It would have required proven reactor safety, satisfactory waste disposal plans, and removal of limited liability.

Incumbent Rep. Morris Udall (D-Ariz.) easily won reelection. Udall was a favorite among conservationists in his 1976 bid for the Democratic Presidential nomination. Back in Washington, Udall will be second in line for the crucial chairmanship of the House Interior Committee. Udall is also being mentioned as a possible nominee for the Secretary of Interior post in President-elect Jimmy Carter's cabinet.

Wyoming voters mostly returned incumbents to office except for the surprise upset defeat of U.S. Sen. Gale McGee by Republican challenger Malcolm Wallop.

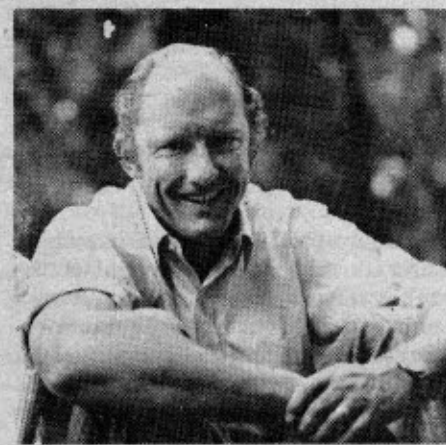
Wallop, a state senator, had a strong environmental voting record in Wyoming and ran an unsuccessful bid for governor two years ago on an environmental quality platform. His Senate campaign largely ignored environmental issues — apparently because he felt sure he had the conservation community's votes. McGee chalked up a low environmental voting record while in Washington. However, he will be remembered by environmentalists for his leading role in investigating clearcutting abuses and illegal eagle killings.

U.S. Rep. Teno Roncalio (D) easily won reelection and was the environmentalists' favorite in the race. Conservationists say Roncalio has been good on wilderness, strip mining, and nuclear stimulation issues. He ranks 13th on the House Interior Committee, but next year he'll be seventh and will be in line for his first Interior subcommittee chairmanship, according to HCN Washington correspondent Lee Catterall.

The composition of the state legislature will be pretty much the same, except the evenly-split senate will now be Republican dominated.

Bart Koehler, a Wilderness Society representative in Wyoming, says the legislature is "more tuned in now" to environmental legislation and he sees a good chance to pass some important bills.

Koehler cites a Wyoming Outdoor Council



**MALCOLM WALLOP.** A state senator and the conservationists' choice scored an upset victory over incumbent Democratic U.S. Sen. Gale McGee of Wyoming.

pre-election poll of legislative candidates which revealed that a majority were in favor of a state scenic rivers system and an export policy for coal (only allowing new coal-fired power plants to be built in the state if they serve Wyoming needs).

One disappointment for conservationists was the defeat of Hank Phibbs in his bid for a house seat from Teton County. Phibbs, a member of the state land use commission and a Republican, was apparently the victim of full-page newspaper ads paid for by fellow Republicans who accused him of being an environmental extremist.

## Nuclear votes lose, two states adopt bottle laws

This year's election was a mixed bag for environmentalists. There was only marginal success in attempts to defeat anti-environmental Congressional candidates. In citizen initiatives, voters expressed satisfaction with present nuclear plant safeguards and two more states banned nonreturnable beverage containers. Some conservationists claim the biggest victory in November was electing Jimmy Carter President.

The biggest disappointment for environmentalists was the resounding defeat of all six state nuclear safeguard initiatives. Voters rejected the initiatives by wide margins — Colorado (70-30), Ohio (68-32), Oregon (58-42), Washington (67-33), Arizona (70-30), and Montana (58-42).

The initiatives weren't outright bans on

nuclear power production. They generally halted further construction until alleged problems with reactor safety, waste disposal, and liability were resolved. Opponents labeled the initiatives nuclear bans and warned of power shortages if they were passed.

Nuclear initiative backers claimed false issues were being raised by their opponents. They also complained of being heavily outspent in advertising campaigns.

Initiatives to ban nonreturnable beverage containers and cans with pull tab tops passed in Michigan and Maine. Similar initiatives in Massachusetts and Colorado were defeated. The Colorado attempt was soundly defeated, but in Massachusetts it only lost by a half per cent.

Environmental Action, a Washington,

D.C., based group which targets 12 anti-environmental Congressmen for early retirement, had mixed success with its "Dirty Dozen" campaign.

The group succeeded in helping to defeat only three candidates — Rep. Burt Talcott (R-Calif.), Rep. Albert Johnson (R-Pa.), and Donald Clancy (R-Ohio). Rocky Mountain Dirty Dozen Congressmen who escaped the environmentalists' net were Rep. John Rhodes (R-Ariz.) and Rep. Steven Symms (R-Idaho).

The League of Conservation Voters — another Washington-based organization — targeted 16 pro-environmental candidates for election and succeeded in nine races. LCV-backed candidates in the West who won include Rep. Pat Schroeder (D-Colo.) and Rep. James Weaver (D-Ore.).

Initiative loses; Judge, Melcher win

# Montana election brings no cheers or tears



GOV. THOMAS JUDGE

For environmentalists in Montana, reelection of Gov. Thomas Judge and election of U.S. Rep. John Melcher to the U.S. Senate were not exhilarating, hat-throwing victories. The loss of the nuclear initiative, on the other hand, was not a grievous disappointment for its sponsors since the margin of loss was low — perhaps lower than the margin of loss for any of the nuclear initiatives across the country.

During his first term, Judge had waffled on crucial energy questions in Montana such as the Colstrip power plant expansion. However, most of his top appointees with crucial roles in enforcing Montana's tough environmental controls have been good. Judge emphasized his record in the campaign, saying he had protected both the environment and jobs.

The Republican candidates for governor and lieutenant governor, Attorney General Robert Woodahl and state Sen. An-

toinette Rosell, were clearly worse choices for environmentalists. While in the legislature, Rosell had voted against the utility siting act and had an "abysmal" record, according to environmentalists. Woodahl said little about environmental issues during the campaign. What he did say was wrong, as far as environmentalists were concerned.

The choice in the race between Democrat Melcher and Republican Stan Burger for the U.S. Senate seat vacated by Mike Mansfield was "very clear cut" on coal issues, according to Pat Sweeney of the Northern Plains Resource Council. Melcher had been a prime mover behind the federal strip mining bill, while Burger wouldn't support federal reclamation regulations.

Melcher wears a black hat among many other environmentalists, however, who were angry with his votes while in the U.S. House on wilderness bills, timber reform, and the Bureau of Land Management Or-

ganic Act. Washington lobbyists say he represented the timber industry when speaking on the timber bill.

Sweeney also applauds the reelection of Democratic Congressman Max Baucus and the election of Mike Greely, a Democratic legislator, to the attorney general's post. The attorney general also serves on the state land board, which oversees reclamation and mining permits in Montana.

Baucus spoke often in his campaign of the need for environmental preservation while his opponent, a John Birch Society member, alleged that Baucus was selling the state down the scenic river by "promoting eastern establishment environmental ideas," according to Associated Press reports.

The rest of the political picture in Montana is more dismal to environmentalists. Democratic State Sen. Thomas Towe narrowly lost his bid for Melcher's seat in Congress to Republican Ron Marlenee. Towe is a hero to Montana environmentalists for authoring the 30% coal severance tax, which established an alternative energy fund, and for being "an all-around foe of Montana Power Co.," according to Ed Dobson, Friends of the Earth representative. "I don't think Marlenee even knows how to spell environment," Dobson says. Towe didn't sacrifice his seat in the Montana Senate. The senate is now evenly split between Democrats and Republicans. The Democrats held a 30-20 majority during the last session and were considered generally more receptive than Republicans to environmental legislation. "The new 'equality' is the result of a concerted effort by the big business coalition to concentrate on senate races," according to Bob Kiesling of the Environmental Information Center.

A continued asset in the state house will be Dorothy Bradley, who was reelected by a margin three times larger than her victory at the last election. Bradley, who sponsored a moratorium on strip mining, the natural areas act, and is pushing lifeline utility rates, is expected to try to be speaker of the house. This is her fourth term.

## NUCLEAR INITIATIVE

While some environmentalists said the nuclear initiative lost in Montana largely because of poor organization, a proponent of the measure said one reason it fared as well as it did was that environmentalists were not involved in the effort.

Ed Dobson, himself a representative of the national environmental organization, Friends of the Earth, said he deliberately did not use that title when fighting for the initiative and he doubts the general public was aware of his affiliation. The initiative lost by a 58% to 42% margin.

Dobson figures the initiative gained points when the pro-nuclear forces became so overpowering with their media blitz. Dobson capitalized on their expenditures, gaining his own news space by revealing he had spent only 26 cents in donated postage stamps during the same two week period that the pro-nuclear forces spent \$42,000 in Montana.

Public reaction to the evidence of corporate spending on the initiative helped attorney Daniel Shea's campaign for a seat in the Montana Supreme Court, Dobson figures. Shea had attacked the high court repeatedly during the campaign, accusing it of favoring large corporations (see HCN, Oct. 22, 1976). He took his surprise win after the public saw evidence that his accusations of corporate influence on the state were true, Dobson thinks.

## Grizzlies. . .

(continued from page 1)

Designation of critical habitat is required under the Endangered Species Act of 1973 for all species recognized as endangered or threatened with extinction. In 1975, the grizzly was classified as threatened in the Lower 48.

In the November 5 **Federal Register** USFWS recommended that 13 million acres in four Western states be designated as critical habitat for grizzlies. The area includes national forests, national parks, and other public lands in Wyoming, Mon-

tana, Idaho, and Washington.

Four major regions are designated for grizzly protection: the area around Yellowstone National Park, the area around Glacier National Park, the Cabinet Mountain area of northwest Montana and northern Idaho, and parts of the Kaniksu National Forest along the Idaho-Washington border.

Under the Endangered Species Act, the federal government is prohibited from engaging in activities that might further endanger a threatened species in its critical habitat. USFWS wants to designate criti-

cal habitat by looking at the grizzly's biological needs and ignoring possible human activity conflicts. USFWS says a determination of what activities may be curtailed can be decided on a case-by-case basis by the appropriate land management agency (National Park Service, National Forest Service, or Bureau of Land Management) after critical habitat is delineated.

