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The Environmental Bi-Weekly



# High Country News

Vol. 9 No. 15

July 29, 1977

Lander, Wyoming



Beyond OPEC's goals

## Tribes probe possibilities of their coal, uranium

by Marjane Ambler

Drawings by Hannah Hinchman

Recent headlines saying that 22 Indian tribes are meeting with the Organization of Petroleum Exporting Countries (OPEC) have brought national attention to the Council of Energy Resource Tribes (CERT), an organization that had virtually been ignored since its formation in 1975. Reportedly, tribes have been seeking investment money and advice from the OPEC nations.

Although analogies are easy to draw between the two resource-rich organizations, CERT was not formed as a cartel of Indian tribes, and the interests of the young organization are broader than those of an Indian cartel would be.

Ironically, the CERT members may have first gotten the idea of comparing their organization to OPEC from a consulting firm that is best known for its studies on behalf of the government and energy companies. The firm, Ernst & Ernst, is now completing a Federal Energy Administration (FEA)-funded study on energy development alternatives for the CERT tribes.

In the firm's proposal for the study, it suggested that the tribes could learn from "methods being used by Arab and other Third World nations." Ernst & Ernst say these nations' situations are analogous to the Indians' because they both have substantial natural resources and severely limited capital, labor, and management resources.

Comparing OPEC's vast reserves of oil with the tribes' supplies of oil, coal, and uranium is no exaggeration. FEA says the size of the Indian reserves has not been determined, but estimates as high as 66% of the nation's uranium and 30% of its coal reserves have been made.

While it is easy to make such comparisons, it is much more difficult to decide whether or not CERT tribes will have the solidarity to use OPEC's most successful strategy — demanding uniformly high payments for their resources.

While admitting that the tribes don't have a history of working together, a member of the CERT executive committee, Earl Old Person, thinks they are beginning to recognize the advantages. Old Person, of the Blackfeet Tribe in Montana, thinks

that once CERT gets on its feet, it might have OPEC-like clout in some areas — including getting high royalties.

CERT includes tribes from the following reservations: the Crow, Northern, Cheyenne, Fort Peck, Fort Belknap, Chippewa-Cree, and Blackfeet in Montana; the Acoma Pueblo, Jemez Pueblo, Jicarilla Apache, Laguna Pueblo, Santa Ana Pueblo, and Zia Pueblo in New Mexico; the Navajo and Hopi in Arizona; the Uintan and Oway in Utah; the Cheyenne River in South Dakota; the Yakima River in Washington; the Fort Berthold in North Dakota; the Wind River in Wyoming; and the Southern Ute and Ute Mountain in Colorado.

Old Person is optimistic about the future of the organization. Looking at the size of the Indian reserves, he says, "In the future, they (the energy companies and the government) will have to come to us."

However, many others, both Indians and non-Indians, question whether diverse tribes could ever be able to work together



PETER MACDONALD, Navajo tribal chairman, has brought publicity, and inner controversy, to CERT with his flamboyant leadership.

that closely. Some of the CERT members, such as the Navajo tribe in Arizona, are plunging forward with coal and uranium development, while others, such as the Northern Cheyenne in Montana and the tribes of the Fort Berthold Reservation in North Dakota, have been more cautious.

### INNER TRIBE DISSENSION

There is also dissension within some of the tribes. One example is the disagreements between Peter MacDonald, who chairs CERT, and some members of the Navajo tribe, which he also leads. MacDonald has earned a national reputation for strong rhetoric in defense of the rights of all tribes to get a fair return for their resources. However, members of his tribe have accused him of accepting leases with low royalty provisions.

MacDonald has also been the source for the flamboyant talk of meeting with OPEC. Some insiders, including one tribal representative in CERT, question whether

(continued on page 12)

## The father of Rocky Mountain Park

Enos Abijah Mills

© 1977 by Peter Wild

Thinking that his pet grizzly bear might enjoy the diversion, the homesteader placed the 60 pound cub in a rocking chair. At first the puzzled animal sat with a paw on each arm "like a little old man," peering over the sides as his owner gave him gentle shoves. Then the cub's face lit up; catching the swing of it, he rocked himself. But in his delight at the new sensation, the bear made too much of a good thing. In a few moments both cub and rocker pitched over backwards — and the owner was dancing on a tabletop as the irate grizzly snapped at his ankles.

Our grandparents chuckled at such vignettes of wilderness life. Yet the writer, Enos Abijah Mills, had more in mind than entertainment. He wanted to promote and preserve the Rocky Mountains, not as a fearsome domain of frozen peaks and prowling beasts, but as a "safety zone" for civilization, "a friendly wonderland" of nature. If his books do not belong on the shelf beside those of the masters, they offer the modern reader a glimpse into their times, as well as occasional heady passages. For these, and other reasons — his individualism, his homey qualities, his often petty feuds — Enos Mills seems more typi-

cally Western, more human, than conservation's luminaries.

Though illness dogged his Kansas boyhood, Mills struck out for the West in 1884 at the age of 14. Grace D. Phillips characterizes his thrill before Colorado's ranges: "What kinds of trees grew on the mountains, what animals lived there, and would they be friendly? He was small and frail and alone, and a head of bright curls made him seem the more childlike. People wondered at his industry and his daring." Mills's different sort of wonder would stay fresh for the rest of his life.

The boy built a log cabin in the shadow of Long's Peak, near the Continental Divide. Twenty years earlier, John Wesley Powell had led the first party of white men up the 14,255-foot pinnacle in a cliff-hanging foray. Mills would climb it 250 times in his life, often repeating the trip on the same day simply for the pleasure of it. In fact, the freedom of tramping the length of the Rockies was a sheer joy to him, carrying only a hatchet, some matches, his elkskin sleeping bag, and eating the wanderer's traditional fare of roots and berries. What little money the boy needed came from odd jobs, herding cattle or working in mines. The youth's life, if haphazard, was ideal, filled



Denver Public Library photo by Esther Mills

**WYOMING SAYS NO to a uranium mine and mill in the Red Desert. See page 11.**

(continued on page 6)



## HCN Letters

### TROUBLE IN MOOSE COUNTRY

Dear HCN,

I hate to be a harbinger of bad news, as I enjoyed your moose article very much, but all is not well in moose country. Not only does your own Wyoming have problems, but serious moose declines are also occurring in Montana and Idaho.

While unquestionably much of the decline can be traced to such intrusions as logging sales and subdivisions, all three states have experienced a problem even more insidious: illegal killing. While a substantial portion of this illegal kill comes from hunters who mistakenly shoot moose for elk or deer, much of the slaughter is simple "thrill" killing, done by senseless people who just shoot these animals because they're large, visible, and not particularly wary of man.

The extent of this illegal killing has been well documented in areas like Cooke City, Mont., and Fremont County, Idaho. Often the illegal kill has exceeded the legal quotas set by the state fish and game departments. And contrary to what one would expect, only rarely are limits on legal kills reduced because of the number of illegal kills. Not surprisingly, many areas that formerly contained many moose are now virtually devoid of these magnificent creatures.

With all due respect to the state fish and game departments, there's nothing scientific about the way moose seasons are set. In nearly all instances, quotas are based on previous years' kill information. In other words, if there was a large kill last year, that means there's a healthy population. If the kill was light, then maybe it's time to cut back.

Now this type of management may work in wilderness areas, where access is extremely limited and the odds are in the moose's favor. But in our heavily-roaded national forests, it just doesn't make sense. Since much of the best moose habitat lies along the roads (the roads generally follow drainage bottoms), these animals are particularly vulnerable. Witness the hunter success rate of about 70% for moose as compared to only about 10% for the far more abundant elk.

In Montana, permits for 1977 have been lowered from 717 in 1976 to 612 for this year, mainly because of declining harvest. But a close look at some of the hunting districts indicates they might not have been lowered enough. Hunting district 261, on the east side of the Bitterroot Valley, provides an example that is not atyp-

ical. Between 1960-1962, 10 either-sex permits for the areas were issued and hunter success averaged 80%. In 1967-1970, permits were cut back to five, but the success rate declined to 50%. For the past two years (with the quota still at five moose of either sex) not a single moose has been killed legally in district 261. The quota for the 1977 season will be three antlered bulls — shouldn't this area be given the complete rest it needs?

It should be mentioned that fish and game departments are under strong pressure not to lower the number of permits each year. For 1976 in Montana, approximately 16,000 hunters competed for the 712 permits available. Yet in the absence of any reliable moose population estimates, it's necessary for the wildlife agencies to be conservative in their seasons. The record indicates that this hasn't been the case.

One final word. It's impossible for wardens to keep a close eye on the large areas they have to cover. Citizens can help out by reporting the license numbers of vehicles seen cruising the roads and killing wildlife. Wardens appreciate such tips.

Hank Fischer, Defenders of Wildlife  
947 Rimini  
Missoula, Montana 59801

### LIKED LAMPOON

Dear HCN,

I've got my usual five-inch stack of things that ought to be done, but first I'm going to take a few minutes to tell you how much I appreciated your lampoon insert in the last issue!

After all, if we in the Sahara Club and other environmental activist groups can't laugh at ourselves, we'll just have to let everybody else laugh at us!

It has been said that satire is directed at objectives which need change; lampoon at those we love, even with their faults. Nuf said!

Norman E. Nelson  
Northern Plains Regional Vice President  
Sierra Club  
Rapid City, S.D.

### Hang it on the wall!

You can help High Country News find new readers. Hang up the poster-insert found in this issue on a favorite wall or bulletin board. (A poster will be coming in the next issue, too.) Just imagine: HCN posters on 20,000 bulletin boards all over the country! Thank you.

### WHERE'S THE HATE

Dear editors,

I wish to disagree with a statement in Peter Wild's review of the book *The Journey Home*. He says that Edward Abbey's books are full of "hate."

Now my friends and I have read all of Edward Abbey's books that we could find, including this latest one, and it seems to us that the distinguishing characteristic of his writing is what you might call "light-heartedness" or a sense of the comic in all human activity. Certainly there is anger in the books, but it is always directed at certain institutions, never at human beings. For instance the villain of *The Monkey Wrench Gang* turns out, in the end, to be a pretty nice old guy after all.

So where's the hate? The simple truth is that Abbey's books are very funny and very lively, and that, I think, is why people like to read them.

Susan Standiford  
Tucson, Ariz.



"I'M NOT PROMISING ANYTHING BUT THAT HEAD-DRESS GENERALLY SCARES THE HELL OUT OF FOLKS AND MAKES THEM LISTEN."

### ATTITUDE DISTURBING

Dear Friend:

Just want to say thank you for the coverage that you have given to Indian water rights in several articles in your recent issues. As was pointed out in the article about the Canadian power project on the Poplar River, the subject of Indian water rights has the potential, in some instances, of uniting people of different motivations around a common environmental concern.

The reported attitude of the U.S. State Department officials was quite disturbing. One would think that in negotiating with any nation, our State Department would at least be aware of existing obligations of the U.S. to Indian nations under U.S. and international law. I hope the Carter State Department demonstrates a higher level of responsibility.

Along this line, I think that you might like to know of a case that has recently been filed in northern California, involving fishing rights of the Yurok Indians. The objective of this case is to prevent clear-cutting of a stand of virgin redwood and to oversee logging practices throughout the watershed.

Dean B. Suagee  
North Dakota Legal Services  
New Town, N.D.

### MORE CAMAS CONTROVERSY

Dear HCN,

I reply to Ms. Julia Fellows' attempted castration of me in your July 15 issue for writing an allegedly fluffy article about camas. The gist of her attack is, I think, that the Nez Perce really didn't have it so good because the women did a lot of work.

So here goes. In comparison to their Paiute, Shoshoni, and Coeur d'Alene neighbors, the Nez Perce enjoyed a diversity and abundance of resources. I did not say that the Nez Perce did not have to work to harvest them. Yes, harvesting camas is hard work. So is dying while defending the camas field from Shoshoni attack.

Most primitive cultures and most current rural cultures divide labor according to sex. They also divide it according to age

and to ability. This does not mean that I am coming down on little boys, elderly women, seers, or cripples. Fortunately, I have not yet received hate mail about the article from any of these groups.

Furthermore, in most cultures, work is an honor, a source of pride. It is an opportunity to contribute to the good of the social unit.

There, that's done with. I have kicked out in response to a biting attack and I feel better.

Now to be constructive, I also appreciate Ms. Fellows' letter. It points out two problems that each of us must wrestle with nowadays. Both problems exist because times and values have changed suddenly and drastically. Those problems are 1) work roles and 2) sex roles. What was right yesterday is not necessarily right today. Just as importantly, what is wrong for us today was not necessarily wrong for us yesterday. Nor is it wrong for others today. Truth is dynamic and fleeting. Chasing after it can be either a bitter or beautiful experience. Either way, men and women, rich and poor, black and white are all chasing it together. That's no reason to trample each other in the process.

Carl Brown  
Lake Fork, Ida.

### High Country News

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Please make out checks to Wyoming Environmental Institute—HCN Research Fund, and send to: WEI, P.O. Box 2597, Jackson, Wyo. 83001. Thank you.