## FEUD WITH FOREST SERVICE

Nearly eight million acres of the proposed grizzly critical habitat is on national forest lands. Commenting on the USFWS 13 million acre proposal, the Forest Service recommended reducing it to 2½ million acres. The USFWS proposal includes all known occupied and presumed occupied range of the grizzly. The Forest Service prefers the initial determination of critical habitat to be restricted to "the more frequently used vegetative types and areas . . . within the occupied range."

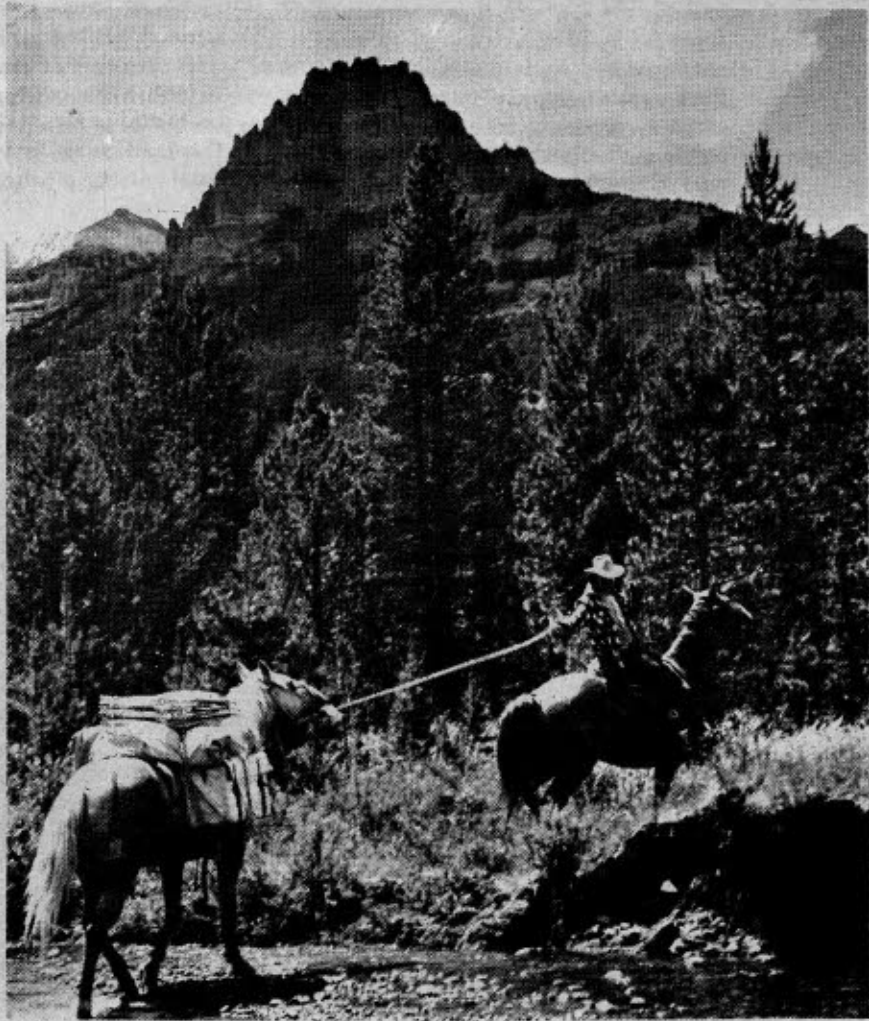
USFWS points out that 13 million acres may seem large, but the areas are "the only remnants of the original range of the species which once covered a region approximately 50 times as great, from Canada to Mexico, and from the Great Plains to the Pacific."

Schreiner told the Cody audience that critical habitat designation was important because, "Without adequate and constant management, bear populations could easily be decimated by indiscriminate taking from sport hunting, illegal killing, predator control, and for the protection of people."

John Mumma, Shoshone National Forest supervisor, told the Cody hearing that the Forest Service believes the designation is premature because research conducted to date on grizzly habitat requirements is inconclusive.

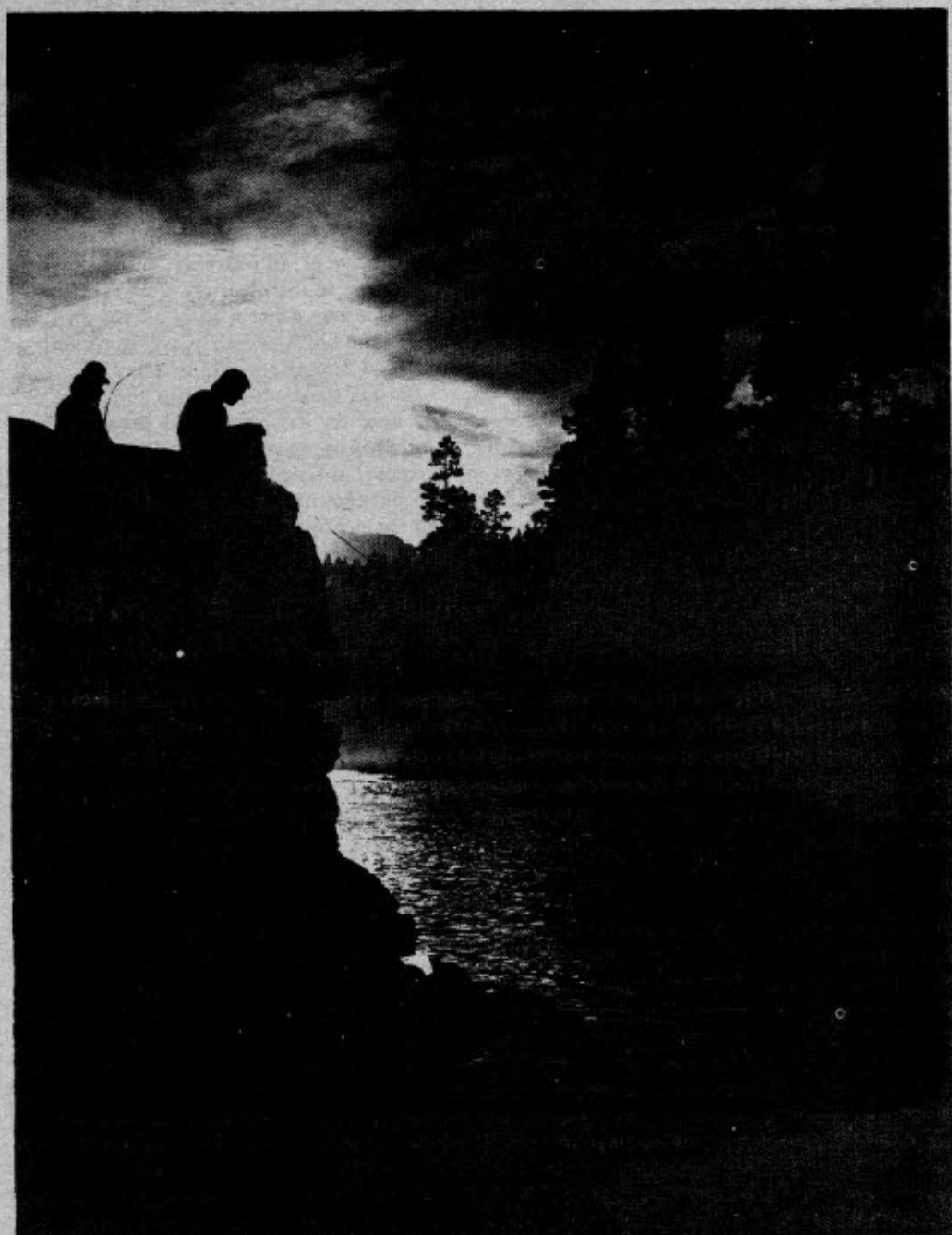
John Davis, regional biologist with USFWS, argued that designation needed to take place now. "You never know all there is to know about something, but it's clear the grizzlies are in trouble," he said. "Many species have been studied out of existence."

Hearings on the USFWS critical habitat proposal will be held in the following places: Cody, Wyo., Dec. 8; Missoula, Mont., Dec. 10; St. Anthony, Idaho, Dec. 14; and Washington, D.C., Dec. 17. Written comments may be sent until Feb. 9, 1977 to: USFWS Director, Box 19183, Washington, D.C. 20036.



**OUTFITTERS FEAR INTERIOR, NOT GRIZZLY.** Dude ranchers are among the critics of the Interior Department's plan to designate critical habitat for grizzlies. Some fear outfitting will be outlawed in critical habitat. Rod Siggins, vice-president of the Dude Ranchers Association, says his organization would like to see grizzly management turned over to the states, particularly "in view of the poor management of grizzlies that the Interior Department has done" in Yellowstone National Park.

8-High Country News — Nov. 19, 1976



The Nature Conservancy helps protect valuable fisheries, such as the Blackfoot River in Montana. Photo by Lyn Jensen.



The Little Chama Valley Ranch in northern New Mexico was bought for less than market value after TNC pointed out tax advantages to the seller, then resold to the New Mexico Game and Fish Department. It includes over 20,000 acres of prime elk wintering grounds.

## The Nature Conservancy

by Sarah Doll  
and Mark Peterson

On election day, the nuclear initiatives and bottle bills failed in many states in which they came to a vote. Many environmentally-oriented legislators and public officers were retired by their constituents. It's business as usual in Washington, at least until the new President is inaugurated in January. To find material for an entirely upbeat article, which we all need occasionally, it seems we must turn entirely away from government affairs.

We find such material coming from The Nature Conservancy. A private national organization based in Arlington, Va., The Nature Conservancy (TNC) provides despairing environmentalists cause for hope: it's actually doing constructive things to save pieces of ecologically valuable land from destruction. TNC is in the real estate business. Through various legal methods, they buy land and either administer it themselves or turn it over to a government agency for protection. The whole process is very positive, and it works.

TNC had its beginnings in 1950, long before ecology became a household word. It grew slowly and was almost entirely volunteer until 1966, when a large grant from the Ford Foundation enabled it to hire a professional staff and more than double its land acquisitions. It recently passed its one-million-acre mark in lands bought and set aside. TNC now averages about 200 projects each year, and this year projects acquiring \$100 million worth of land. The emphasis is on ecologically unique lands, especially those with rare or endangered plants or animals.

TNC uses various legal maneuverings and tax angles, and has experts in both those fields. They work through both corporations and individuals. About 55% of their acquisitions are outright gifts, from either corporations or individuals. An example is the Pierce property of 600 acres near Craig, Colo., which was willed to TNC. Coal mines and agriculture take place all around it. Thirty-five per cent of their purchases are co-operative programs with the government, usually meaning a quick purchase of land that comes up for sale, and holding it until government funds are appropriated to buy it. The remaining 15% are purchased through fund-raising and kept by TNC.

Many of their gifts are from large corporations. The public relations benefits to the companies are obvious, but sometimes real financial advantages are realized as well. For example, a timber company with land of low timber value can give it away, receive a substantial tax break, then reinvest that money in more profitable acreage. Dan Pike of TNC's Rocky Mountain field office in Denver calls this system "not even a compromise, but an approach in which everyone wins."

TNC also uses the tax laws to help the individual landowner who wants to keep his land intact, but is worried that taxes on the estate will make it impossible for his heirs to keep. TNC will buy the development rights, or a conservation easement on the land. As this keeps subdividing out, the developmental value of the property is reduced, and the estate tax, as well as the annual property tax, is much smaller.

TNC sometimes purchases lands to set aside under its own management, as it is doing with the Silver Creek project. This is TNC's largest fund-raising project in the



One of the largest elk heads ever taken in Montana, near Anaconda, Mont. The Nature Conservancy has a hope to buy another one out so elk herds can

West. Near Sun Valley, Idaho, it is 500 acres of wildlife habitat and so the best fly fishing anywhere. With help of such groups as Trout Unlimited, \$600,000 is being raised. Boise Conservation Foundation donated \$100,000.

Each acquisition is looked at individually and handled in the best way. A man named Willie Browne owned 100 acres of marshland in Florida. When about its loss to developers after his death, Mr. Browne gave it to TNC, and it received support from a local conservation group through his last years of life.

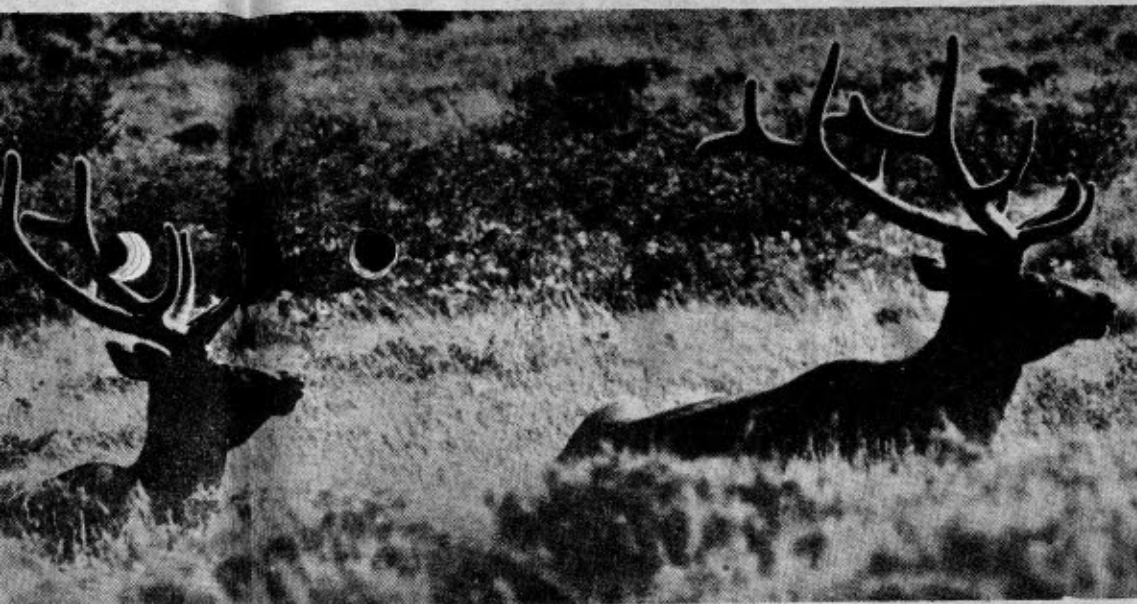
A revolving fund of \$4 million is maintained so that quick purchases of land can be made, to be repaid either by reselling the land to the government or through fund-raising efforts, preferably by



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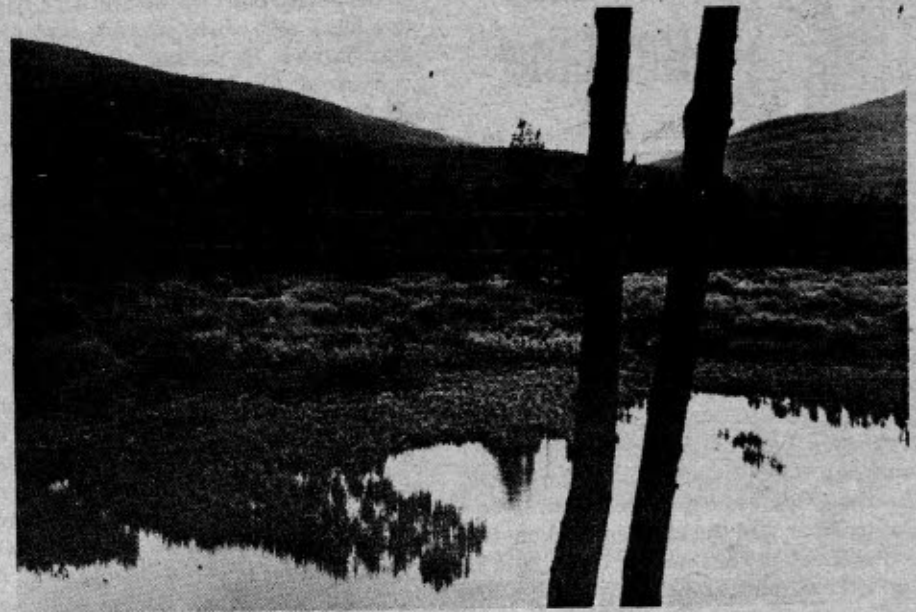


# Conservancy: a quiet approach to preserving land



One of the largest acreages in the West purchased by TNC is the Mt. Haggin Ranch, near Anaconda, Mont. TNC raised \$1,000,000, bought 76,000 acres, and divided it between the U.S. Forest Service and the Montana Department of Fish and Game. They hope to buy another 24,000 acres. Its present use is cattle grazing, which will be phased out so elk herds can increase.

Photo by David Sumner



The Holzworth Ranch was a 624-acre inholding near Rocky Mountain National Park. The National Park Service approached TNC and asked for help when its option to buy nearly expired and no Congressional funds were available. TNC bought it and resold it to the Park Service. Photo by S. Bournique

Sun Valley, Idaho, it includes wildlife habitat and some of fishing anywhere. With the groups as Trout Unlimited, being raised. Boise Cascade 0,000.

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ing fund of \$4 million is main- at quick purch of land can be repaid either by reselling the government or through efforts, preferably pledges

made before the purchase. Emergency-style purchases have been made in this way frequently as land comes up for sale, but TNC's policy, under president Patrick Noonan, is shifting towards long-range planning. Identification of priority areas before development becomes an issue not only helps hold the price tag down, it also helps avoid conflicts between environmentalists and developers.

One of TNC's goals is to remain non-controversial. Many other organizations are involved in legal and political battles, so TNC feels no need to enter the fray. They can be most effective by working quietly on the sidelines. They even manage to bring out the good in some corporations that are often cast as "bad guys" by environmentalists. For example,

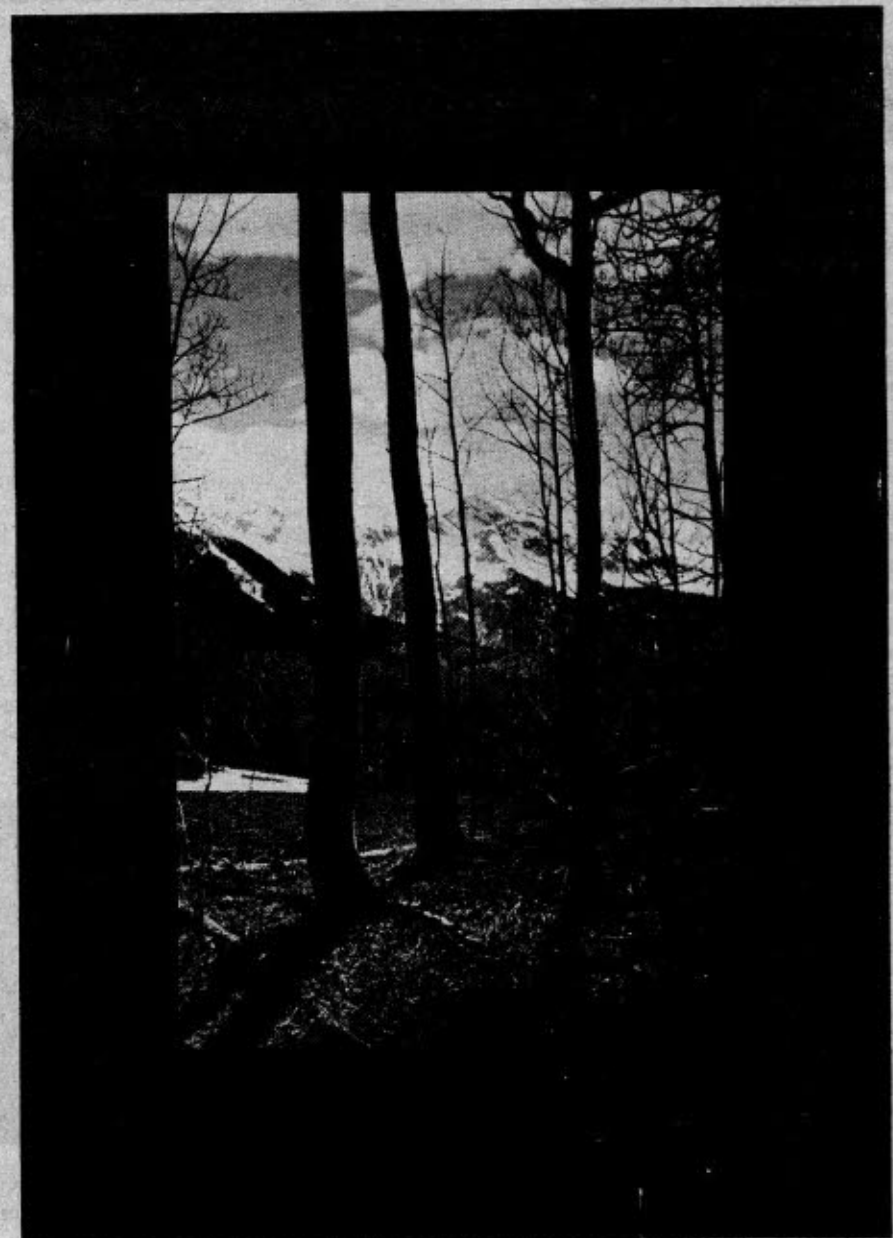
Weyerhaeuser Lumber Company donated 11,000 acres of the Great Dismal Swamp in North Carolina, and both Pennzoil and Atlantic Richfield have donated \$25,000 for properties in New Mexico and California.