# Editorial



July 29, 1977

## Comedy of horrors in Alaska

It is of course very immature to say, "I told you so" when the individual that you told is mired in the very problems that you warned about. However, the Alaska pipeline debacles present such a perfect opportunity, only the saintly among us could resist it. Alas, we at **High Country News** are not among the saintly.

Nearly every short-term mistake that could possibly have occurred with the Trans-Alaska oil pipeline has come to pass. The long-term environmental effects remain to be seen, but it appears that we can look forward to accidents of disaster proportions along the pipeline route every twenty-four hours.

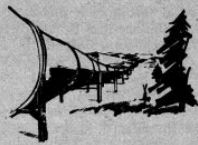
The day before the pumping station blew up, killing one man, we received in the office a copy of the **Oil and Gas Journal**,

an industry-oriented publication with a special issue devoted to the wonders of the pipeline. It came complete with four-color glossy pictures of bears playfully crawling under the pipeline and caribou merrily cavorting nearby.

The magazine also extolled the engineering miracle of the line, saying that every possible safety and environmental protection device had been installed. Now, before the oil has even reached the end of the pipe, the line has been shut down three times, once to fix a leak that sprung before the oil reached that section of pipe, once because of an explosion that caused the loss of one life and an oil spill, and, finally, when a valve broke and sprayed oil over what observers estimate to be seven acres of tundra. The company wouldn't allow any

reporters to visit the scene, so no one really knows for sure how much damage was done.

There has been considerable concern over the effect that sabotage of the pipeline



would bring. It could cause an oil leak of massive proportions, in addition to endangering our national security -- or, rather, Japan's national security, since they seem

to be the ones who will get the oil. Some staff members of the **Alaska Advocate**, an alternative newspaper in Anchorage, even proved how easy sabotage would be. They walked up to the pipeline, planted a mock explosive device, and escaped undetected. Now it appears, however, that rather than take all of these risks, any sensible saboteur would be well-advised to sit back and let the management, employees, and engineers of the pipeline do the dirty work for them.

The final, cruel blow to the pipeline companies came when the Interstate Commerce Commission set the rate for oil transportation through the pipeline at \$4.20 per barrel, instead of the \$6.44 that the companies wanted. Ironically, the companies, which complained so vigorously about the delays of public input process during the pipeline planning, are now demanding a public hearing before the ICC in an effort to raise the rate.

The companies that own the pipeline say the ICC rate structure will "cost us millions of dollars." Since they apparently can't make a profit on the pipeline, and since it has been a complete fiasco since they started to run oil through it, why not just shut it down now before anything else goes wrong?

--DSW



## Guest Editorial



By Bart Koehler

As the second Roadless Area Review process evolves from the inventory workshops in August to the show-down workshops in the late fall, wilderness conservationists will have to articulate the values of wilderness and the need for additional protected wild country. In this debate, conservationists will be faced with a number of objections to any additional wilderness lands.

The legislature of the state of Wyoming has posed many of these counter arguments. In a resolution in 1973, the legislature went on record for a go slow approach to wilderness in the state, saying, "Congress... should proceed with greater caution in the creation of wilderness areas." Some opponents try to call this a blanket "no" to further wilderness in the state, though the wording of the resolution doesn't seem to support that interpretation.

The legislators' resolution did bring up arguments that wilderness supporters in every state will have to answer. They said, "The creation of wilderness restricts the use of forest lands and recreation areas to limited groups of persons either with wealth or sufficient physical ability to enable them to attain access to such areas without the use of motor vehicles."

This "limited" number of people using wilderness is growing every day and is now estimated to be over 15 million people a year. Other recreational pursuits are "minority" uses, too -- such as downhill skiing, snowmobiling, and driving off-road vehicles. "Wealth" has nothing to do with it. A backpack and a pair of sneakers are considerably cheaper than a motorcycle, snowmobile, or camper unit. In fact, wilderness is free to anyone who will venture forth without mechanical underpinnings.

The statement of "physical ability" is more difficult, but proper planning can deal with it. Many handicapped people can still ride horses, and handicapped adults have been carried into wilderness areas in Colorado. Now, some wilderness areas are providing portions of trail smoothed over for wheel chairs. Unfortunately, the Forest Service often opts for a boundary that is miles away from any road, and usually on top of a high ridge. It's no surprise that people complain about accessibility. The Wilderness Society is trying to bring the

boundaries closer to roadways to allow access to people who cannot travel too far into the wilds.

A second argument raised by the legislators was that "wilderness... denies multiple use concepts of utilization of the natural resources of such areas." Actually, the Wilderness Act specifies that nothing in the law should be interpreted as interference with the Multiple Use Sustained Yield Act of 1960. The uses identified by that act are outdoor recreation, range, timber, watershed, and wildlife and fish purposes.

Wilderness areas embrace all five of these uses -- fish and wildlife habitat, recreation, watershed protection, grazing, and standing timber. The only uses that are not allowed are commercial timber operations, road construction, and motorized recreation. I feel that more multiple uses can occur in a single area of wilderness than can occur on forest lands allocated to resource extraction.

Because of these kinds of multiple uses, there are economic benefits -- often overlooked -- that are directly attributable to wilderness. These include clean air, clean water, utilization by downstream users, quality wildlife habitat, excellent fisheries, and unexcelled scenery.

Hunting and fishing bring revenue to

the Western states and local merchants. In Wyoming alone, the state Game and Fish Department estimates that hunting and fishing contribute over \$82 million to the state's economy. Benefits from wild lands help guides and outfitters, dude ranchers, motels, stores and the local Chambers of Commerce.

These benefits are produced year after year, with little or no investment cost. And the value of these wild areas, if protected, will increase, like the value of a work of art.

On another -- less commercial -- level, wilderness is good for its own sake, and for the intangible qualities of beauty, solitude and serenity.

### CORRECTION

The U.S. Forest Service meeting on the new Roadless Area Review in Steamboat Springs, Colo., has been changed to the Steamboat Village Inn. The meeting will still be held at 7 p.m. on Aug. 9. See HCN 7-15-77, page 5 for details.

## High Country News

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After the race. Luke Palmerlee, Sheridan, and Jason Wilkes, Lander.

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4-High Country News — July 29, 1977

## Saskatchewan aids agriculture Canadian land bank saves farm acres

by Robin Tawney

Alvin Ermel, a young farmer from Bethune, Saskatchewan, was caught in the squeeze. He was having trouble making payments on his 1,280-acre farm when a lease he held on another 160 acres was abruptly cancelled. In 1972, Ermel was making plans to sell his own land and move to the city when help came in a very unconventional way.

That year Saskatchewan's provincial government created an agricultural land bank, the only one of its kind, to relieve family farmers of the crushing burden of high capital debts. The Saskatchewan Land Bank bought Ermel's farm and leased it back to him under a long-term, secure lease at a rate that allowed him to stay on the farm, to intensify his operation, and to become a better farmer. Today Alvin Ermel's future looks bright.

Family farmers in western Canada, like their U.S. counterparts, are facing ever-increasing prices for productive agricultural land. In western Canada, where

want to retire or for various reasons want to sell their farm land.

—Leasing land as a farm unit under a long-term secure lease to the seller's heir, to a qualified young operator, or to a nearby farmer whose own land base is inadequate.

—Providing management counseling and financial assistance to ensure young farmers every opportunity to succeed, placing emphasis on intensification.

—Developing, over time, a new system of land tenure whereby farmers control their farm land for their lifetimes, but their land remains forever a trust of the province, and, thus, the people of Saskatchewan.

### \$100 MILLION BASE

The land bank's purchases are financed by a \$100 million loan from the provincial government. The four-member Saskatchewan Land Bank Commission, appointed by the provincial cabinet, leases the land to qualified applicants who currently pay 5½% of the land's value, plus taxes, annu-

ally. (Unlike many other government "commission" members, three of the land bank commissioners work full-time for the program and the fourth works part-time.)

Leases are written to carry the applicant to age 65, although short-term leases also may be granted. Prospective lessees vie for the land through an elaborate system: They are assigned points according to their net worth (\$100,000 or less), net annual income (three-year average of \$16,000 or less), amount of resources under their control (livestock, equipment, or other land), age, proximity to land applied for, years in farming, and type of experience. The point system establishes optimums in each category to give preference to young farmers who may or may not own land but who have access to enough equipment (either owned or borrowed) to maintain agricultural production.

Applicants also must be Canadian citizens or landed immigrants; they must be residents of Saskatchewan at the time of leasing and maintain residence there during the term of lease; and they must declare

their intentions to make or continue to make farming their principal occupation.

The commission awards land to the applicant with the highest number of points. Sometimes as many as 25 people apply for the same parcel of land; an appeals board handles any complaints about the selection process.

"Our allocation process is fairly responsive," says Rudy Sebastian, a land bank counselor. "There will always be a guy close to the winner who'll be unsure at first (whether or not the selection was fair). Many, if they don't get the land the first year, will try again the next year."

### POLITICAL BIAS

Critics of the land bank say the selection process is politically biased.

"There's a tendency when several farmers are seeking the same land to go with your supporters," according to Dave Stuart, former leader of the Liberal Party.

But land bank vice chairman David Miner says his commission bends over



LAND BANK vice chairman David Miner says his commission bends over backwards to avoid politicizing the lease process. He says, "The opposition says it has lots of examples where we've leased land to a less qualified supporter (of his party), but they've yet to site a specific case."

farms average 853 acres in size, land prices have mushroomed from \$150 to \$261 an acre in the last five years. With interest rates running at about 10%, a farmer can expect to pay about \$225,000 for an average-sized farm.

Retiring farmers, facing this potential bonanza, can't afford not to sell their land. And, young would-be farmers can't afford to pay the prices that are being inflated by speculation.

During the past five years the provincial government of Saskatchewan, led by the New Democratic Party, has purchased more than 600,000 acres to help some 1,700 other farmers stay in or start up family farming operations. Because of its innovative breakthrough in the up and down world of farming, the Saskatchewan Land Bank is fast becoming a model for other governments and private corporations in Canada and throughout North America.

Generally, the Saskatchewan Land Bank is designed to encourage family farming operations by:

—Purchasing land from farmers who

## Private land banking -- hope for the future?

by Robin Tawney

To avoid the controversial involvement of government in buying land, Phil Tawney, a native Montanan who has studied Montana land use extensively, envisions a private nonprofit approach to land banking and is exploring its feasibility in his master's thesis at the University of Michigan. Tawney feels a private, nonprofit agricultural land bank would be more palatable to farmers and ranchers who are sensitive about government intervention. Such a corporation would be similar to The Nature Conservancy, which buys critical ecosystems, but the land bank would buy only productive agricultural land, he explains.

Tawney believes the investment structure of a private land banking corporation could be nearly identical to that of Saskatchewan; that is, after the initial capital debt incurred in buying land is retired, subsequent leases would cover administrative costs and overhead. Land banking could begin by the purchase and lease of a single ranch, using that unit for collateral on another purchase. Or a large amount of capital could be borrowed on a long-term basis to buy several units.

How would the initial capital be raised? Tawney is optimistic. "If you have an innovative, well-thought-out, well-demonstrated program, you can raise the money," he says. "Once a few ranches are purchased and leased back to young farmers, the idea will spread like wildfire."

Critics worry that a private corporation, like a government one, could become too big and lose its accountability to lessees. For example, Mons Teigen of the Montana Stockgrowers Association wonders, "How could we be sure a nonprofit organization wouldn't change its mind (about the length of lease, terms, etc.)? The government does."

Teigen and others mention the ill-fated Ag-Land Fund as an example of how a leasing system can be designed to exclude lessee participation. The Ag-Land Fund, announced early this year and scrapped by mid-March, was organized by Continental Illinois Bank of Chicago to purchase \$450 million worth of farm land in the South and Midwest. The fund's promoters made no secret of their hopes to reap huge, long-term profits from the continued appreciation of land values. The fund, which would have been marketed by Merrill, Lynch, Pierce, Fenner and Smith, Inc., was tabled when various farm organizations protested Continental Bank's application for tax-exempt status, a tax shelter individual farmers don't enjoy.

Teigen and former Montana Farmers Union president Terry Murphy suggest that if a private, nonprofit land bank is established, its size should be limited and lessees should be allowed to participate in decision-

making. Murphy adds that any land banking program permitting eventual purchase should "incorporate the principle that anyone getting a farm through the land bank can't sell that land to corporate ownership or for a purpose other than family farming."

Although Teigen concedes a private, nonprofit land bank could work on a small scale, he says he "can't see it being a potential force in helping young people on a large scale."

"The true family farmer with a viable unit will be able to keep in business with a little financial help," Teigen asserts. "I don't think marginal people should be kept in business (through more extensive types of help). That's what economics is all about — some make it and some don't."

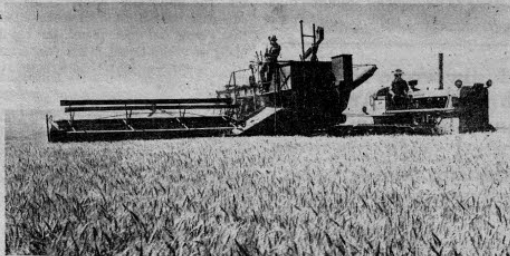
In contrast, Murphy says a "nonprofit corporation has good potential" to solve one of the most difficult obstacles facing young farmers — the price of land.

The Montana Land Reliance is beginning to take steps toward developing a private agricultural land bank. MLR is a nonprofit organization developed solely to keep agricultural land in productive use. Following the model of the Saskatchewan Land Bank, MLR plans to acquire agricultural lands and lease them to young farmers and ranchers, according to MLR staffer Tina Torgirson. MLR also will accept donations of development rights (through conservation easements) to assure continued agricultural use of private lands. It will provide public education about agricultural land protection methods and agricultural land issues.

Another MLR staffer, Barbara Rusmore, says her organization currently is negotiating with two Montana ranchers over the purchase or donation of their land and may close transactions soon. Then the Montana Land Reliance will lease those ranches to a qualified young farmer.



MONS TEIGEN of the Montana Stockgrowers Association says that a private land bank may be of some limited use, but he "can't see it being a potential force in helping young people on a large scale."



**ACCESS TO EQUIPMENT** is one of the criteria used for determining whether a farmer or rancher gets a lease from Saskatchewan's land bank. The agency uses a complicated points system based on the applicants' access to farm machinery, ages, incomes, and how close they live to the requested land.

backwards to avoid such controversy. "The opposition says it has lots of examples where we've leased land to less qualified (New Democratic Party) supporters, but they've yet to cite a specific case."

The land banking program fills a need normal banking channels haven't met since banks in Saskatchewan, like those in the U.S., lend only to "top-notch risks," according to D. G. Fraser, branch manager for Canada's Farm Credit Corporation (FCC).

The FCC helps young farmers with relatively low assets, acreage, and income by providing long-term low interest loans to purchase land, construct permanent im-

provements, and refinance higher interest loans. But the FCC's lending ceiling of \$100,000, Fraser readily admits, is hardly enough to finance a new farming operation. Nor is there adequate assistance offered by FarmStart, a Saskatchewan program that provides credit and grants to persons establishing or expanding livestock production.

Government lending programs can, however, give a young farmer the necessary boost toward success if he doesn't have to make a major capital investment in land. The Saskatchewan Land Bank fulfills the latter need. Land banking provides an important alternative for transferring

land from generation to generation and for farmers who don't want to commit themselves to a lifetime of investing in land, according to Miner.

#### SELLING LAND

It's the latter function that has many people in Saskatchewan on edge. Key to their discomfort is one phrase in the contract signed by each lessee: "Where the land has been leased for at least five years to the lessee, and the lessee is domiciled in Saskatchewan, the Commission may upon application sell the land to the lessee..." (emphasis added).

It's important for the land bank commission to retain the option not to sell, Miner contends, because some of the parcels leased may be Crown (national) lands eventually slated for common pasture, for mining, or for public parks. But providing the option to sell, he says, is also critical since private land ownership is so engrained in the psyche of Saskatchewan farmers. While the option for each lessee is there, he points out, "we're going to try to convince him it's foolish to buy."

Many land bank lessees have decided Miner is right.

"As time goes on, it has become a fact of life that individuals have no business owning land," says Eric Olafson, a young lessee from Weynard, Saskatchewan. "We shouldn't be optimistic about land prices. If we're really honest about (wanting to curb)

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speculation, we shouldn't want to buy the land."

Despite the care given to maintaining the family farm, opponents are certain that when the first land bank lease is five years old this year and that lessee wants to buy his or her land, the land bank commission will refuse.

Dave Stuart calls the program a "government land grab scheme." "They'll never sell," he asserts. "They will turn our farmers in one or two generations into tenants and sharecroppers."

Miner and the other commissioners say they definitely will sell land bank land, except in extenuating circumstances, to lessees if they want to buy it. But the commissioners don't think many will exercise that option. And they contend they are giving the family farmer the best of two worlds: They are helping him to get started or to expand his production with complete control over the land he farms without having to face a life-long debt. Even if a farmer's land is inherited, his heirs face large taxes akin to those in the U.S., which would force them to pay up or divest themselves of some of their holdings. Either way, in conventional terms, the farmer is the loser.

"The only people who can buy land under present market conditions are those who really don't need any more. The only reasons they can afford it is because they have other land they bought at lower

(continued on page 14)

## Non-farmers drive up agricultural land prices

The rising price of farmland and the increasing inability of farmers to afford it is well-documented. The crush of new uses for agricultural land — mining, housing, and urban expansion — have steadily driven the cost of land beyond the point at which agriculture is profitable.

The pressure from alternate land uses has made itself felt in nearly every Western state. Agricultural land prices in Colorado and South Dakota jumped 17% between Nov. 1, 1975, and Nov. 1, 1976 — the same percentage increase as the national average. Idaho, Montana, and North Dakota farm land prices jumped by 14% during the same period. A few years ago, the average annual increases were only five or six percent.

In dollar-per-acre terms, many farmers are being priced out of business. Buyers in Colorado last year could expect to pay \$246 per acre; in South Dakota, \$202. Prospective farmers in Idaho, Montana, and North Dakota faced prices of \$435, \$142, and \$260, respectively. Today, prices are probably even higher in most of these states although the figures are not available. However, prices in the West are, for the most part, below the national average of \$445 per acre for agricultural land.

Over time the increasing farm land prices are driving food producers off the land. In the 1920s, Montana alone had 57,700 individuals farming its prairies and mountain valleys. Today, only about one-third of this number are left. The number of farms in Montana with annual sales of \$2,500 or over has decreased from 21,044 in 1964, to 20,603 in 1969, to 20,073 in 1974, according to the U.S. Bureau of the Census.

The pattern, for the family farmer in Montana and elsewhere, is clear. When the farmer reaches retirement age, he's offered top dollar for his land by a developer, strip miner, or other well-heeled entity.

Young would-be farmers and ranchers usually are shut out of agriculture because, unless they have independent wealth, they probably won't have enough capital to buy land.

The rural community is irreversibly affected as the surrounding farm land is consolidated by large corporations, bought by mining companies, splintered by subdividers, or taken over by absentee landlords and hobby farmers.

Bob Kiesling of the Environmental Information Center in Montana, says, "A look at those figures that are available, and a little horse sense, tells us much of the land removed... is prime agricultural land."

There is little exact information on how much land has been removed from production. But, one thing seems clear — once the land is taken from farm and ranch use, it is rarely returned to that use. According to the Montana Environmental Quality Council, "Land removed from agriculture for residential or second home use, annexation by cities or towns, conversion to industrial or commercial use, mining, reservoirs, and highways is usually taken forever."

Another factor adding to the increasing cost of land is the influx of corporate capital from companies more interested in tax shelters and real estate speculation than in wheat production. Because these corporations can afford to pay high prices for land, individuals are faced with an ever decreasing land base.

According to Amer Lehman, former director of the Farmers Home Administration in Colorado, capital has been a major factor in the "inflationary competition" for land. Competition for productive agricultural land, he reported to a Congressional committee, has driven present market values well above the agricultural operation's present capacity to earn a reasonable return on investment.

Of the top 39 U.S. corporations (in terms of corporate profits in fiscal 1975, 25 engaged in agricultural business of some sort, according to the AgBiz Tiller, a publication of the San Francisco Study Center.

Large corporations have not yet had as large an impact on farming in the Northern Great Plains states as in California,

Florida, and many Midwestern states. The corporations that own farms in Montana, for instance, are smaller. Just 24 of the 718 corporate Montana farms, including family-owned, had more than 10 stockholders in 1969. Nevertheless, large corporations are making inroads in the region, and some farmers and ranchers are becoming concerned.

To preserve family farms, 15 states have passed corporate farming laws. Several of these, including North and South Dakota, require the corporate farms to file annual reports to identify those corporations that are engaged in agricultural activities. While thousands of reports have been filed to date, some farm organizations believe that the requirements are still being ignored by many corporations.

The value of farm land probably will continue to go up. The press of energy and

expanding housing markets virtually guarantee this for the Northern Plains states. As historian K. Ross Toole says, "What (the land) can produce, the age-old measure of its value, no longer represents its value. That value now resides, ironically, in what can most profitably destroy its capacity to produce food and fiber — industry, power lines, trailer parks, you name it."

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Research by Robin Tawney



Photo by Robin Tawney

**SUBDIVISIONS** are taking farm land out of production. Since developers can afford to pay for more land than farmers and ranchers, much agricultural land is now producing housing for workers on energy projects instead of food.

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## Enos Mills

(continued from page 1)

with the uncomplicated pleasures of scaling unnamed peaks. A chance encounter changed all that.

In 1889 a fire shut down the Anaconda copper mine in Butte, Mont. Temporarily out of work, Mills went off to see the sights in California. While strolling in Golden Gate Park, he struck up a conversation with a stranger 30 years his senior. They traded stories about their adventures in the wilds and talked about the importance of nature to their lives.

The stranger was John Muir, not yet at the peak of his fame but already known for

### Mills wanted to become the John Muir of the Rockies.

his articles celebrating the Sierras. Nine years earlier, Muir had married into a California fruit-growing family. A shrewd businessman, as well as a profound naturalist, he was making \$10,000 a year, a handsome sum for those days. At the time he spoke to Mills, he was more the prosperous country squire than "John of the Mountains." History doesn't record their conversation, but, whatever the realities behind it, the orchardman worked something of a conversion on the aimless youth of 20. Mills went back to his cabin beneath Long's Peak inspired with a missionary zeal "to join in the crusade to save the wilderness in order that others could experience its joys." The young man wanted to become "the John Muir of the Rockies."

He succeeded to a remarkable degree. Easterners had a genuine curiosity about the lands being developed "out West." Mills began writing for magazines and traveling the popular lecture circuits of the day, a figure who could tell his audiences firsthand what the Rockies were like.

Though self-educated and at first shy, he spoke about life in a log cabin. Urban listeners held their breath as he told of crawling up an exposed ridge through "the rush and boom of the wind" to check his air meter at Granite Pass — and of nearly being hurled into space by blasts of 170 miles an hour. But his talks emphasized the gentle aspects of his country, visits of "Mrs. Hairy Woodpecker" and "Mrs.

Skunk," creatures that came up to accept a peanut or a raisin from the adventurer's hand. To their surprise, audiences learned that grizzly bears didn't wait in ambush for the mountaineer. Instead they provided hours of entertainment, loving nothing more than to sit on their haunches, as a child might, and slide down a snowy slope.

Yet society was betraying the trusting animals and the wonderland they inhabited, Mills lectured them. The shyness left his voice when he urged audiences to preserve the West's remaining kingdoms of nature, places where people could restore the sanity and physical health destroyed by too much civilization.

To a certain degree Mills substituted one romantic vision for another. Yet he was telling about his life as he lived it, and his views on wilderness, for all their appeal to post-Victorian sentiment, came closer to the realities of the West than the current myths. In the White House, President Theodore Roosevelt and his right-hand man in the Forest Service, Gifford Pinchot, recognized them as just what their new conservation movement needed to gain wider public support. They invited Mills to travel as a lecturer for the Forest Service, a choice that Pinchot later would rue.

His popularity took him through every state in the Union, to Europe, Mexico, and pioneer Alaska. Still, the Long's Peak area, where one of his cabins stands to this day, remained the home base for adventures. In 1904, early in his public career, Mills subsidized a first book, *The Story Of Estes Park*. Unlike most vanity productions, the volume sold well. After that the mountaineer had little trouble finding markets for 15 further books about wild America, many of them illustrated by the author's own stunning photographic work.

Editors of *American Boy*, *Outdoor Life*, and *Sunset* found their middle-class subscribers eager for the raconteur's

### Mills worked full-time for the creation of Rocky Mountain Park.

humorous stories about lightning or his account of leaping out of a pine to escape a band of mean and suspicious prospectors. At times in these reminiscences, the author depicts settlers as bestial and nig-gardly, while the humanoid animals assume the virtues of natural innocence. It irked Mills that his once pristine Rockies

were filling up with aggressive miners, loggers, and cattlemen.

As testy as he might get about the invasion, his books are more celebrations of

### Mills wrote 16 books about wild America, many of them illustrated with his own stunning photographs.

from the nearest human aid, the snow observer loses a strategic item, his sunglasses. The inevitable happens, his "lids adhered to the balls and the eyes swelled so that I could not open them." But capable Mills isn't frightened in his wonderland: "the possibility of a fatal ending never even occurred to me."

Down the slope staggers the blind man, plunging his hands into the snow to feel the trees for trail blazes. A massive avalanche bowls him over. Instead of killing him, it brings salvation: he warms his frozen hands on the warm body of a dead moun-



Denver Public Library photo

### Some of his best stories re-create the thrills of winter trekking.

wilderness than condemnations of society. Like his hero, John Muir, Mills had the cheery fortune of making at least part of his living from writing about what he most enjoyed — tramping from one 14,000-foot peak to the next.