TNC has taken on a higher profile in the last few years and doesn't shun publicity. The more people know of their work, the fewer opportunities to save land are missed.

They are supported by a membership of 25,000, and depend on volunteer efforts of appraisers, lawyers, and fund raisers. Membership includes receiving a quarterly news magazine and involvement with a local chapter, if there is one. More information is available by writing TNC at its Rocky Mountain Field Office, 820 16th St., Denver, Colo. 80202.



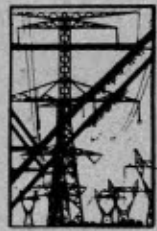
The first project in Colorado was the Mexican Cut area of Gunnison County. This high alpine ecosystem contains 11 pools of salamanders, with each pool's species evolving differently from the others. The property was bought jointly with the Rocky Mountain Biological Lab, a research facility located in nearby Gothic, and it is managed by the lab.



The Farny Ranch, 135 acres near development-crazed Telluride, Colo., is an example of using a conservation easement. The owner donated development rights to TNC, but retains ownership.

Photos courtesy of the Nature Conservancy.

10-High Country News — Nov. 19, 1976



## The HCN Hot Line

energy news from across the country

**HOTOCEAN FLOOR.** Traces of radioactive material have been found on the sea bottom off the coasts of the U.S. where radioactive wastes are buried, according to an oceanographer with the U.S. Environmental Protection Agency (EPA). The oceanographer, Robert S. Dyer, said plutonium and cesium appear to have leaked from drums of low-level radioactive waste dumped in the oceans 120 miles off the East Coast and 40 miles off the West Coast. Dyer said the apparent radioactive contamination "has not yet translated itself into any health hazard," and he does not foresee that it will, according to an Associated Press report.

**SOLAR SWIMMING HOLE.** The International Swim Center in Santa Clara, Calif., will use solar heat. The pool currently uses over \$30,000 worth of natural gas each year, but planners expect to cut that bill in half when the solar collectors are added. About 14,200 swimming pools are built in Southern California each year, 90% of which are heated with gas, according to the *Energy Reporter*, published by the Federal Energy Administration. Los Angeles County has passed a law that no new pools can heat with natural gas.

**EARNING THEIR ENERGY.** An Illinois family is saving an estimated one barrel of crude oil a year by pedaling a bicycle generator to power their television set. Sol Levine built the device, which powers a black and white portable set with a 12-inch screen. He hooked a bicycle to a car generator and a 12-volt car battery. His son, Bennet, 15, likes football and is in training to be able to pedal through the games this fall. All of Levine's children "feed their television habit with their own energy and the earth's energy is saved," Levine says.

**EXPENSIVE ENERGY IMPORT.** About a million dollars of the nation's energy budget is going to research the collecting of solar energy in space and beaming the electricity produced back to earth. The National Aeronautics and Space Administration and the Energy Research and Development Administration are supporting the study. Actual work, which involves an examination of the technology and its costs, will be done by Boeing Aerospace Company. Boeing experts say that the

facilities would be so expensive they hesitate to predict the multi-billion dollar cost.

**ALASKAN GAS HEARINGS END.** Hearings to examine three proposed natural gas pipeline routes from Alaska to the lower 48 states came to an end early in November. While the Federal Power Commission is considering three different routes, one backed by Arctic Gas which would cross the Arctic National Wildlife Range is seen as the front runner. A second route, proposed by El Paso Natural Gas, would follow the Alaskan oil pipeline to the state's southern coast and then be shipped to Los Angeles. In a third proposal, made by Alcan Pipeline Corp., a gas pipeline would parallel the oil pipeline as far south as Fairbanks and then go across Canada and feed into U.S. and Canadian pipelines near Calgary. The FPC must make a recommendation to the president by May 1. President-elect Jimmy Carter has taken no stand on the matter, but Vice-president-elect Walter F. Mondale (D-Minn.) was a co-sponsor of Senate legislation which would have mandated the Arctic Gas route.



Santa Clara International Swim Center  
Solar Heating System

Who's stripping our homes?

## Landowners challenge BLM secrecy

The Interior Department is now trying to determine how to respond to the latest attack by landowners and other environmentalists against its leasing policies.

Landowners in McCone County, Mont., who demanded information from Interior about who was nominating federal coal under their private land for leasing, are enraged by the department's response. The U.S. Bureau of Land Management, an agency of Interior, released an alphabetical listing of all the individuals, organizations, and companies who either nominated coal tracts or asked that tracts not be leased. However, the list did not match the names with the tracts they nominated. Several groups have appealed under the Freedom of Information Act, and Interior has not decided how to respond to the appeal.

The McCone Agricultural Protection Organization, the Sierra Club and other environmental groups, and North Dakota publisher Mike Jacobs, say BLM is preventing public involvement in the new leasing program, which the agency claims was supposed to encourage such involvement. In addition to the names of coal lease advocates, the McCone group is demanding to know their development plans. North Dakota Gov. Arthur Link also says it is important that landowners have the information.

Interior gives four reasons for not tying names to specific coal tracts. Most importantly, Interior says it does not want to discourage competition. If a small operator knew that Exxon or Consolidated Coal was going to bid for a tract, the small operator would not bid, it says.

Interior also fears that the quality of in-

formation supplied by the nominators would be diminished. Because of the assurances of confidentiality, mining companies have submitted supplemental information such as preliminary mining plans and copies of business contracts. Interior in-

tended the nomination process as a means of getting as much information as possible, so that it would have a better information base for planning purposes and for assessing bids.

A third reason, Interior says, is that such information was confidential on outer continental shelf leasing, so it's just a continuation of present policy.

In addition, Interior sources tell HCN that the department can see no compelling reason why the public needs to know who makes nominations.

Interior's saying it sees no reason why ranchers need to know who has nominated their homes and their towns for strip mining shows a "callous disregard for people," according to Pat Sweeney of the Northern Plains Resource Council (NPRC), an environmentalist-rancher group.

Responding to Interior's other reasons, as explained to HCN, Sweeney said, "A closed process does not open competition." He added that he didn't see how a smoke-filled room with closed doors where industry gets together to discuss leasing encourages competition.

"The government says they need more information so they can plan for us. Well we say don't bother to plan for us; we'll plan for ourselves if we have the information," Sweeney says, explaining his organization's point of view. NPRC believes that any coal company that is unwilling to allow public access to its mining plan should not be allowed to develop public coal.

"One of the minimum requirements should be an open process. If it's not open, then don't develop the coal at all," Sweeney emphasizes.



**CHARLES YARGER** was elected Nov. 6 to head the Northern Plains Resource Council board. Yarger is a farmer near Circle, Mont., and a member of the McCone County Protection Organization which is challenging BLM's confidentiality ruling.

## Reckoning from Washington

by Lee Catterall

### FIGHT MAY BEGIN ANEW

With a friend in the White House, supporters of federal strip mining legislation plan an early push in Congress to finally enact the bill.

But not so quick; they are unhappy with the bill as it ended up after years of battles between the Nixon and Ford Administrations and the Democratic Congress. Environmentalists will instead push for hearings on strip mining legislation and a new, freshly-written bill.

"It's been mangled by too many people for too many years," an environmental lobbyist said of the bill.

President Gerald Ford has vetoed the bill twice, and Congress has been unable to muster the two-thirds vote needed to override. President-elect Jimmy Carter has promised to sign strip mining legislation into law if approved by Congress.

Carter's transition team includes Joe Browder, former director of the Environmental Policy Center in Washington, and Katherine Fletcher, former staff scientist for the Environmental Defense Fund's Denver office. Browder's wife, Louise Dunlap, is the head of the Coalition Against Strip Mining — an anti-strip mining lobby.

One of the expected changes to be sought by environmentalists is in the part of the bill restricting strip mining of valley floors. As it ended up this year, the bill would allow it under some conditions. Environmentalists want a total ban.

They are unlikely to tamper with a section of the bill designed to give landowners the right to forbid strip mining of their land for federal coal. The complicated section was agreed to after much disagreement and is thought to be too controversial to reconsider.

While the bill has been debated and rewritten many times over the past five years, environmentalists say hearings need to be held again in the House Interior Committee because many of its members have not had an opportunity to hear expert testimony.

Environmentalists are confident that a new committee chairman and a major defection will not stand in the way of their effort.

The new chairman is expected to be Rep. Harold T. (Bizz) Johnson (D-Calif.), who for years has used his chairmanship of the water and power resources subcommittee to get federal projects for his sprawling district. Johnson has voted against the strip mining bill at every opportunity.

However, he is not expected to put up a fight on the strip mining issue. At 69, he is regarded as a congenial sort who is likely to retire in two years and won't want to anger his colleagues during his chairmanship.

Newly among the bill's detractors is the United Mine Workers, who voted at their convention in September to drop their support of federal strip mining legislation in favor of state laws. The Ford Administration has praised those state statutes and has proposed regulations that would oblige coal operators to abide by them in mining federal coal, a policy Wyoming Gov. Ed Herschler has praised.

However, the turbulent UMW is in the midst of a union election scheduled for next June and isn't likely to expend energy on the strip mining issue, which affects a minority of its membership.

"They never helped us," an environmentalist said of the period when the union supported strip mining legislation, "and I don't think they'll hurt us."

# Montana coal tax money will build alternative energy homes

As a result of a bill passed by the 1975 Montana Legislature, dollars are now pouring out of the state's strip mines directly into home solar collectors, solar greenhouses, and fish ponds. By 1979, in fact, Montana projects it will have \$1.5 million in its renewable energy program. The program is funded by a 2½% tax on coal, part of the state's total 30% severance tax.

Despite some bureaucratic delays getting the program set up, the first year's grants have been awarded, most of them going to individuals who want to build solar homes. Charles Green, manager of the program, says the advisory committee resisted giving grants for research or monitoring. "We hope to prove to the general public that the technology is available," Green says. "When a person sees his

neighbor's collector, he will think, 'If he can do it, why can't I?'"