It seems clear that he rode on Muir's wagon. His second book, *Wild Life On The Rockies* (1909), bears a dedication to the Californian. Muir wrote *Our National Parks* in 1901, Mills *Your National Parks* in 1917. If the Coloradoan's books depend more on anecdote than on a nearly religious vision, they moved the public nonetheless.

"He, more than anyone else," testifies Robert Shankland, "was responsible for spreading national-park sentiment around the Rocky Mountains."

Some of his best stories re-create the thrills of winter trekking. During 1902-1905, Mills criss-crossed the Continental Divide, measuring the snowfall for the Colorado Department of Irrigation. Above timberline in biting weather, miles

tain sheep, which just a few moments before probably had been watching his progress from a pinnacle. One can only speculate on the metaphysical chases that a Thoreau or an Eiseley would have begun at this point. But for Mills, the telling of it was the all.

Perhaps just as well; it wasn't a particularly metaphysical age. And Mills's mass audience wanted adventure, not philosophy. Besides, the homesteader didn't have a metaphysical mind. What he did have was a grasp of nature's relationships decades before the popularization of the axiom, "Everything is connected to everything else." He expressed simply, but as clearly as any writer of his time, the practical truths that men had ignored for centuries. While the Forest Service scamped busily about the West putting out fires, Mills understood that periodical burning was essential to a healthy and diverse environment. Of the lodgepole pine he observed: "It may be said to cooperate with

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Denver Public Library photo

### Enos Mills seems more typically Western, more human, than conservation's luminaries.

fires, so closely is its life interrelated with them."

Aldo Leopold, armed with a rifle and a master of forestry degree from Yale, was threading his horse among the peaks of Arizona and New Mexico. While the young ranger shot wolves and puzzled over starving deer, Mills understood that nature goes haywire when deprived of the predators needed to trim game herds of the old and the sick. He knew what many stockmen and hunters still refuse to believe, that far from fixating on cattle and game, grizzlies "are walking mouse-traps."

The Coloradoan advocated what must have seemed a lunatic proposal for his time, restocking the grizzly, America's most feared beast, in areas where it had been exterminated — an idea that is being suggested only now by wildlife managers, albeit timidly. Concerning the bear problem in Yellowstone, *The Grizzly: Our Greatest Wild Animal* (1919) offers a typically Millsian dictum: "Eliminate the garbage-piles and cease harassing the bears."

The books served as means to larger ends: support for the new conservation movement and, in particular, for the preservation of his stomping grounds through creation of Rocky Mountain National Park. By 1909 Mills's finances allowed him to work full-time toward the goals. Because of his energy and public influence, Horace Albright, Robert Marshall, and Stephen Mather welcomed him to the environmentalists' inner circle — a group of idealistic but politically suave movers and shakers based in Washington, D.C. For all his contributions, Mills would give them reason for regrets.

On the surface at least, things went smoothly. The band saw Glacier National Park established in 1910. In 1915 Mills glowed at the dedication of his Rocky Mountain National Park, the august ceremony supervised by none other than Enos A. Mills himself. Riding the wave of successes, the next year he helped frame the bill creating a unified Park Service.

Yet years of solitude among the peaks of Colorado's spine had shaped Mills' temperament. Despite the gentle qualities of his popular books, he was more a lone wolf than a political animal. He was, to some of his colleagues at least, something of a curmudgeon. According to one of his many allegations, the Forest Service deliberately overgrazed areas in order to degrade the land and thus prevent transfer of its holdings to the rival Park Service. Mills probably had a valid case against the Forest Service — the agency is accused of similar tactics to this day — but the methods that he used to press it brought more discord than results.

Robert Shankland is ready to give Mills high praise for his accomplishments, though he also places the conservationist in an earthy perspective:

"The two sorest ulcers on his psyche were the Forest Service and his brother Joe. Joe lived a few miles from Enos in Rocky Mountain; both ran inns, made pictures, delivered lectures, and wrote books, though without consultation. A wintry silence lay between them. Enos, the better-known of the two (in fact, a kind of celebrity), loathed the Forest Service possibly even more than he loathed Joe — he viewed it as a towering menace to conservation — and for about five years he presented himself to Mather as an ally, wishing, in the Park Service versus Forest Service differences, to reinforce the Park Service.

"When he tried to fan up the inter-bureau rivalry into something even hotter, however, Mather balked, and all concord finally perished in a dispute over the Rocky Mountain concessions. . . . The upshot was that Mather found himself down at the far end of the target range with Joe and the

Forest Service."

Eventually rebuffed, the father of Rocky Mountain National Park was able to shift back into his guise of the serene nature lover. Early in the century, he had built Long's Peak Inn, using "fire-killed" and "beaver-gnawed" logs and "roots of dead trees" to grace the interior. Over the years the public flocked to his guided tours of the surrounding ridges and valleys. Children romped about in special programs designed to wean them away from the evils of low-land movies to the more "pleasurable discipline" of sitting for "hours upon a log by a beaver pond."

Regardless of some puritanical tendencies, Mills was a mainline Rousseauist when it came to education. "Natural phenomena interest and stimulate the mind in a thousand ways," he maintained. Left to its own devices — and a little firm guidance from Mills — children's natural curiosity would carry the day, preached the innkeeper. According to him, the approach worked both mental and physical wonders: not a child who passed through his nature school so much as caught a cold, and the



### Enos Abijah Mills was more a lone wolf than a political animal.

students left its gates "as avaricious for information as a miser is for gold."

In 1922 on a trip East to visit his publisher, a subway collision injured Mills. Kent Dannen comments on his death and his contribution: "A few months later the conservationist who had called the wilderness a safety zone ironically proved his point by dying of injuries received in the city."

*Adventures of a Nature Guide*, *The Spell of the Rockies*, and other Mills books that awed a generation, are readily found on library shelves. Kent Dannen's "Rocky Mountain Man," in the August 1976 issue of *Westways*, presents an introduction to the conservationist. In 1935 Mills's wife and Hildegarde Hawthorne coauthored a highly sympathetic biography, *Enos Mills Of The Rockies*.

## Colorado proposes abandoning gas vapor recovery regulations

The state of Colorado is proposing to remove a controversial section of one of its air pollution control laws. Service station operators throughout the Denver metropolitan area have complained about the regulation, which requires them to equip their gasoline pumps to recover hydrocarbon vapors released into the air when auto gas tanks are filled.

The service station operators charge that the technology is not effective enough in reducing smog to justify its cost. A Colorado Air Pollution Control Commission official, Joseph Palomba, Jr., says the commission is proposing the change not only because of the cost-effectiveness complaint but also because it believes the technology has not been sufficiently proven and that testing would be difficult.

From 5-15% of the hydrocarbons in the air in metropolitan areas comes from gas fumes, according to experts. In the air, hydrocarbons become photochemical smog, which is responsible for a number of health effects in humans, including effects on the lungs and eyes. At certain concentrations, they have been shown to impair the performance of athletes and to affect persons with asthma.

California has been a leader in research of different vapor recovery systems. San Diego County Air Pollution Control District figures indicate that vapors contribute about 20 tons of hydrocarbons per day in the San Diego Air Basin, compared with 170 tons from automobile emissions and 135 tons from organic solvents (use of paints and thinners, dry cleaning, pesticide applications, etc.). Total hydrocarbon emissions are thought to be about 340 tons. While the vapors are only the third largest source, Michael Lake, an engineer with the district, says the district believes it must implement controls to reduce smog where possible. "And this is one of the

most cost-effective ways to control it," he says.

He says California has recently certified a vapor recovery system known as the Gulf-Hasserman system, which he says has been proven to be both safe and cost-effective in meeting California's requirements for more than 90% recovery of vapors. It is the only system approved for use in California for recovering fumes between the automobile and the pump. Other systems have not been proven both safe and effective.

A source in the U.S. Environmental Protection Agency (EPA) notes it is ironic that Gulf Oil has paid for the research on this system since the petroleum industry throughout the country has insisted for five years that "vacuum-assist" recovery systems, such as the Hasserman system, are unsafe and ineffective.

Although the Hasserman system has been approved by the Approved Engineering Testing Laboratory in California, Palomba says Colorado is waiting for a system to be approved by the nationally recognized Underwriters Laboratory.

A public hearing will be held Thursday, Aug. 11, at 1 p.m. at the Colorado Department of Health Building, 4210 E. 11th Ave., Denver. Anyone interested in more information about the regulation should contact Palomba at the Colorado Department of Health, 388-6111, ext. 286, or the EPA Regional Office in Denver.

EPA regulations in about 10 states require vapor recovery between the automobiles and pumps, but resistance from industry has prevented the regulations from being enforced, according to EPA.



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PIKA

# Who pays to protect the robin in the park?

*(and the river otter, the peregrine falcon, and the greenback cutthroat trout?)*



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WHOOPING CRANES

by Stephen S. Campbell

There are 22 known endangered species in Colorado, but a more realistic number may be 50 or 100, according to Colorado conservationists and the state Division of Wildlife. The division has "very few facts and figures" on these and most other nongame species, says Jack R. Grieb, Division of Wildlife director.

Other states face similar problems trying to keep track of wildlife that is not hunted for sport or food.

The Nongame and Endangered Species Conservation Act, adopted by Colorado in 1973, states that the legislature must provide "adequate" funding to the division annually for nongame species. Approximately one million dollars was requested for nongame species in fiscal year 1976-1977, but that request was reduced to \$125,000. This year the state legislature provided even less — about \$123,000 for 753 nongame species, although federal funds will provide some additional assistance.

By contrast, appropriations for 200 game species in Colorado amount to \$19,235,269.

According to the division's budget narrative, "the purpose of Colorado's wildlife program is to . . . facilitate public use and enjoyment of all wildlife species in such a way that each person has an equal opportunity to participate in his or her chosen form of wildlife recreation or use."

However, the division and the natural resources department did not recommend any funds for advertising and publicity of nongame species. Game species receive \$9,253.

Conservationists wonder how nongame species are to ever receive increased funds when public awareness continues to be low. If legislators do not receive any letters or phone calls from the public in support of nongame species, then legislators, as a result, vote to increase funds for a project where there is more intense support.

## INFORMATION AND EDUCATION

Pete Hansson, chief of the information and education section of the division, says that his budget is just under one-half million dollars. Ninety per cent of this figure comes from hunter fees such as the sale of hunting licenses. "Why should the hunter have to pay for nongame?" Hansson asks.

This year, the nongame section has received about \$5,000 from the information and education section. "They shouldn't get any," Hansson says. "In theory, they are supposed to be self-sufficient from the legislature. If the legislature does not provide the funds, it means that the people of Colorado do not want that program. That's the theory we have to work on. If the people are not aware, that is not our problem."

John Torres, the Division of Wildlife's nongame supervisor, says that monitoring of nongame species is "extremely critical." Studies of the ecosystem need to be done on a one-, three- or even five-year basis, he says. Research on population fluctuations, stability of species, life histories, life cycles, distribution, and density is needed. At the moment, many of these studies have been completed for endangered and rare

**Why should hunters have to pay for nongame?**



species, but not for many of the other nongame species, he says.

In a nationwide survey taken by the federal government in 1970, the public expressed enthusiasm for nonconsumptive uses of wildlife. The results of this study were extrapolated to fit Colorado, Torres said. From these figures, the division projects that people will spend 9,500,000 nongame, nonconsumptive recreation days in Colorado by 1980.

Particular problems for nongame species management are dealt with in a recent Division of Wildlife report: "Most nongame fish studies have been performed ancillary to other projects and have never had a substantial, independent funding source.

"Programs to determine population trends or status of herptile populations (reptiles and amphibians) and their habitat have been ignored during fiscal budgeting processes.

"Statewide programs to determine the status of mollusk and crustacean popula-

tions and their habitat have been sorely underfunded.

"Monitoring avian populations is difficult because . . . fiscal restrictions prevent establishing study plots in a variety of habitats for the purpose of monitoring long-term population changes."

#### USING HUNTERS' FUNDS

Laws do not prevent hunters' funds, taxes from the sale of firearms and ammunition, from going to nongame activities. States like California, Arizona, New Mexico, and Florida use these funds for nongame species, but Grieb has vetoed this kind of policy for Colorado. He says it is the "responsibility of citizens to pay for some aspect of the (nongame) program and not have the entire burden on hunters and fishermen."

Another serious problem, according to division nongame biologists, is that they are forced to use their time in the wrong

places. Using biologists' time to run around the state trying to increase support for nongame programs takes time away from their real responsibilities, they say.

Walt Graul, nongame bird specialist at the division, says that no new species were recommended this year for endangered species listing because "there is no information that they deserve that status." Graul says that the long-billed curlew may merit endangered or threatened status now, but nobody has been able to do an adequate study.

Despite these problems in managing native species, the division is carrying out its program of introducing exotics, such as desert bighorn sheep, at a cost of \$4,000.

Another exotic introduction was the fox squirrel near Durango in La Plata County, Colo. Bob J. Tully, chief of wildlife management at the division, says that the squirrel was introduced because "habitat could support it without distressing other wildlife," there was "no public conflict," it

could be seen by people to enjoy, and hunters could "shoot them."

#### CRITICAL TIMES

Many Colorado nongame species are experiencing critical times. The species needing immediate help include the black-footed ferret, river otter, lynx, American peregrine falcon, whooping crane, prairie sharp-tailed grouse, and greenback cutthroat trout.

With human populations on the increase, the best possible management of nongame species is through the purchase of their habitat, Torres says. A statewide survey of ecosystems for wildlife is crucial to determine management priorities and which habitats should be purchased, he says.

Graul said he could easily use \$1 million to acquire habitat for only five species of endangered birds, ignoring the other endangered, threatened, and nongame birds. For example, the habitat for the endangered prairie sharp-tailed grouse is located on land between Denver and Colorado Springs, one of the fastest developing areas in Colorado.

Purchasing endangered species stamps is a way for an individual to contribute to Colorado's endangered wildlife. This year, the endangered Colorado greenback cutthroat trout is featured. However, only about \$2,000 is raised each year through this effort.

For the first time, next year Colorado taxpayers will have an opportunity to help nongame species. By checking a box on their tax returns, citizens can contribute one, five, or ten dollars of their state income tax for nongame programs in 1978.

#### VOLUNTEERS EFFORTS

Ron Lestina, Sierra Club state wildlife chairman, says that "well-meaning efforts of wildlife conservationists are going to slow down adequate sources of base income. Volunteer programs (such as endangered species stamps) have been researched, and various agencies and economists have indicated that volunteer efforts are not the way to go."

The danger is that a lack of funds may be interpreted as a lack of interest by legislators in nongame programs, Lestina says. A 1975 Wildlife Management Institute study indicates that volunteer programs are very weak in accomplishing program goals, according to Lestina.

The question remains, will someone in 1978, 1984, or 2000 say, "Why wasn't more done for our wildlife in 1977?"

If the division and the legislature increase nongame funding to the one million dollars that Torres needs, it might save the products of a couple hundred million years of evolutionary development from extinction.

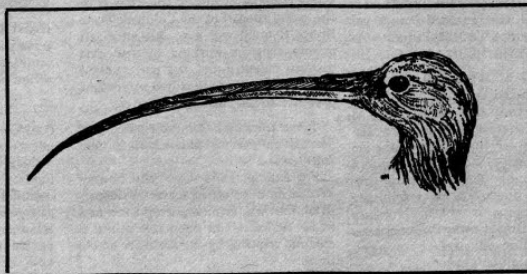
**Funds aren't available for most wildlife agencies to keep track of wildlife that is not hunted for sport or food.**

**The long-billed curlew may merit endangered or threatened status now, but nobody has been able to do an adequate study.**



Stouffer Productions, Ltd.

MEADOWLARK



10-High Country News — July 29, 1977

## Interior reconsidering permit

## Colowyo shrunk its mine to avoid federal delays

Colowyo Coal Co. may be the first firm in the nation to have its federal coal mining permit revoked, ironically for a plan it devised to circumvent government delays.

At hearings held in Denver in late June, the Interior Department asked Colowyo to show why its permit to strip mine coal in Northwest Colorado shouldn't be revoked. A recent Interior staff report says that Ford Administration approval of the permit last December was an "improper" action. The hearings marked the first time in 57 years of administering mining leases that the Interior Department has reconsidered a permit.

Three forces have brought the matter to a head:

1) two aggressive environmental groups, the Colorado Open Space Council (COSC) Mining Workshop and the Environmental Defense Fund (EDF);

2) a new Administration, apparently

more sympathetic to environmental protection than the one that preceded it; and

3) an extremely frustrated mining industry.

At issue is whether a company can proceed on a small mine while plans for the larger mine of which it is a part are still under scrutiny by government officials. Colowyo's 30-year mine plan is part of the Interior Department's Northwest Colorado coal development environmental impact statement (EIS), still incomplete. The one-year mine plan approved by Interior last December without an EIS is essentially the first step in that 30-year plan. Colowyo maintains that it is not an irreversible step, however.

The Colorado Open Space Council Mining Workshop and the Environmental Defense Fund brought the matter to the attention of the Interior Department last January, just as Thomas Kleppe was moving out and Cecil Andrus was moving into the top Interior post. The groups claimed that Colowyo had submitted the application to avoid the requirements of the National Environmental Policy Act (NEPA) and should not have been rewarded with a permit. NEPA requires that formal environmental impact statements be drafted on any federal actions that may have a significant impact on the human environment.

Mining officials see it differently, of course. They say that Colowyo, in the face of an inert bureaucracy, devised a sound plan for going about the business of producing badly needed coal. If anybody made a mistake, it was the government, not Colowyo, they contend.

The fact that the company went to the

trouble of applying twice to mine the same seam of coal — once in a 30-year plan and once in a one-year plan — is a sign of the intense frustration in the industry, according to Colowyo's attorney, Don Phillipson.

Phillipson says the company thought it would receive the go-ahead on the 30-year plan a year and a half ago. No approval has been received, and the company is more uncertain than ever about when a decision may come.

"The nation is fiddling and, dammit, coal burns," Charles Margolf of W.R. Grace & Co., a part-owner of Colowyo, said in a speech at the Wyoming Mining Convention in June.

So Colowyo took from its long-range plans one segment, which it maintains is also a modification of an existing mine, and obtained a permit without having to wait for an environmental impact statement to be prepared.

The U.S. Department of Transportation has also been accused of segmenting its projects to avoid NEPA compliance. If the department wanted to build a highway, it would avoid an analysis of overall impacts by proposing one short, insignificant stretch of a long highway at a time. When this tactic was challenged, the courts ruled that an impact statement covering a whole project was necessary only when the first segment was dependent on those that followed.

However, an Interior Department staff report published in the *Federal Register* June 6 points out the problems in applying this approach to coal leasing. Segmentation "permits an agency to irreversibly and irretrievably commit resources to a project in advance of proper environmental

analysis. This commitment of resources to the initial phase of a project can seriously influence the decision on the portion of the project yet to be reviewed . . . and improperly bias the agency in favor of approving the subsequent action," the report stated.

According to memos unearthed by COSC and EDF, agency officials had misgivings about the Colowyo application before a permit was issued. In fact, in a memo obtained by the groups from a Freedom of Information Act request, the director of the U.S. Geological Survey recommended against Interior granting the permit. The director, V. E. McKelvey, said that he was concerned that approval of the one-year proposal before the Northwest Colorado EIS was completed "would be interpreted as disregard of both the requirement and the intent of NEPA and the CEQ (Council on Environmental Quality) guidelines."

Despite this advice from USGS, Under Secretary of the Interior Kent Frizzell approved the lease application Dec. 3. Since then, Colowyo has dug 100,000 tons of coal out of the seam, about 30-40% of its one-year goal.

COSC and EDF are asking Interior to revoke Colowyo's permit and stop the digging.

Even if Interior feels that issuing the permit was a mistake, Colowyo should be allowed to continue mining because "it was the government's mistake," says Colowyo's Phillipson. Colowyo applied for the permit in lieu of "twiddling its thumbs," Phillipson says, "but the government didn't have to approve it."

A ruling from the Interior Department's solicitor's office is expected within two weeks.



The **HCN**  
Hot Line

energy news from across the country

**OVERSUPPLY OF W. COAL.** Market analyst Joel Price of Dean Witter & Co. has completed a supply-demand analysis for Western coal. The analysis reveals such an oversupply that he says, "I don't really care whether they resume leasing," according to *Energy Daily*. The newsletter says that other utilities and coal producers are beginning to wonder if they have committed themselves too heavily to Western coal.

**CITIZENS MOBILIZE ON RATE REFORM.** Environmental Action Foundation's *Power Line* says that a major national citizen action campaign is underway around the issue of rate reform. The effort was kicked off at the annual meeting of National People's Action on June 13. Citizens are urging their Congressmen to require utility rate structures that encourage energy conservation and provide basic electricity needs at affordable rates.

**FEA STUDIES SOLAR RATES.** A Mitre Corporation study prepared for the Federal Energy Administration says that rapid commercialization of solar energy will depend on a non-restrictive regulatory environment. The report says that, since back-up systems are necessary for most collectors, utility rates for those back-up units could be a limiting factor on development of solar power. Copies of the report are available for \$5.50 from the National Technical Information Center, 5285 Port Royal Road, Springfield, Va., 22161. Request publication No. PB265 . . .

**RECYCLING MOTOR OIL.** Recycled motor oil produced by a new process is of better quality than new oils, according to scientists working for the U.S. Energy Research and Development Administration (ERDA). The scientists have developed a process to remove solid and liquid impurities that doesn't produce polluting waste by-products, as previous processes did. ERDA officials estimate Americans use about a billion gallons of lubricating oil every year, much of which could be recycled.

## The formidable little COSC Mining Workshop

The two-person staff of the Colorado Open Space Council Mining Workshop has an impressive record of watchdogging.

Their successful effort to convince the Interior Department to reconsider Colowyo Coal Co.'s mining permit (see story, this page) is only one of the workshop's major campaigns.

The Mining Workshop's director, Carolyn Johnson, is considered a formidable opponent by coal and oil shale companies, is tolerated as a well-informed conscience figure by state and federal agencies, and is respected as an indispensable spokesperson and researcher by environmentalists. She has run the workshop since 1971. Not until 1975 was there enough money available to pay her anything for her more-than-full-time work.

Brad Klafehn, staff researcher, was hired by Johnson in 1975. Together, with the moral support of the Colorado Open Space Council and a couple of small grants, they are working to make the mining industry and the government agencies that regulate it live up to their promises to the public.

Johnson accuses Colorado officials of "erratic enforcement of weak state (mining) law."

For example, she says, the Mining Workshop is protesting a gravel pit operation that was given a permit for a new mine before it had done the minimal cleanup required by the state for an old mine.

The workshop has also brought Energy Fuels Co., Peabody Coal Co., and Horner



**CAROLYN JOHNSON:** "Once you have people in office, you do them the courtesy of treating them just like other politicians."

Coal Co. under scrutiny for alleged permit violations.

Despite a small staff and a lack of funds, the workshop has been active on national as well as state issues. Johnson saw government suspension of oil shale lease payments as a gift to the oil companies at the expense of the public. COSC and the Environmental Defense Fund have filed suit in protest of the action.

Johnson is also a leader in the Western

COALition, a group of conservation, agricultural, public interest, and Indian groups in the Rocky Mountain states watchdogging energy development.

She is currently working to find \$40,000 to finance the mining workshop's next 12-month budget. For years, she used her living room as an office and donated whatever personal resources it took to get the job done. But now she hopes to continue to be paid a salary for her work.

"We in the environmental movement are schizophrenic about pay," Johnson says. "We think we should live on dedication, at a scrounge level — and yet we think so highly of the jobs we are trying to do."

Six years of experience has given Johnson a reputation as a sage observer of politics, as well as industry. She is pleased with the initial steps taken by the Carter Administration in support of conservation goals. But she admits that a phenomenon she calls "the Dick Lamm experience" has made her somewhat cynical about "having an environmentalist in the White House." Most conservationists who worked to elect Richard Lamm as governor of Colorado have been sorely disappointed by his performance in office.

"We weren't hard enough on Lamm," she says. "He thought he had our support automatically."

More cautious now, she makes the following recommendation to conservationists active in politics: "Once you have people in office, you do them the courtesy of treating them just like other politicians."

# Reckoning

from Washington

by Lee Catterall

The Interior Department has launched a broad program designed to undo what one top official describes as an "absurd" approach of the Nixon and Ford Administrations of developing the nation's natural resources "as quickly as possible, all at once."

President Carter's "hit list" of water projects he wants halted is only the beginning of what his band of environmental turks hope to be a new environmental ethic in government.

"There are more people here who have never had an opportunity to be in a leadership position in government," said Asst. Interior Secretary Guy Martin in an interview. "Really fresh faces, and some of those faces have not just been environmentalists but have really been critics for other than environmental reasons of the way the department operates."

Those "fresh faces" have been put in charge of a review of many important decisions made by their predecessors. Soon after being sworn in, Interior Secretary Cecil Andrus constructed his own "hit list" of myriad decisions made by his predecessor, Thomas Kleppe. Now, Martin said, reviews are being made of general policies affecting such broad areas as water, coal, and off-shore oil leasing.

"Their philosophy was different," Martin said of Nixon and Ford. "The best example I can give is the area I know best — the OCS (outer continental shelf) program. I've never met a person who didn't believe that the leasing goal of the OCS program was anything but absurd. Except that the secretary and the President (Ford) supported it. So there was a whole program built around what most people thought was an absurd goal."

Martin said the coal leasing policy planned by the Republicans was similarly development-oriented, "more around the producer as much as possible." He characterized it as a production policy based more on the "everywhere-as-soon-as-possible theory than it ought to have been."

He said the department now is concentrating on "dropping it back to a more discriminating policy that discriminates between East and West, or discriminates between the cost of development in one area and that of another, or the environmental effects of development in one area, and the transportation imperatives that are created."

"I think you can have a discriminating program that doesn't present you with kind of a solid wall of develop-everywhere-as-quickly-as-possible-all-at-once," Martin added.

In the area of water policy, the administration has directed a hurried series of hearings across the country so the President can announce a new policy in November. He has left little doubt about what he expects that policy to be, regardless of what the hearings produce.