The program's broader implications, according to Green, are lessening the nation's dependence on fossil fuels. Grants such as Montana is offering will get more people using renewable energy sources in a shorter time and thus help get the prices of alternate energy systems down.

Whether Montanans recognize the indirect benefits of using renewable energy, whether they're interested in reducing their own fuel costs, or whether they're just inventive people interested in new ideas, many Montana people are interested in trying new energy projects on their own. A total of 93 applications were received, totaling over \$3 million. The applications were screened by Green, a panel of science advisors, and by an advisory committee to "weed out the perpetual energy machines," Green says, referring to an often discussed energy alternative that is not practically possible.

Grants ranging from \$364.97 to \$100,000 were awarded to 31 applicants in Montana. A \$10,750 grant will determine if solar heating and water heating is feasible for a new junior-senior high in Belgrade. A council in Missoula will get \$26,875 to add to federal money for a low-income alternate energy housing project. "We're even funding a commune," Green says. The commune at Bass Creek is building a solar-wind-wood energy system for a home with the help of a \$12,095.96 grant.

In Helena, Martin Peterson will be experimenting with the help of a \$1,532 grant on a solar aquaculture project to grow talapia, a high-protein tropical fish that grows in warm water.

The smallest grant, for \$364.97, will be used by Valiant C. Norman of Bozeman to see if plants grow faster with warm water heated by the sun.

The grant program also gives William M. Spilker of Helena the opportunity to

test his theory that there is enough geothermal energy west of Helena to heat 200 homes. He received \$15,000 to try geothermal heating for one home.

Green says the state will be expanding its own program by giving matching funds for federal grants. For example, \$100,000 will go to the Center for Innovation. The center is part of M.E.R.D.I. (Montana Energy and MHD Research and Development Institute), which is directed by Dr. Jerry Plunkett. The center plans to use the money to help inventors and small businesses develop energy saving ideas and products. The state's \$100,000 will be matched by \$300,000 in federal monies.

Since Plunkett is on the advisory council which is divvying up the grants, his center's selection for a state grant prompted questions of conflict of interest. Green says he doesn't know how to avoid such accusations. Since renewable energy is a relatively new science, the field of experts

whom the project must draw upon for counsel is bound to overlap with some of the people who get the grants. Plunkett did not participate in the meeting when his proposal was discussed by the advisory council.

Of the 31 projects funded, 20 are in solar, three in wood, three in wind, and one each in water, geothermal, and biomass. Green says he had hoped to get the grants out earlier so projects could take advantage of summer construction months.

One group, AERO (the Alternative Energy Resources Organization), gambled that it would get its grant and proceeded with the New Western Energy Road Show. The road show, modeled after the old time traveling medicine shows, traveled to cities and ranching communities throughout the state with humorous, informational skits and demonstrations. AERO received its grant for \$24,480, minus any donations that had been given to AERO.

Green is excited about the prospects of the program, assuming it is not cut by the new legislature. He encourages other states to consider the same use for their coal tax dollars as a way of investing revenue from a nonrenewable source. Formerly an engineer for the state working on the Colstrip power plant impact statement, Green adds, "There seems to be some kind of justice to it."



THE NEW WESTERN ENERGY SHOW, with the assistance of a grant from Montana's alternative energy fund, showed Montana rural and urban residents that alternative energy is feasible — and fun.

Photo courtesy of AERO.

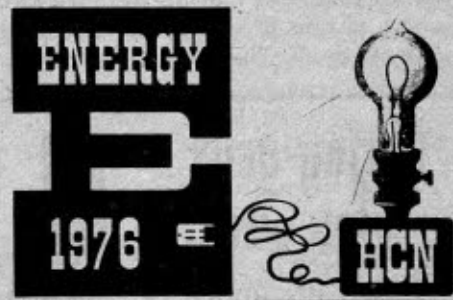


CHARLES GREEN thinks there's some kind of justice to giving tax revenue from coal to boost renewable energy projects.

**NO VALLEY MINING BAN.** The Wyoming Environmental Quality Council (EQC) has denied a request to ban strip mining in alluvial valleys, which are valuable for agriculture. The Powder River Basin Resource Council, representing agricultural and environmental interests, had submitted a petition requesting such a change in state policy. The group asked the EQC to set up a procedure to assess the agricultural value of valleys in the state and use the information to evaluate mining applications as they are submitted. The EQC preferred to evaluate areas on a site by site basis, rather than setting a blanket policy. The EQC also said it didn't know how to define alluvial valleys. The vote was 4-1 with EQC member Lynn Dickey abstaining. Dickey is also a staff member of the Powder River group.

**DENVER LOSING TO SMOG.** Unless the automobile pollution problem is solved, the head of the Colorado Air Pollution Control Commission says the commission will have been a failure, according to the *Rocky Mountain News*. Automobiles account for about 90% of the pollution in metropolitan Denver. The head of the commission, Gerald Jensen, says the commission has not established a mandatory program to insure cars are tuned to emit the least possible pollution nor has the commission adopted indirect source regulations, which control construction of highways, shopping centers, and airports. Jensen said the commission's work on "stationary sources" of pollution, such as power plants, has been effective.

**HOT SPA TO EXPLOIT SPRINGS.** Glenwood Springs, a popular Colorado health and recreation mecca for years because of its hot springs, may soon be tapping the heat for a municipal utility, according to the *Weekly Newspaper*. If a proposed test well is successful, the city will seek a federal grant to monitor the well and then use it to provide heat for a residential development and possibly for a portion of the city.



energy news of the Rockies and Great Plains

**DEMAND RATE CONTESTED.** The Colorado Public Utilities Commission is studying briefs filed by opponents and proponents of a new rate system instituted by the Public Service Co. of Colorado (PSC). The new "Demand-Energy" rate system is controversial, partially because it makes the installation of solar energy systems with an electrical backup system uneconomical. Plaintiffs in the case against PSC is the Home Builders Association of Metropolitan Denver. The Environmental Defense Fund and the Architects Group have filed briefs in support of the plaintiff.

**N.D. GASIFICATION PROCEEDS.** When Congress failed to approve a multi-billion dollar loan guarantee program to assist with synthetic fuels production, American Natural Resources Co. announced that it was re-examining its proposal for a gasification project in North Dakota. However, now the firm says it has established a \$9.6 million reserve fund for the \$750 million facility and plans to proceed. American Natural Chairman Arthur R. Seder Jr. says the firm is looking into the possibility of forming a consortium of companies which might be able to finance the project, according to the Associated Press.

**SIMPLE, SIZABLE SAVINGS.** A school district in Boulder, Colo., has saved about \$50,000 on gas and electricity for the second year in a row. The secret is simple — just turning down the thermostat and turning off unneeded lights, school officials say.

**IDAHO IN HOT WATER.** Hot water from a natural underground geothermal source is of sufficient quantity to heat state buildings in downtown Boise, according to a Boise State University study. According to the *Idaho Statesman*, the major question still unanswered is who will tap the geothermal energy — federal, state, or private developers. Meanwhile, the Idaho Department of Water Resources has determined that geothermal temperatures hot enough to produce electrical energy can be found at depths of 10,000 to 13,000 feet anywhere in the Snake River Plain. The Rexburg-St. Anthony area and the King Hill area have the greatest potential.

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12-High Country News — Nov. 19, 1976

## Jeopardizes solitude, wildlife

## County pushing Browns Park highway

by Mark Peterson

In the far northeastern corner of Utah lies a low, sage-covered valley known as Browns Park. The park's abundant wildlife was valued by pioneer fur trappers in the 1830s. Surrounded by mountains and nearly inaccessible, its isolation served Butch Cassidy and his gang of outlaws as a hideout. And ranchers, who discovered with surprise they could actually fatten their cattle here in the winter, appreciated the comparatively mild winters with less snow cover than surrounding areas.

Today only crumbling foundations give testimony to those earlier times. Yet the area's unique qualities remain almost unchanged from those days. Walking across the valley floor, one feels that time has stopped, and it is easy to imagine you are back in the Old West, with Butch Cassidy or rustlers galloping through the area pursued by the law. In reality, a few small cabins dot the quiet valley. A rough dirt road, impassable in stormy weather, is the only link with the outside world.

All this may be about to change. The calm serenity and peaceful isolation of Browns Park could fall victim to the bulldozer, replacing the old dirt road with a new two-lane paved highway.

## BENEFITS SEEN

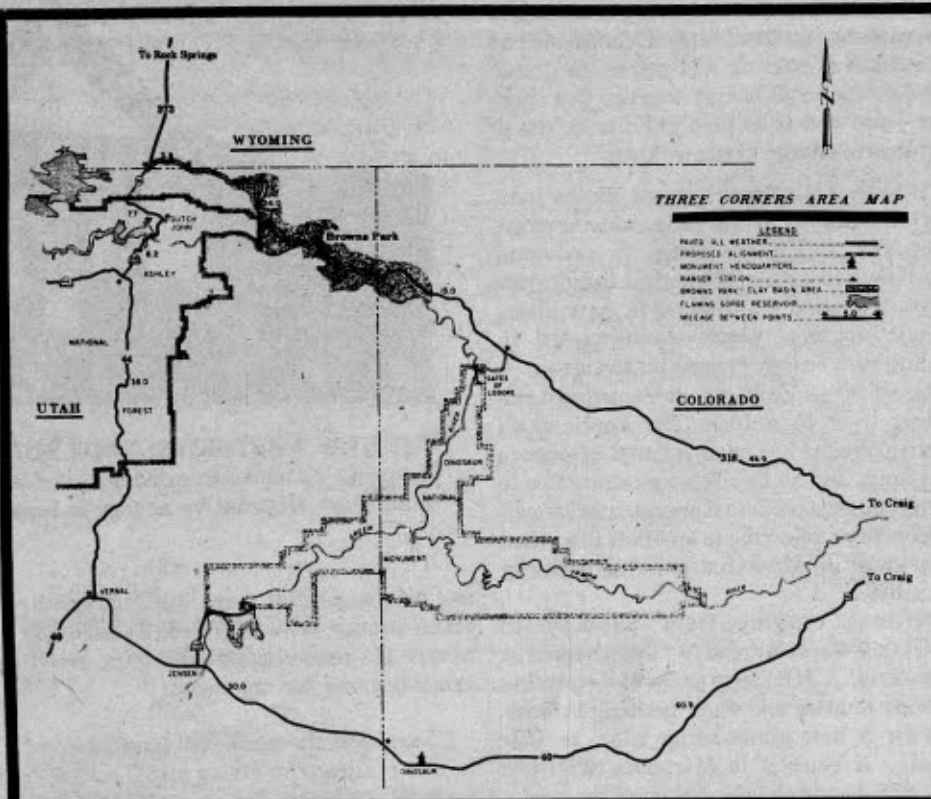
The highway's promoters — small in number but strong in influence — include Utah's out-going Gov. Calvin Rampton and the three commissioners of Daggett County in which the park lies. Their main contention is that the road will provide a direct link between Craig, Colo., and Rock Springs, Wyo., by joining already existing highways of those states. This would save the traveler about 52 miles by avoiding the circuitous route through Vernal, Utah, and would attract considerable more traffic by creating a more direct route for people traveling between Denver and Rock Springs.