Despite the cries of anguish from Capitol Hill following announcement of the water projects hit list, Martin is optimistic about Congress acting on significant areas of water resources policy. He pointed to the 174 congressmen who recently voted to support Carter on his hit list, calling them "a pretty solid working core of people who are interested in reform."

Martin's criticism of Nixon and Ford policies, public statements by Carter and Andrus, and the presence of the crowd of newcomers in the higher echelons of the White House and the Interior Department provide evidence that the water projects issue is not the last environmental issue we'll be hearing about from the Carter administration.

# EIS sparks Montana, BLM clash

by Dan Whipple

The state of Montana and the Bureau of Land Management are at odds over the preparation of the Northern Powder River Basin Environmental Impact Statement on coal development. For the first time, a state is raising the fundamental question of whether it is necessary to lease more federal coal to meet the projected demand for energy.

The state of Montana is an "equal partner" in the preparation of the EIS, according to Bob Sutton, the executive officer of the joint federal-state task force. The state's comments on the BLM draft proposed lease action are a hard-hitting attack on the BLM's preparation of the EIS and the data base from which BLM's assumptions are drawn.

The comment document, which hasn't

been released to the public, says, "In many cases, there are insufficient data to identify areas of resource conflict. Particular areas of deficiency are in hydrology, archaeology, range, sociology, reclamation economics, and air quality. BLM guidelines for planning, established in 1975, are not met by the BLM. It is difficult or impossible to discuss impacts from mining based on insufficient data."

One of the criticisms that the state levels at the proposed lease action is that it is not sensitive to supply-demand economics, but rather to the administrative capabilities of the BLM. The comments say, "The supply-demand discussion in the BLM proposed lease action implies that demand is determined to a certain extent by administrative manpower constraints rather than an actual need. For example, it is

stated, 'BLM has estimated that it can handle the workload of processing four Bureau motion sales (lease sales initiated by BLM) and six short term sales, therefore, four are being proposed at this time.'"

The question of "national need" for the additional coal leasing is also not addressed by the draft proposed action, the state team says, especially in light of, "current Department of the Interior policies concerning the use of western versus eastern coal." The comments say that a federal ruling requiring air pollution control devices on all power plants — such as is being considered by the Congress — "may render western coal uneconomical."

It goes on to say that there are over 1.1 billion tons of coal already under lease in the Decker-Birney and Rosebud planning units in the Northern Powder River Basin, and an additional 35,000 acres of state coal leases. This raises the question of whether the additional federal coal is necessary. The report also says that, on the demand side, "A study conducted for the Bonneville Power Administration concludes that power production in the Northwest could be reduced by a third by 1990. An ERDA (Energy Research and Development Administration) study concluded that the region could do without several power plants, including Colstrip 3 & 4."

The state comments also attack BLM's use of the phrase "orderly and timely development" in its analysis. Data deficiencies in many areas suggest that "it may not be orderly to develop coal in tracts distributed throughout the Northern Powder River Basin." The comments say that studying the possibility of "clustering development" may be more appropriate.

Another serious data deficiency is the range analysis. The comments say, "In the range section (of the proposed lease action) it is stated that 'the impact to the total BLM livestock, forage resource is low because of the relatively minor amount of BLM surface.' The range livestock resource on private lands was not evaluated. No data was collected on private lands underlain by federal coal. Non-federal surface comprises nearly 95% of the lands contained within the proposed lease tracts."

Task Force executive officer Sutton says, "BLM took the state's comments to heart. But, the fact of the matter is that the BLM has taken the nominations and evaluated them through the EMARS (Energy Minerals Activity Recommendation System) process. We are given a set of plans to do an environmental impact statement. Whether the nominations should have been called for is not our concern."

Task Force executive officer Sutton says, "BLM took the state's comments to heart. But, the fact of the matter is that the BLM has taken the nominations and evaluated them through the EMARS

Sutton says that if the state and the federal government continue to disagree, the state's comments and opinions will be presented in the EIS. And, he says that the EIS will take into consideration the supply-demand situation for coal leasing. However, this economic analysis will not make any recommendations about the future of leasing.

This is the first time that any state has questioned the fundamental assumptions behind an EIS, Sutton says. Nevertheless, he expects to reach agreement between the state and the federal government without causing delay in the EIS schedule.

A draft of the EIS is due on Feb. 1, 1978, and the final document should be ready by the end of July, 1978.

# Wyoming rejects uranium mine

The Wyoming Department of Environmental Quality (DEQ) has rejected Minerals Exploration Co.'s application to mine and mill uranium ore in the Red Desert northwest of Rawlins (see "Too Much Water Stymies Desert Mine," HCN, July 15, 1977).

The decision is the first outright rejection of a mining application in the department's four-year history.

In a nine-page memorandum dated July 19, 1977, Walter C. Ackerman, Land Quality Division administrator, and DEQ Director Robert E. Sundin, cited two major reasons for the decision: "(1) the failure to demonstrate reclamation of Battle Flats to a use equal to the highest previous use, and

(2) final contours exceed the average of the natural slopes."

The decision cites 10 parts of the project plans which will leave "land forms" unacceptable under Wyoming land quality rules, including some of the mined depressions, the waste dump, the tailings pond, and the leach pad. The decision also mentions MEC's failure to provide data on the efficiency and by-products of the barium chloride treatment to remove radioactive radium from ground water that MEC intended to pump from their mine onto Battle Springs Flat.

MEC can either appeal the decision to the Environmental Quality Council or can refile with an amended application together with another \$2,000 filing fee.



energy news of the Rockies and Great Plains

**WILL PLANT GET THE BREAKS?** U.S. Rep. Mark Andrews (R-N.D.) is sponsoring legislation to help a proposed methanol plant avoid taxes. But a group of state legislators says the energy industry in North Dakota doesn't need any more tax breaks. Andrews says methanol produced from North Dakota lignite would help area farmers who need fuel to supply their equipment. State Rep. Rick Maixner says, however, the methanol will be exported to the East.

**EAST DECKER GETS PERMIT.** The Montana State Lands Commissioner has issued a permit to the Decker Coal Co. for the East Decker mine, to be located across the Tongue River from the company's present mine in southeastern Montana. The permit gives the company the right to begin mining on private and state lands, but approval for mining on federal lands is still pending. The mine will disturb 4,316 acres of land to mine 192 million tons of coal over a 24 year period.

**COAL MINE IN WILDERNESS?** The Cravat Coal Co. of Ohio wants to open a coal mine in the Bridger-Teton National Forest in Wyoming adjacent to a roadless area that is to be proposed for wilderness. The Forest Service has tentatively approved a mining permit giving the company authority to obtain a 1,500 ton sample of the coal from an old underground mine at the site that has been idle since 1965. The coal is to be sold to Utah and Idaho Sugar Company and other prospective customers in the Idaho and Washington markets. The Forest Service has ruled that granting the test permit does not constitute a major federal action and therefore, no environmental impact statement is required.

**FOE FIGHTS RATE HIKE.** A conservation group says that the Public Service Company of Colorado hasn't done enough to conserve energy and therefore shouldn't be allowed to raise its rates. The group, Friends of the Earth, says that the utility has only a small insulation and public information program and should be considering bold conservation moves — like load management; marketing and financing of solar heating systems; operation efficiency improvements, energy audits for home, office, and industry; and co-generation (simultaneous production of process steam and electricity). FOE joined with the Colorado Utilities Taskforce to fight the rate request, which came before the Colorado Public Utilities Commission July 12 and 13.

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## Tribes probe...

(continued from page 1)

the meetings ever took place. The talk has been enough to make the conservative leaders of the Osage tribe in Oklahoma think of quitting CERT, sources say.

When CERT was first formed, MacDonald's flamboyance was perceived as "dynamic leadership," and he was quickly elected as the chairman. Now some consider him arrogant, although no one can deny that his strategies have brought publicity to CERT and to its problems with some federal agencies.

Because the tribes elected MacDonald and are working closely with FEA on the tribal energy development study, many observers assume that CERT has a pro-development bias and that the member tribes are looking for any schemes to escape their poverty that they can find.

The tribes' economic pictures look grim: All the CERT tribes for which census information is available show per capita incomes below \$1,500 per year. However, the makeup of the executive committee, the group's public statements, and the members' attitudes about energy development indicate that the organization's bias cannot be labeled that quickly.

Other elected members of the CERT executive committee are varied in their apparent attitudes toward development, from MacDonald and the Osage tribe representative, who both could be characterized as "pro-development," to Allen Rowland of the Northern Cheyenne tribe, which has some of the largest coal reserves but has cancelled all of its leases — at least temporarily.

In their petition to FEA for the study, the tribes made it clear that they weren't only interested in a fast buck. Their emphasis was on long-term planning — and on recognition of the tribes' rights to control development of their own resources.

### PLAN BETTER THAN U.S.

Because of the limited acreage of their reservations, many of the tribes realize they can't afford to sacrifice large tracts. Approximately one-fifth of Indian lands lie over coal deposits. They seek, therefore, to



**ALLAN ROWLAND'S** election to the executive committee of CERT was reassuring to those who fear that the organization of tribes will be too oriented toward development of their coal and uranium.

maximize tribal income while preserving the land base.

Some think the tribes that are aware of this might even have an advantage over states. "We should be in a position to plan the development of our resources better than anyone in the United States because of our sovereign situation," says Jerry Nagel, an official of the Three Affiliated

Tribes of the Fort Berthold Reservation in North Dakota. "We can write our own reclamation codes, taking the best of the states."

Nagel says the Bureau of Indian Affairs (BIA) doesn't have the technical expertise to advise the tribe on the pros and cons of various options. "We need pure capitalistic management," he says.

He's suspicious of FEA's motives for funding the study requested by CERT. "FEA is a pro-development agency — not a grant agency. So why all of a sudden do they start this?" he asks.

Members of other tribes apparently felt similar qualms about working with FEA, both because of its pro-development image and because of the tribes' general distrust for the federal government. Three tribes have refused to participate in the study — the Shoshone and Arapahoe in Wyoming and the Hopi in Arizona.

When FEA officials attended a meeting of the Fort Peck Tribal Council in Montana, Tribal Planner Clark Madison says, "I had a hard time keeping the council from running them out once the council members heard their initials."

An FEA official working with CERT says, "It's wise for them not to trust any federal agency — the tribes can get ripped off too easily." However, both Madison and the official believe there are potential benefits for the tribes from the FEA-funded study.

### BIA BLOCKS INVENTORY

When the tribes petitioned FEA for the study, their first request was for a resource inventory of coal, uranium, oil, and geothermal potential. The tribes' lack of knowledge about their reserves makes it very difficult to even begin economic planning, according to Madison. In some ways it has put them at the mercy of the energy companies.

Madison explains that on the Fort Berthold Reservation, seismograph tests for oil have been made, but the information isn't coming back to the tribes.

"The energy companies know more about us than we know," he says.

Other reservations have similar complaints — limited exploratory work has been done only by private firms. The BIA in its trustee role is supposed to be monitoring exploratory work, but Madison says the agency is so understaffed that the tribe must take the companies' word — even on how many exploratory holes have been drilled.

The tribes asked FEA to explore several other questions related to resource development in addition to the inventory. These included job training, management options, an information clearinghouse for sharing information among tribes, and ways to improve the environmental impact statement process.

FEA agreed to fund a \$250,000 study, which included several of the tribes' requests. However, BIA demanded that the General Accounting Office block any appropriations for an inventory or even for a review of the available literature on tribal resources. BIA said the inventory wasn't one of FEA's mandated responsibilities and said BIA was conducting its own review of available literature.

As a result, BIA is being accused of inner-agency jealousy — of resenting other agencies' interference while proceeding much too slowly for the tribes' satisfaction on studies of its own. Personality conflicts between BIA personnel and CERT leaders may also be partially to blame for the confrontation, some sources say. These conflicts may also explain BIA's reluctance to help fund a CERT office, although it eventually granted \$100,000 for the coming year. This was matched by \$100,000 from the Economic Development Administra-

tion, but the tribes had hoped to get \$300,000.

Such funding rebuffs and rude treatment by some federal officials prompted MacDonald's angry press release about contacting OPEC.

Madison retains the hope that the FEA-funded study may help draw federal attention to the need for the inventory. An FEA official said that with the Carter Administration, there is a good possibility that funding will later become available.

### OWNING THE MINES

But even without the inventory, the tribes hope that the study will be useful. In their proposal, Ernst & Ernst addressed the tribes' question about management options and alternative contractual agree-



**JERRY NAGEL**, a member of the Mandan tribe, thinks Indians may have some advantages over states when it comes to planning.

ments. The firm pointed out that a number of the larger, mineral-rich tribes are now moving in the same direction that some of the developing nations have moved — from receiving flat rate royalty fees, to percentage-based returns, and even to partial or total ownership of production facilities. Consequently, Ernst & Ernst says, it will study these countries for relevant case histories.

Until recently, the BIA used a standard leasing policy that eliminated the tribes from participation, according to Michael Ross, formerly of the Office of Coal Research for the Crow Tribe. Despite its legal role as trustee, the BIA has consistently approved leases that are both illegal and that have brought low returns to the tribes. The Northern Cheyenne tribe, for example, claims that its lease agreements violated 52 sections of the federal code. Many of these violations were confirmed by then-Interior Secretary Rogers C.B. Morton. Other tribes subsequently found the same violations in their agreements.

In summarizing the situation, the Federal Trade Commission said in 1975, "The quality of the BIA's advice has been brought into serious question, which suggests that fully informed choices by the Indians . . . may be impossible."

Slowly, a few tribes have begun hiring their own consultants and arriving at leasing agreements that assure them a fairer return and better protection for their land. This information has rarely been shared with other tribes.

An example of a new type of leasing agreement is the joint venture the Blackfeet Tribe in Montana last year entered with Damson Oil Co. Half the profits from drilling on the reservation now go to the Indians.

Another example of a source of revenue from resources is the 25% coal severance tax imposed by the Crow tribe and approved by former Interior Secretary Thomas Kleppe, after much hesitation, early this year.

Some companies are not reacting favorably to the tribes' assertiveness, according to Ross. Shell Oil sent the Crows a letter last year saying that it agreed to comply with their Land Use Zoning Code. However, the company asked the Crows "not to impose regulations, permitting procedures, or any other restraints or burdens on the mining operations that are more restrictive than those imposed on coal mining operations located on federal lands off the reservation. . . ." In effect, Ross says, Shell denied the tribe's right to set its own laws.

Ernst & Ernst hope to present some of the management options to the tribes when the study is complete in October. For each type of development, the consulting firm will present the pluses — such as increased revenues, employment, and self-sufficiency — and the minuses — such as environmental degradation and impact on the Indians' traditional lifestyle.

According to the study proposal, the firm will also look at the pros and cons of alternatives to energy development, including manufacturing, agriculture, forestry, tourism and recreation, and transportation and distribution, for each reservation.

### WHAT LIES AHEAD?

If the study is all Ernst & Ernst promises, it could serve as a much-needed stepping stone for resource planning and, potentially, for a new economic base for the tribes, many observers think. It could also be a good start on a working plan for the young organization, CERT.

However, several other variables will affect whether or not CERT will be able to give the tribes a boost in the direction of tribal control and economic self-sufficiency. CERT's contribution will de-



**CLARK MADISON**, a Sioux, says the energy companies know more about the reservation than the tribes do.

pend upon whether the tribes can — and will — put the study to use individually, whether they will agree to share some confidential information with other tribes, and whether they will be able to work together to make unified demands from the federal government and energy companies.

It will also depend upon how willing the new Administration will be to allow the tribes to follow through with ideas such as imposing their own coal taxes, setting up joint ventures, and writing their own strip mining regulations. And the courts would have to back them if these sovereignty issues are challenged by the energy companies.

It's these kinds of relatively mundane tribal council deliberations and bureaucratic negotiations that are most likely to determine the potential clout of CERT — not the more dramatic dealings with OPEC.

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# Western Roundup HCN

## Lawyer: Utah water shortage created

A county water board has been accused of creating a water crisis in the Salt Lake City, Utah, area in order to prove the need for the Central Utah Project (CUP), according to the *Deseret News*. The newspaper says that Salt Lake County Attorney R. Paul Van Dam made the charge in a report on water for the Salt Lake County Commission.

Van Dam says the Salt Lake County Water Conservancy District has been sitting on groundwater rights that it controls without developing them, even though the

cost of purchased water has usually been substantially higher than the cost of ground water — \$40 as opposed to \$28 an acre-foot in 1976, for example. The potential cost of the CUP water is more than \$125 an acre-foot, Van Dam says.

The House-Senate Conference Committee agreed to appropriate \$32,965,000 for the Bonneville Unit of CUP last week. President Jimmy Carter had asked Congress to cut the figures by more than half and terminate further work on it.

## Lakers resist Indian law protecting shore

A group of landowners who have property on the shores of Flathead Lake in Montana have written a letter to Interior Secretary Cecil Andrus objecting to the Shoreline Protection Ordinance passed by the Tribal Council of the Confederated Salish and Kootenai tribes.

The group, Flathead Lakers, Inc., says it objects to the tribes' having authority over non-Indian landowners, who own more than 80% of the reservation land. Much of the land owned by the non-Indians is along the lakeshore.

The tribes say they think everyone should work together to protect the lake from several immediate threats including 1) the proposed dredging of the outlet of Flathead Lake by the U.S. Army Corps of

Engineers, 2) the proposed pulp mill at Columbia Falls, and 3) the proposed Cabin Creek Coal Development. They point out that no one but the tribes has the legal jurisdiction to protect the lake since a recent district court decision said there is no legal basis for state determination of riparian water rights.

Tribal Chairman Harold W. Mitchell Jr. said that in the absence of state jurisdiction, the tribes are "merely interested in the proper control of the lake to be sure it is kept in its pristine condition," according to *Char-Koosta*, the tribe's newspaper.

According to Flathead Lakers, Andrus must approve the tribal ordinance before it can go into effect.

## Meters could affect need for more water

Robert Weaver of Trout Unlimited says the Denver Water Board could install water meters at homes in its service area and eliminate the need for a major new treatment plant and new sources of water. Weaver made his comments after reviewing a preliminary environmental impact statement for the Foothills Treatment Plant.

Installing the water meters would cost \$30 million and would allow the water board to begin charging for excessive use of water, he says. The dam and water treatment project would cost \$135 million, according to *Rocky Mountain News*. "It seems like an extremely expensive alternative to meet a demand that only occurs a few days a year during the hot, dry summer, when everybody waters lawns,

sidewalks, and cars — and all at the same time," he said.

When the water board instituted water use restrictions on June 1, water use dropped by 27% from the levels before the restrictions went into effect, despite hotter temperatures.

Environmentalists have objected to large expansions of the Denver water facilities because they say it robs needed water from agriculture on both the east and the west slopes of the Rockies and because it requires more dams and diversion tunnels.

The preliminary impact statement says that by 1990 there will be about 40 days a year when the demand for treated water will exceed the supply if the Foothills plant is not built.

## Group attacks wilderness inventory plans

Before most of the new inventory for wilderness areas has begun, a wilderness group has charged that the Forest Service plans to ignore many of the potential areas.

Mike Comola of the Northwest Citizens for Wilderness says the Forest Service is not planning to include areas for which land use plans have already been written when it conducts its second Roadless Area Review and Evaluation (RAREII). Comola says the Forest Service has "departed 180 degrees from what was intended" by Asst. Agriculture Secretary M. Rupert Outler, who four months ago, directed the agency to prepare a new inventory of roadless areas.

A Forest Service official disagrees. Ray Hunter, head of the RARE II program for the Northern Region, says the inventory fully complies with national guidelines, according to the *Missoulian*.

He says the agency cannot afford to go

back and look at all the areas that have already been planned. Previous planning gave proper consideration to wilderness; he says. Comola says it did not.



By Ann Zwinger



Photo courtesy of the Idaho Fish and Game Department.

Most Idaho residents think timbering should be subject to environmental restrictions — even if it costs some jobs.

## Idahoans want to preserve agriculture

Agriculture is the most favored industry in Idaho, and the people are ready to accept controls on timbering, mining, and power plant siting in order to protect the environment, according to a phone survey done by the Idaho state government. A total of 1,440 Idaho citizens were polled on different ways to implement goals for the future of the state.

The people surveyed seemed to have definite ideas of their environmental goals, but they were not inclined to accept government controls that required them to meet the goals. For example, 49% thought insulation and other conservation measures should be encouraged by tax breaks but few thought they should be required by state or local governments. A majority

didn't want taxes on auto engine sizes with poor fuel economy nor did they want to increase state gas taxes, according to a story on the survey in *Ketchum Tomorrow*.

More than half favored restricted development of Idaho's lumber and mining industries to protect the environment even if it results in lower tax receipts and fewer jobs.

Few of the respondents want private power companies to choose where their power plants should go; most said the citizens should be invited to vote on potential sites.

More than three-fourths of those called favored lowering taxes on highly productive agricultural lands to keep them in production and to curb urban sprawl.

## Condominium owners can use cars

The U.S. Forest Service has approved a revised transportation plan for the Beaver Creek ski area in Colorado that caters to the anticipated whims of the wealthy condominium owners who are expected to buy there. However, although some cars will be allowed, the plan still says that 75% of the resort users must use shuttle buses to travel up the narrow valley to the ski area when it is built.

Colorado Gov. Dick Lamm had held up approval of the ski area for more than a year until local and federal officials arrived at an agreement with Vail Associates, including a ban on private vehicles at the resort. Lamm said that new recreation de-

velopment in the narrow mountain valleys of Colorado must be mass-transportation oriented to prevent increased air pollution, according to the *Denver Post*.

The approved plan allows as many as 1,000 autos, mostly belonging to condominium owners, into the base area village. The plan was changed when the developers, Vail Associates, complained that a total auto ban would make it hard to sell the condominiums. The firm argued that the type of person who would buy a condominium wouldn't want to put up with the bother of transferring luggage and other gear from a car to a bus, according to the *Rocky Mountain News*.

## City wants to block mining at doorstep

A survey of residents of Gillette, Wyo., this summer shows that most of them believe any strip mining should be at least three miles from the city, according to Gillette-Campbell County planner Dale Pernula.

Campbell County might not be able to do anything about this preference, however. The city sits on top of some of the richest coal deposits in the world, and leases have

already been sold close to the city limits. While the county has authority to plan other land uses, the 1977 state legislature refused to give any county the right to prohibit mining.

Pernula says the planning staff can only hope that the citizens' preference will be taken into consideration in the planning process of federal and state agencies.

14-High Country News — July 29, 1977

## Land bank..

(continued from page 5)

prices," asserts Commission Chairman G. H. Wesson.

Miner and his co-workers in the land bank program believe that by buying and not reselling farm land they can help hold down inflation on land prices. Furthermore, they believe that to ensure the best use of agricultural land, they should hold it in trust and discourage its being owned by any single individual.

To encourage this concept of trust, they give their lessees as much latitude as pos-

sible. In fact, the lease contract says the leased land may be inspected by the commission only with the consent of the lessee. Leases may be terminated only if the lessee is in default of payments, no longer principally engaged in farming, or more than a year behind on taxes. The lease stipulates only that the land be used "in accordance with good farming practices and for agricultural purposes."

To help lessees manage the complexities of modern farming, a land bank counselor stops by at least once a year. The counselors are the land bank to lessees in the vastness of Saskatchewan.

"The counselor is often the first and only agricultural person a lessee's seen who asks him what's wrong and offers to help," notes Rudy Sebastian, a counselor in the Assiniboia region. "The counselor becomes his liaison with water programs and other services to help the lessee become a better farmer."

### LAND BANKING IN THE U.S.

In the United States, the same fundamental cost-of-land problems plague the agricultural community as in Canada. Nationally, the average value of farm land rose 17% between Nov. 1, 1975, and Nov. 1, 1976; the average acre sold for \$445 in 1976. This increase compares with gains of 12% in 1975 and a record 21% in 1974. In previous years, farm land prices had been held to five or six percent increases, according to the U.S. Department of Agriculture.

While family farmers in the United States face the same land price squeeze, "red flags" pop up whenever government land banking is mentioned as a possible solution. Opponents see it as a "government land grab scheme."

In 1975 U.S. Sen. George McGovern (D-S.D.) used the Canadian program as a model for his Young Farmers Homestead Act. Instead of a provision for life-long leasing, McGovern limited the term to seven years, after which time the farmer would have to either buy or relinquish the land.

McGovern's bill never reached the Senate floor.

A South Dakota state bill that preceded McGovern's national effort failed only by a slim margin. Similar to the federal Young Farmers Homestead Act, it would have permitted two seven-year leases with possible three-year extensions on each lease, thus allowing a possible lease time of 20 years.

A near duplicate of the Saskatchewan Land Bank was soundly defeated by the 1975 North Dakota legislature. A similar effort also failed in Minnesota. That state, however, eventually adopted a bill allowing family farmers to receive government guaranteed loans for agricultural land acquisition. The Family Farm Security Act also stipulates that the state pay four per cent interest on such loans.

The 1977 Montana legislature considered a joint resolution to study how coal tax monies could best be used to help family farmers in that state. One of the proposed solutions mentioned expressly in the

resolution was the Saskatchewan Land Bank. All reference to Saskatchewan was removed from the measure before it was adopted although, according to sponsor State Sen. Tom Towe, land banking still can be investigated under the terms of the resolution.

In Saskatchewan, the ultimate effect of land banking on agricultural land values and land use will not be known until a significant amount of land comes under any program, thus withdrawing it from the speculative market. The effect on individuals will be felt soon enough, however. Land banking will enable young farmers and ranchers to obtain land and will protect that land from degradation by strip mining, subdivisions, highway construction, and urban sprawl.

Without it, however, Saskatchewan's David Miner says, "Land is only a commodity — fair game for anyone who wants to manipulate it for profit."