Recreation is the main source of revenue for the area west of Browns Park. Over half a million tourists visit nearby Flaming Gorge Recreational Area annually. It provides fishing, boating, camping, and river rafting down the Green River below the dam. A highway through Browns Park would create better access to the region resulting in more visitors and thus giving a big economic boost to the area, especially the nearby town of Dutch John.

The easier access, it is hoped by some in the county, will speed regional development. Already a land speculation venture involving 280 acres in Browns Park has produced a subdivision called Taylor Flats, designed to accommodate 900 homes. Numerous lots have been sold, but little building activity has occurred due to lack of accessibility. The proposed highway, which would pass close to the development, will solve the access problem. The county owns 40 acres of Taylor Flats and would profit considerably as land values skyrocket.

## CONFLICT OF INTEREST?

Two of the county commissioners, Albert Neff and Carl Collett, who are pushing hard for the new highway, will also benefit financially from the road. Collett operates all commercial enterprises in the area except the marina. Leasing and operating the



**NEW HIGHWAY?** This map shows the route of the proposed new highway connecting Colorado highway 318 with Wyoming highway 373. The highway will be about 27.8 miles long and will run the length of Browns Park along a portion of the Green River.

gas station, he also owns and runs the food and supply store, lodge, restaurant, and river outfitting businesses. Neff is president and principal stockholder in Union Telephone Company, which serves the area. His business also stands to improve if the Taylor Flats subdivision is developed.

One alternative, with comparable savings in terms of miles, would route the highway from Colorado directly into Wyoming, bypassing Utah and Browns Park completely. Colorado has threatened to do this if Utah doesn't begin making progress with its portion of the highway soon. But the Daggett County Commissioners are strongly against this alternative as it would rob them of all the benefits a highway through Browns Park would bring to their area.

As the county and some of its individuals are anticipating the economic benefits to be reaped, others are mourning the unique qualities of Browns Park to be lost. Studies indicate that the Green River, which flows quietly through the park, will become crowded with rafters, fishermen, campers, and sightseers when the highway is completed. A Bureau of Land Management (BLM) analysis summarizes this in saying, "By bringing a paved road into Browns Park, the atmosphere will change. The solitude will be gone. . . ."

The county's commitment to the proposed highway will deal its most severe blow to wildlife. Big game animals such as deer, elk, and antelope abound in the area. The state of Utah has established a Waterfowl Management Area within the valley which has improved habitat and attracted a sizeable population of ducks and geese. Significant numbers of golden and bald eagles find favorable winter habitat there, and cougars, bobcats, and coyotes still prowl the area.

"These animals prefer, and in some cases require, solitude; the increased traffic could serve as a serious detriment to the wildlife resource," the BLM report says.

Because of the valley's mild winters,

animals spend the winter in the valley where feed is available. Migration studies by the Utah Division of Wildlife Resources (DWR) indicate deer migrate to Browns Park in the winter season from as far as 90 miles away. The great concentration of animals found in the valley during the long winter inspired one BLM employe to say, "I've never seen anything like it. It's comparable to the elk refuge at Jackson Hole, only for deer." BLM has designated much of the valley floor critical winter habitat for deer, elk, and antelope.

## HIGHWAY SLAUGHTER EXPECTED

With this high animal concentration in mind, wildlife officials are shuddering at the thought of a highway possibly bisecting the park and the developments that may accompany it. The road itself will result in up to 176 acres of prime forage being paved, but its influence will go far beyond that. Of greatest concern is that the animals will become victims of vehicles traveling at highway speeds. This could also create a

hazard for drivers along this route, especially at night.

There is also deep concern that the road could prove to be an effective barrier to animal migration, especially to the deer, which will sometimes refuse to cross pavement. No efforts are being made to minimize these impacts, according to DWR. The agency has suggested underpasses be built for the deer, or at least tall fences to keep them from crossing in front of traffic. These suggestions are quickly shoved aside by the county as being too costly.

## FOUR ALTERNATIVES

The highway proposal is only in the beginning planning stages. Four routes for the road are being given serious consideration by the Utah Department of Transportation. All the routes travel through Browns Park, and all pose different problems.

Planning has been progressing slowly because the cost of the project — around \$5 million — is much more than the county can afford. Applying for federal aid to finance the endeavor would require an environmental impact statement (EIS) — something the county wishes to avoid.

Yet, the county is determined to get the highway built without delay. "If they're (DWR and BLM) going to be fighting us every inch of the way, then maybe we'll have to do it piecemeal on our own — a section at a time" as county funds permit, suggested County Commissioner Collett. As if to demonstrate this determination the first seven miles of the dirt road will be graded this spring in preparation for further "improvements." The cost of \$270,000 is being funded entirely by the county.

But delays may be forthcoming. An EIS may be required because the project crosses BLM lands. A right-of-way permit must also be granted by BLM.

This winter will remain peaceful in Browns Park. The coyote's howl will still be heard over the rushing sound of the clear cold waters of the Green River. The flavor of the Old West will still permeate the air. Events that may change all this lie somewhere in the future. For now the solitude endures.



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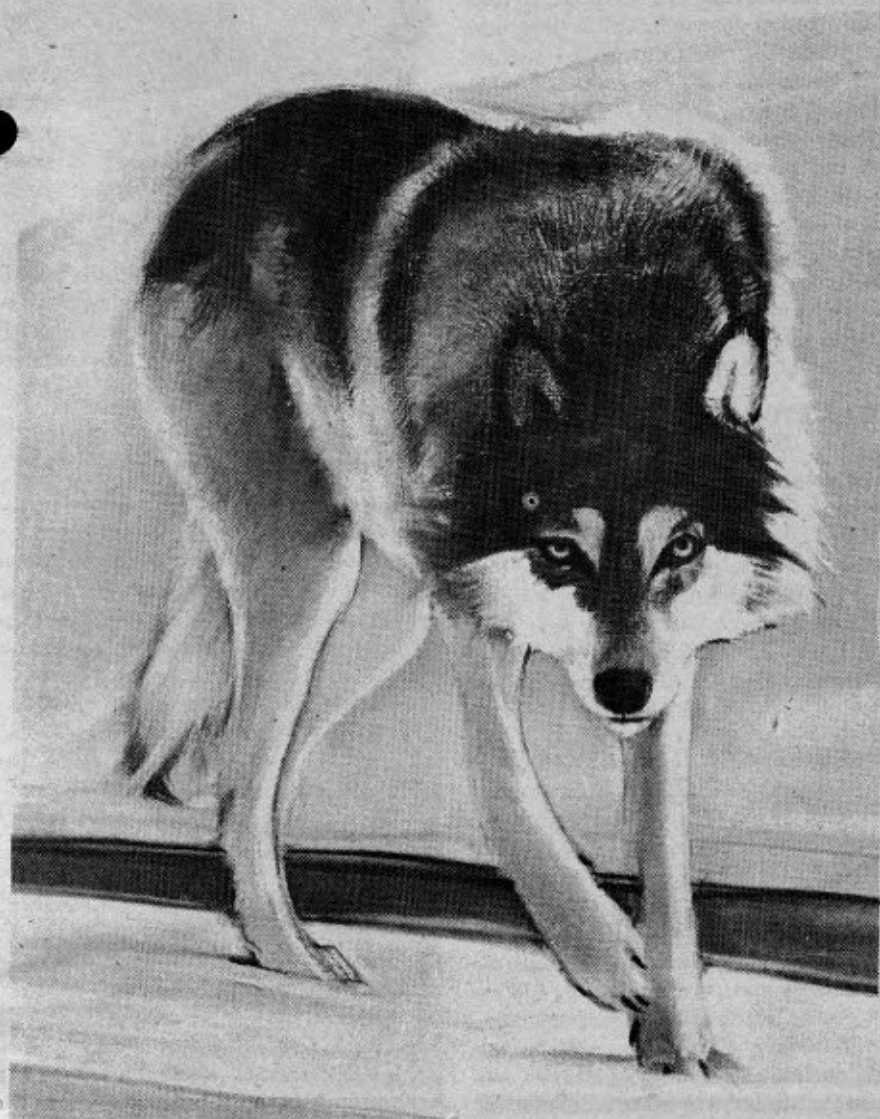
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# Western Roundup

HCN



The Alaska Department of Fish and Game is again proposing hunting wolves to protect big game in the state. The state has announced plans to kill up to 80% of the wolves that inhabit 144,000 acres of the Brooks Range in Northern Alaska to protect dwindling caribou herds. In addition, wolf hunts will continue in south-central Alaska, where a controversial wolf killing plan was begun by the state last year. Defenders of Wildlife blames the caribou decline on poorly regulated hunting management. Defenders has informed Alaska Gov. Jay Hammond that if wolf killing is initiated, lawsuits and nationwide protest will follow.

Wolf courtesy of Stouffer Productions.

## ND Garrison Diversion loses support

Rep. Mark Andrews (R-N.D.) says there is only a 50-50 chance that the newly-elected House of Representatives will vote funds to continue construction of the controversial Garrison Diversion Project in North Dakota. "Of the freshmen members of Congress, 69% voted against Garrison when the vote was held last summer," Andrews told the Associated Press. "These freshmen members — and almost all of them were reelected, and a host of new freshmen joined them — are far more responsive to the pressure groups, the environmental lobbies, than they are to committee action, cost-benefit ratios, recommendations from the Bureau of Reclamation, and all the rest."

Most national conservation organizations oppose Garrison. The National Audubon Society filed a lawsuit to halt the project.

## No natural areas in Montana system

The Montana Natural Areas Program is falling far short of expectations, according to the Environmental Information Center in Helena, Mont. Two years after the passage of the state Natural Areas Act, "To date there is not a single acre of land within the natural areas system and Bill Courter (a state lands official assigned responsibility for natural areas) has described the outlook for future designation as 'limited.'" EIC sees several roadblocks ahead. The state Land Board, an integral part of the approval process, does not seem enthusiastic. "As an indication of the board's interest in natural areas, not a single board hearing has yet been held," EIC says. Legal problems have also arisen. Attorney General Robert Woodahl has ruled that according to the 1889 Enabling Act, each time a natural area is designated, the state must put enough money in the school trust fund to cover the full market value of each developable resource. No money was budgeted for the program in fiscal years 1975-77. Despite these obstacles, EIC believes "there are reasonable prospects for designating two natural areas" — an island between the Flathead and Stillwater Rivers near Kalispell and Crown Butte near Great Falls. Before there can be any hope of success, however, the 1889 Enabling Act must be amended, the environmental group believes.

## New S.D. conservation group formed

"This gathering must be considered a council of war," said one South Dakota farmer. "We must expect this to become a confrontation of great proportions. Just how much destruction must we tolerate in the guise of progress." The gathering the farmer was referring to was the organizational meeting of a new statewide conservation group called the South Dakota Natural Resources Council. State Rep. Jerry Radack recommended that the new group's first goal be to develop a "bill of rights" for South Dakota's natural resources. Other priority issues include the Oahe and Garrison diversions in the Dakotas, underground water depletion due to excessive irrigation, the proposed coal slurry pipeline through western South Dakota, and weather modification.

## NPS to kill all Grand Canyon burros

Starting next year, the National Park Service will begin a five-year program to kill all feral burros in Grand Canyon National Park. The program was recommended by Dr. Steven Carothers, head of the biology department at the Museum of Northern Arizona, after his studies revealed that the burros were damaging native plants and animals and causing soil erosion, according to the Associated Press. "Nobody enjoys the thought of killing burros, but the fact remains that something has to be done to save these native habitats of the Grand Canyon," Carothers told AP. The park's burro population — estimated at 500-1,000 animals — is descended from burros abandoned by early prospectors.

## Developer claims immunity from laws

A developer near Sun Valley, Idaho, says neither the county nor the state has any jurisdiction over his proposed subdivision because it's on federally-patented mining claims. Carl Curtis, who bought up seven patented mining claims near the popular ski area, plans to cooperate with the county, but says he is not bound to abide by county and state land use regulations. A patented mining claim gives the owner clear title to what was originally public property.

Ketchum Tomorrow, a local newspaper, contacted spokesmen for the Idaho Mining Association, the U.S. Forest Service, and the state attorney general's office about the situation. All three experts agreed that Curtis must comply with county and state laws. Blaine County Planning Administrator Alan Reynolds told Ketchum Tomorrow he was unsure about county jurisdiction. He said if Curtis prevails, several thousand acres of patented mining claims throughout Idaho could be developed — a situation which could have a far-reaching effect on local planning.

## Ticklish Crested Butte decision delayed

The Forest Service has been handling the proposed expansion of a ski area at Crested Butte, Colo., with kid gloves ever since Army Secretary Howard "Bo" Callaway brought the area national notoriety. Callaway was accused of using his official position to influence Forest Service decisions. Callaway is chairman of the Crested Butte Development Corp. A Senate Interior subcommittee, chaired by Sen. Floyd Haskell (D-Colo.), issued a report criticizing the Forest Service's handling of the situation. Now, the Forest Service has postponed choosing a site until the spring of 1978 "at the earliest." The agency's decision had been scheduled for June 1977 — and its tentative site choice was Snodgrass Mountain, where the base land is owned by Callaway's firm. Jimmy Wilkins, supervisor of the Grand Mesa, Uncompahgre, and Gunnison National Forests, now says he needs extra time for local and congressional review. He also noted that Colorado's "winter resources management plan" has recently been released. The plan outlines a method for county, state, and federal officials to work with the ski industry in planning development.

## Wilderness efforts coming to a head

Citizen efforts to preserve wilderness areas in the Rocky Mountain West are coming to a head on many fronts.

In Colorado, the Forest Service has proposed a 16,270-acre wilderness in the Indian Peaks area south of Rocky Mountain National Park. Colorado conservationists call the proposal "unacceptable" because it is too small. The Forest Service admits there are at least 40,750 acres of additional wilderness quality land in the area, but says it would be too difficult to manage the larger area, according to the Rocky Mountain News.

In Idaho, Forest Service Chief John McGuire has sided with conservationists in rejecting two land use plans that called for logging in 330,000 acres of unprotected wilderness in the Payette National Forest. Meanwhile, both the Sierra Club and Boise Cascade Corp. have appealed timber management plans for the Payette. Boise Cascade wants more timber from the land while the Sierra Club wants more protection for wilderness.

The Hoodoo Wilderness Study Area in the Clearwater National Forest in Idaho and Montana is scheduled to be roaded so that Diamond International Corporation can log some small inholdings. The Wilderness Society is protesting the road plan as well as objecting to Forest Service plans to write an environmental impact statement on the project before a wilderness study is completed.

In Arizona, conservationists from various environmental groups have united to establish the Arizona Wilderness Study Committee. The new group has a free newsletter. For more information contact Tom Wright, 1131 South Butte, Number 4, Tempe, Ariz. 85281.



## HIGH Bulletin Board



### LOONEY LIMERICKS

by Zane E. Cology

The voters' apparent rejection,  
Of nuclear safeguard protection,  
Shows that luck,  
Follows the buck  
And business can buy an election.

### SOLAR ENERGY FILMS

Your local library, school, or college can rent films on solar energy and energy conservation. For a free list of films write: Colorado State Library, Film Service, 1362 Lincoln St., Denver, Colo. 80203. Academic institutions can also rent videotapes on solar energy technology from the SURGE Office, Rockwell Hall, Colorado State University, Ft. Collins, Colo. 80523.

### LANDS FOR SPECIAL PLANNING

Anyone in Wyoming can nominate lands as areas of critical or local concern. These are lands where uncontrolled development could damage life, property, or the environment. If approved, these areas will receive special governmental assistance in study, planning, and regulating the area. More information and nomination forms are available at the Office of Land Use Administration, 1720 Carey Ave., Boyd Bldg. No. 500, Cheyenne, Wyo. 82002.

### LARGEST MINE STILL GROWING

The largest surface coal mine in North America has plans to expand. The mine, operated by Decker Coal Co. in southeastern Montana, plans two extensions which are described in an environmental impact statement published by the U.S. Interior Department and the Montana Department of State Lands. Hearings on both proposals were held this week in Billings and Decker, Mont., and in Sheridan, Wyo. A limited number of copies of the statement are available from U.S. Geological Survey, Box 25046, Federal Center, Mailstop 412, Lakewood, Colo. 80225. Copies are available for inspection at libraries in Denver, Helena, Billings, Hardin, Forsythe, and Sheridan.

### ALASKA TRIPS

The U.S. Bureau of Land Management (BLM) in Alaska has several brochures available including Alaska Camps and Trails (including map), Alaska's Pinnell Mountain National Recreation Trail, Alaska's Denali Highway, and other trails and highways. Brochures on float trips are also available. Write Anchorage District Office, BLM, 4700 E. 72nd Ave., Anchorage, Alaska 99507.

## Service Directory

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Thirty-one pictures and twelve maps show all roads and trails in Wyoming's fantastic Wind River Range. \$2.95 pp. to any state except Wyoming. Money cheerfully refunded if not delighted. Finis Mitchell, 336 P. St., Rock Springs, Wyo. 82901

### SOLAR GREENHOUSE PLANS

A citizen's energy group in California has put together a seven page report describing a total solar design for a greenhouse. It is free from the Citizens for Energy Conservation and Solar Development. Write George Larke, Box 49173, Los Angeles, Calif. 90049.

### SOLAR ENERGY UPDATE

An updated solar energy bibliography dated March 1976 is available from the federal Energy Research and Development Administration. The two-volume bibliography may be purchased from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22161. Volume I, Citations, (TID-3351-RIPI) is \$13.75 on paper and \$2.25 on microfiche. Volume 2, Indexes, (TID-335-RIPI) is \$10.75 on paper and \$2.25 on microfiche.

### ALASKAN LAND PROTECTION

The Alaskan Office of the Bureau of Land Management sponsored a Surface Protection Seminar and has published the proceedings on the theme, "Travel and transportation practices to prevent surface destruction in the northern environment." Copies of these proceedings cost \$5 and are available from the BLM State Office Public Service Counter, Room 104, 555 Cordova St., Anchorage, Alaska 99501.

## Eavesdropper

environmental news from around the world

**DECLINING QUALITY OF LIFE?** According to a recent Harris poll, a 44-33 per cent plurality of citizens believe the quality of life has deteriorated in the past 10 years. This concern has been growing. Between March and October, concern about curbing water pollution rose from 70 to 79 per cent, while worry over air pollution control rose 66 to 70 per cent. Key elements of concern to the public included curbing air and water pollution, achieving a quality of education for children, conserving energy, making products safer, and protecting the privacy of the individual.

**EFFORTS TO SAVE FARMLANDS WIN.** New York and New Jersey legislators have recently approved measures aimed at saving agricultural lands. Both programs involve the purchase of development rights of farmland. In this way, farmers who decide to participate in the program will keep title to their land but must agree to use it only for agriculture or open space and sell it only for farming. A similar effort failed in California this year, but will be reintroduced in the next legislative session.

**CLEARCUTTING RESUMES.** Sales of timber from national forests under an interim policy that allows clearcutting with certain guidelines has resumed. Sales had been suspended for three weeks to allow a transition between policies under an 1897 law and those mandated by a new law signed by President Gerald Ford in October. The new law establishes sealed bidding as a means of reducing collusion among bidders for timber sales and requires that only dead, mature, or large trees can be cut.

### STATE RECLAMATION PROGRAMS

A new report describing state programs to regulate the reclamation of surface mined lands has been issued by the U.S. Geological Survey (USGS). The 44-page, illustrated circular features a state-by-state compilation of state laws and guidelines showing the coverage and standards of each state program. Copies of the booklet (USGS Circular 731, *A Guide to State Programs for the Reclamation of Surface Mined Areas*) may be obtained free from USGS, Branch of Distribution, 1200 S. Eads St., Arlington, Va. 22202.

### FLATTOPS WILDERNESS WORKSHOP

Public workshops will be held in Colorado for the purpose of identifying concerns and desires regarding future management direction for the Flattops Wilderness. All meetings will begin at 7 p.m. in the following towns: Glenwood Springs on Dec. 6, Yampa on Dec. 7, Meeker on Dec. 8, and Golden on Dec. 9. Call your local Forest Service office for further details.

### ENERGY CONSERVATION CONFERENCE

Wyoming has been awarded money to develop a state-wide energy conservation plan aimed at cutting consumption 5% by 1980. A conference to gather information on what is being done in the state will be held at Casper Ramada Inn, Nov. 29-Dec. 1. Workshops and panels will be held in such areas as utility rates, transportation, building design, retrofitting, alternative energy, and industry saving strategies. Attendance is limited. For more information write: Jerry Mahoney, Governor's Office, State Capitol Bldg., Cheyenne, Wyo. 82001.

### MINERAL TAX HEARING

A public hearing will be held in Casper, Wyo., Nov. 27, on a proposed bill relating to equalization of mineral tax revenues among the several political subdivisions in the state. The hearing will be held at 10 a.m. in Room 198 of the administration building at Casper College. Copies of the proposal (Draft No. 7) may be obtained from the Legislative Service Office, State Capitol, Cheyenne, Wyo. 82001.

### UTAHNS FORM SOLAR SOCIETY

The Utah Solar Energy Society, Inc. has been formed for people interested in the direct application of alternative energy techniques such as wind, biomass conversion, and solar power. Society meetings are held the second Friday of each month at 7:30 p.m. in the Rampton Building of Utah Technical College, 4600 S. Redwood Rd., Salt Lake City, Utah. For more information call Norman Barnes at (801) 485-8648.



### HEARINGS FOR COLORADO WATER

The Colorado Water Quality Control Commission has scheduled public hearings on proposed revisions to the state water quality criteria and stream classification system. Hearings will be held at Grand Junction Dec. 6, in the Civic Auditorium in City Hall at 9:30 a.m. and in Denver in room 412 of the Colorado Dept. of Health Bldg., 4210 E. 11th Ave., at 3 p.m. Written statements are encouraged.

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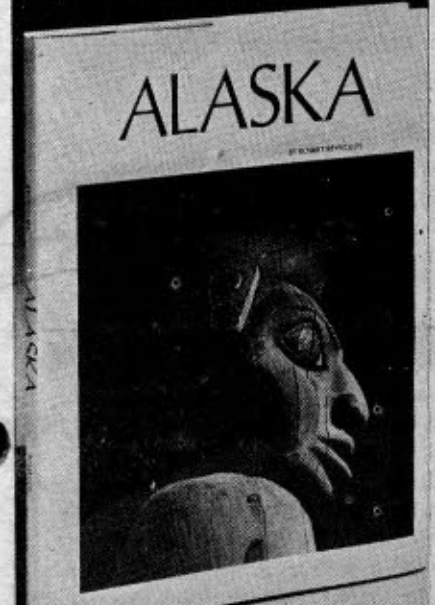
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**Fence Post**

Ron Mamot has made available some of his photographs to **High Country News**. Black and white, and brown tone orders will be filled by Dec. 25. Color orders will take longer. Color prices are slightly higher. More of Ron's work will be appearing in the next two issues of HCN.  
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**Greeting Cards**  
Holly Merrifield, wildlife artist and friend, has designed these note cards for **High Country News**. These cards were so popular last year, we're trying them again. Ready for your personal notes, the cards are 3½ by 7 inches on ivory stock with gold envelopes. Designs are in wheatfield gold. A handsome complement to any message. (Please specify Moose or Eagle.) \$2. Ten cards and envelopes per set.

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# Eleen Williams: preserving the past

by Mark Peterson

Browns Park has had a rich and colorful past since General William Ashley and his Rocky Mountain Fur Company were the first recorded white men to travel through the area in 1825. Today Browns Park — a sparsely populated valley in northeastern Utah — still has several old cabins and remnants of other buildings linking its past with the present. There are also living links, including the people who have lived in the park since they were born near the turn of the century. They have a deep feeling for this area that relates back to its old outlaw days.

One person who shares this deep feeling for the park and is working to preserve its unique heritage is Eleen Williams, postmaster in the nearby town of Dutch John. Williams has spent the last several years attempting to preserve and restore the remnants of earlier days, and educating people to the fascinating history associated with the area's historical structures. Without her efforts, many of these structures would have been destroyed, and along with them, the isolated "Old West" feeling that is so much a part of the environment in Browns Park.

Williams' keen interest in local history began in the early 1960s when she became historian for the National Association of Postmasters. In 1963 she finished a book describing the history of each post office and postmaster in Utah.

In writing this book and in the years to follow, she realized that the job of discovering, collecting, and preserving objects of historical significance was a mammoth undertaking that could not be adequately tackled by one person alone. So in early 1970, Williams and a group of other interested citizens from the area formed what is now the Daggett County Historical Society.

"It was in those early days," she says, "that members approached me about organizing a trip down to Browns Park as a group." From this first field trip of 35 members has developed what is known as the Browns Park Annual Trek, attracting historical enthusiasts from Utah and the surrounding counties of Colorado and Wyoming. Always held on the last Saturday in June, these one-day visits to the country of "Queen" Ann Bassett and "Butch" Cassidy have created a greater appreciation for the history of this unique peaceful valley.

"This year we visited Greystone, which consists of an old-time post office and store," she explained. "In the late 1800s coke ovens were built there made entirely of rock. They were used as a type of smelter, separating copper ore from the rock, and were operational from 1900 to 1906. They are still in excellent shape today."

Williams is now concentrating her efforts on identifying sites of historical significance and seeing to it that their history is researched and written up. These can then be submitted to the 15-member historical board that meets in Salt Lake City. If they decide the site is worth preserving, it is registered on the state's historical register. This qualifies the site to become a candidate on the National Historical Register, which gives it some protection and may free funds for restoration work.

In the last six years, Williams has helped to get five nearby sites on the State Historical Register, two of which are being considered for the National Historical Register. "We also have 10 to 12 more sites in the



ELEEN WILLIAMS is dedicated to preserving the colorful heritage of Browns Park. Photo by Mark Peterson.

county, which we hope to get on the State Historical Register," she told HCN.

One site that is a candidate for the National Historical Register is Dr. Parson's

cabin, still standing in Browns Park. The cabin was constructed between 1874 and 1876. According to Williams, "Doc Parson never had any education, but in those days you didn't need any to be a doctor." He helped deliver the first baby in the park, and it is said he was a good friend of Butch Cassidy.

"Sometimes it is hard sorting out the fact from the fiction," says Williams. The old red school house is a good example. Built in 1904, it was located so that the southern half of the school was in Utah and the northern half in Wyoming. It is said that the Wyoming students sat in their half with their teacher, and the Utah pupils in their half with a different teacher. Later, when the states could only afford one teacher, Utah and Wyoming split the salary 50-50. The story goes on to say that the outhouse had four holes — two for Utah kids and two for Wyoming.

Sometimes Williams gets frustrated with her efforts to preserve and restore these sites. "There's just so much to be

done, and I don't always have the time," she says. But her efforts don't go unnoticed. At the annual meeting of the Utah Heritage Foundation in 1974, Gov. C. Rampton presented Williams with the foundation's fellowship award to recognize her contribution to Utah's heritage.

Recently *National Geographic* consulted Williams regarding an article that it was publishing about the Outlaw Trail which runs through Browns Park. Williams helped confirm many of the stories of the area which the editors had found hard to believe. The article describes many of the colorful cowboys, rustlers, and outlaws who roamed the Browns Park area three-quarters of a century ago, and appears in the November issue of the magazine.

After retiring from her work at the post office, Williams plans to stay in the Browns Park area. "To people who live here it's the most beautiful place on earth," she says. "There's a beauty here you can't find any place else — it's home."

## Dear Friends,

There's something peculiar about the *High Country News*. What other business has people from all over the country writing to say that they want to come here to work for us — and that they don't want any pay?

We always marvel over letters like that and worry about what the person behind the proposals will be like. With scant resources, we can't afford to do much training or coddling — even of volunteers.

Will so-and-so be happy in Lander with a staff so busy on some days that they barely stop to say hello? Will so-and-so be able to take an order like, "Do whatever interests you?" Will the person be able to survive the tutelage of three cantankerous, contradictory editors? Will the person be able to endure the rapid banter, the sick jokes inspired by a long press night? Or will the poor soul be buried under an avalanche of information amid a work-blinded, busting staff?

We worry about these things, but at the same time we've learned to be hopeful. We've been blessed with a few volunteers that are more talented, tough, and resourceful than any journalistic rescue team we could dream up.

Long-time readers of HCN will remember that our advertising manager and promotion man, August Dailer, worked his way into our hearts and our payroll this way. Over the past year we've had three other special people wander into the office and find

their niche, leaving us grateful and enriched by good work.

Two of them, Mary Trigg and Mark Peterson, have managed to make remarkable contributions in the short time they were able to stay with us. Remember the story in September on women in Jeffrey City, a Wyoming boom town? That was Mary's hard work — and also the story of how she spent her summer vacation this year. When not "vacationing" with us, Mary is assistant administrator for the All-University Council on Environmental Quality at the University of Minnesota.

Mark Peterson has spent the last four months with us, and you've probably noticed his work. He's concentrated mainly on Utah — the Four Seasons ski resort, the White River dam, and in this issue Browns Park and a profile of Eleen Williams. Mark is a former high school teacher from Madison, Wisc., who came to us this fall to learn new skills and sharpen his understanding of Western environ-

mental problems. He's headed back to study wilderness at the University of Wisconsin in January.

Our third volunteer, Sarah Doll, has helped us on almost every issue we've put out for over a year now. We've come to lean on her for what some readers have told us are the most useful and alluring pages in the paper, the centerspreads. She's a musician and a rock climber, and carries the precision she exercises in those activities to her other pursuits.

When she stopped in to talk about volunteer work, it was a bad time. We needed a writer, layout artist, proofreader, darkroom technician, and production aide. She tackled them all and, as you can imagine, we've become hooked on her skills. We limp a lot when she's gone.

Our warmest thanks to Sarah, whom we could not do without, and to Mary and Mark. All have been extraordinarily generous with their time and talents.

—the editors



Mary Trigg



Sarah Doll



Mark Peterson

### In The News

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