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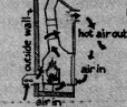
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## DISTAFF CORNER

### PAUL WAS NO CONSERVATIONIST.

by Myra Connell

Across the Northern tier of states from Maine to the Pacific, wherever timbering is important, lovers of the American tall tale have told of Paul Bunyan and Babe, the Blue Ox.

Paul is known as "the unequalled hero of American outdoor history... a Hercules who moves mountains, tames rivers, subdues hurricanes..."

Not long ago I saw one of the grotesque statues of Paul and Babe, and it occurred to me that the nature of a people can be read, at least partly, in their folk heroes.

The Bunyan tales reflect the wastefulness, exploitation, destructiveness, disregard for the land, and the "bigger is better" attitudes that prevail in these United States.

Consider clearcutting of timber, for example — Paul was certainly its originator.

### Classifieds

EMPLOYMENT OPPORTUNITIES. The Northern Plains Resource Council has openings for two full time organizers. NPRC is a citizens organization of ranchers, farmers, and other citizens working on energy and coal development issues in the Northern Great Plains. Send resume, writing sample, and references to NPRC, 419 Stapleton Building, Billings, Mont. 59101 (406) 248-1154. All applications requested by Aug. 1, 1977.

THE SALT CEDAR, a Western journal of environmentalist writing, is accepting submissions and subscriptions. Poetry, fiction, articles, reviews, and B&W graphics receive prompt personal attention. Subscription rates: \$2-issue; \$3.50-year. Contact: Don Snow, Route 3 Box 652, Fort Collins, Colorado, 80521.

"CANYON COUNTRY HIKING AND NATURAL HISTORY." Barnes, 176 pages, illustrated, \$3.95ppd. Hiking trails and routes in southeastern Utah. F. A. Barnes, Box 963, Moab, Utah 84532.

HELP HCN get the word out. One way HCN keeps going is by introducing itself to new people. HCN needs volunteers to write or type names onto mailing labels. If interested, write HCN, Box K, Lander, Wyoming 82520. Thank you.

When he logged, he tied a long rope to his axhead and swung it in a circle; his cry of "timber-r-r" could be heard for 59 miles as 100 trees came swooshing down all at once.

In those days it was said "there was pine enough for everyone." The forests were so vast that neither Paul nor anyone else could imagine a scarcity. Nevertheless, Paul had to continually move his camp westward. West Coast Douglas fir and redwood presented a real challenge even to a logger like Paul. They said that he swore he would just keep logging as long as there was a toothpick.

Respect for the land was farthest from Paul's mind when he made his famous trip to the Southwest. According to the legend, he dragged his peavey on the ground, thus starting tremendous erosion that resulted in the Grand Canyon.

Nor did Paul have any regard for wildlife. When he sneezed, he blew flocks of birds and ducks out of the sky, and once 200 deer were killed in one of his log-jams.

Whenever Paul meditated on a hard problem, he puffed his pipe and the sky clouded over, but he was unconcerned about air pollution.

In the long course of his logging operations, Paul built dams including the one that floated his logs out of the Round River. He hitched Babe the Blue Ox to the ends of several meandering rivers and had the kinks pulled out of them. He fought the Big Augur River in Saginaw country until he tamed it. Men have been damming, diverting, and channelizing rivers ever since.

Paul never worried about "impact." Each camp he built had to be bigger than the one before. The cook fire alone took three 40-acre patches of timber each week.

Although the great logger never confessed disillusionment under strain it was said that Paul, for all his inventive genius, was unable to reforest cleared land. In Michigan a waste of sand plains remained where Paul had logged off 25 million acres of pine lands.

Paul once built a camp in Yellowstone Park. Coffee for the lumber-jacks was supplied by a giant-size percolator. Although it no longer supplies coffee, thousands of visitors view the relic every year, and it is now known as "Old Faithful."

About the time power timbering replaced the brute strength and more awkward methods of timbering, the preposterous Bunyan stories became less popular. But the spirit of Paul Bunyan still stalks our land.



# HCN Bulletin Board



High Country News-15  
July 29, 1977

## LOONEY LIMERICKS

by Zane E. Cology

There now is an outfit named CERT  
That with OPEC nations does flirt.  
CERT may not demand  
A leg and a hand  
But it surely will keep us alert.

## DREAM ON, DREAMER

The seventh annual Vail Symposium has chosen the American Dream as its focal point. "The American Dream Revisited," scheduled for Aug. 11-14, will be held at the Mark Resort in Vail, Colo. Speakers include Cecil Andrus, Gerald Ford, Robert Redford. Registration fee is \$10. More information is available from the Town of Vail, P.O. Box 100, Vail, Colo. 81657

## PLANT SENSITIVITY TO AIR POLLUTANTS

The Environmental Protection Agency's Corvallis Environmental Research Laboratory has released a report which includes data on the sensitivity of vegetation to various air pollutants. Copies of "Susceptibility of Woody Plants to Sulfur Dioxide and Petrochemical Oxidants" are available from the Office of Public Affairs, Corvallis Environmental Research Laboratory, 200 S.W. 35th St., Corvallis, Ore. 97330. Specify number EPA-600/3-76-102.

## STATE LAND USE SUMMARY

A comprehensive report on state land use throughout the nation has been released by Land Use Planning Review staff members Raymond Swan and Jane Casazza. The report covers new legislation, regulatory actions and court decisions affecting general land use policy, farmland preservation, energy facility siting, and coastal zone management. "Summary of State Land Use Controls" is available from Business Publishers, Inc., Box 1067, Silver Spring, Md. 20910, for \$18.50.

## ABSAROKA-BEARTOOTH AREA

Congressional hearings on the proposed Absaroka-Beartooth Wilderness Area will be held Aug. 10 in Billings, Mont. A bill pending in the U.S. Senate calls for instant wilderness designation of 913,500 acres north and east of Yellowstone Park. More information is available from: Thomas Williams, Senate Energy and Natural Resources Committee, Rm. 3102, Dirksen Senate Office Bldg., Washington, D.C., or Sally Jordan, Rm. 4435, Federal Bldg., Billings, Mont. 59101.

## HELP NEEDED

Akwesasne Notes is the official publication of the Mohawk Nation. Notes is published five times annually, 36 tabloid pages. Notes needs your help. After nine years the grant monies are running out; only half of its 75,000 readers pay anything for Notes. Notes contains articles on native rights, legal actions, fine native art, products, poetry. Notes' beat is North America. Send donations to Akwesasne Notes, Dept. H, Mohawk Nation, via Roosevelttown, N.Y. 13683.

## DROUGHT DIRECTORY

The County Information Service of Colorado has added a directory of agencies and resources available to aid drought-stricken areas. To obtain help, send a good description of the drought-caused problem to: Sue Anderson, County Information Service, Colorado State University, Fort Collins, Colo. 80523 (303-491-5706).

## LEGAL CONFERENCE

The University of Utah College of Law and the Environmental Law Institute are co-sponsoring "Energy and the Public Lands, II" Aug. 17-20 in Park City, Utah. Attorneys, public officials, scientists, lawyers and executives will explore problems in resource development, water allocation and availability, urbanization, and environmental impacts. Registration fee is \$300, deadline is Aug. 1. Address inquiries to Conferences and Institutes, 1120 Annex Building, University of Utah, Salt Lake City, Utah, 84112 (801-581-5809).

## WASTE UPDATE

The Institute for Local Self-Reliance has published "New Directions in Solid Waste Planning." The 21-page report analyzes the failure of high-technology solid waste plants and the growth and potential of simpler systems. Copies are available from the Institute for Local Self-Reliance, 1717 18th St. NW, Washington, D.C. 20009 (202-232-4108).

## OPTIONS AND DILEMMAS

The League of Women Voters Education Fund has published "Energy Options" and "Energy Dilemmas," which explore energy issues facing the U.S. today. The booklets are \$1 each. Reduced rates are available for bulk orders. Order from League of Women Voters, 1730 M St. NW, Washington, D.C. 20036.

## IDAHO WATER PLAN HEARINGS

Hearings will be held across Idaho in early September on the Idaho State Water Plan. The plan had been approved by the Water Resource Board, but the 1977 legislature rescinded it. Under scrutiny is the board's support for a Wild and Scenic River designation for the St. Joe River. Copies of the plan are available from the Department of Water Resources, 373 W. Franklin, Boise, Idaho 83702.

## NEW GRAZING REGULATIONS

Bureau of Land Management (BLM) and Forest Service representatives will be on hand at public hearings in August for discussion of new rules governing the grazing permit system. Grazing advisory boards and multiple use management planning will also be considered. Hearing schedules are available at state BLM offices. Colorado: Dale Andrus, Rm. 700, Colorado State Bank Bldg., 1600 Broadway, Denver, 80202 (303-837-4325). Idaho: William Mathews, 398 Federal Bldg., 550 W. Fort St., Boise, 83724 (208-384-1406). Montana: Edwin Zaidlic, Federal Bldg., 222 N. 32 St., P.O. Box 30157, Billings, 59107 (406-245-6462). Utah: Paul Howard, Federal Bldg., 125 S. State, P.O. Box 11505, Salt Lake City, 84147 (801-524-5311). Wyoming: Daniel Baker, Joseph C. O'Mahoney Federal Center, Cheyenne, 82001 (307-778-2326).

## Eavesdropper

environmental news from around the world



Photo by Alexis Parks

**CYCLISTS CONVINC CONGRESS.** Legislation providing \$46 million for bicycle trails throughout the nation is pending as a result of increased bicycle sales and use. Last year's congressional appropriations amounted to \$51 for each motorized vehicle and 12.5 cents for each bicycle. The move would raise bicycle allotments to 55 cents. Many unused railroad lines are being recycled into bikeways. There are now about 50,000 miles of bikeways in use nationwide.

**ORANGE IN THE OCEAN.** The U.S. Air Force has decided to incinerate, rather than reprocess, millions of gallons of Agent Orange left over from the Vietnam war. Last fall the Air Force wanted to reprocess the chemical defoliant and register it for use in the U.S. as an herbicide. The Environmental Defense Fund opposed this alternative, supporting the Air Force's requests for a permit to incinerate the Agent Orange at sea. The U.S. Environmental Protection Agency granted the request April 25. Agent Orange contains the herbicides 2,4,5-T and 2,4-D.

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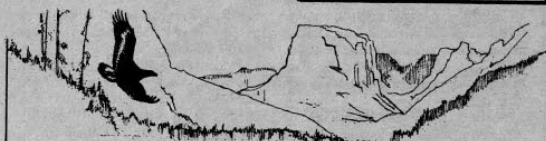
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## WYOMING OUTDOOR COUNCIL

The Wyoming Outdoor Council is looking for an additional staff person to be a community organizer. This person will further extend WOC's activities by building local citizen interest and input on resource management and conservation issues. Maintaining and improving the quality of life for Wyoming citizens through citizen action is WOC's primary function.

The first four months on the job will be centered on planning and implementing three workshops around Wyoming, focusing on river management.

Qualifications for the position include versatile writing ability, good verbal communication skills, experience in resource management issues, knowledge of and experience with the Western way of life and opinion. Position requires extensive travel in Wyoming. Salary is in addition to travel and office expenses. Job begins September 1, 1977.

Send resume with four to six references (complete with addresses and phone numbers) and writing samples to WOC, P.O. Box 1184, Cheyenne, Wyo. 82001 or call Colleen Kelly, Executive Director, WOC, at 307-635-3416. Applications must arrive by August 10. Interviews scheduled for August 18, 1977.

Like to work with people?

16-High Country News — July 29, 1977



## Architecture and Energy

by Richard G. Stein, Anchor Press-Doubleday, Garden City, New York, 1977. \$12.95, hard cover, 322 pages. Charts, photographs, and drawings.

Review by Peter Wild

Eskimo snow houses, Navajo hogans, and thatched dwellings in Africa all have one thing in common. Their designs use cheap, natural materials to provide comfortable living spaces.

Because of its success in the extreme cold near the Arctic Circle, the igloo is a striking example of traditional design genius. Two men can build the domed spiral of

snow blocks in a couple of hours. The only heating system is a small stone lamp burning melted blubber on a moss wick. This, together with the body heat of the occupants, keeps the inside at about 45 degrees, while outside the temperature may be a devastating 60 degrees below zero — a difference of over 100 degrees. The igloo, along with other structures that we associate with so-called primitive cultures, is a paragon of energy efficiency.

In contrast, heat pours out of the chimney, escapes from the roof, and leaks around doors and windows of the average American home in winter. Other modern buildings hardly fare better. The glass-sheathed facades of skyscrapers such as New York's World Trade Center admit heat in the summer and lose it in winter. Air conditioners and furnaces deep in their bowels churn away to keep up with the loss. Because planners left no provision for individual switching, "A person coming in at night to work on an 8½-by-11-inch sheet of paper either has his own portable light sys-

tem or requires a quarter of an acre of ceiling lights to be turned on." Not only are they what architect and author Richard Stein considers de-humanized crystal prisons, they are designed as if energy were as free and limitless as sunlight.

As a result, one-third of the nation's energy goes into heating, lighting, cooling, and otherwise servicing buildings — a profligacy we no longer can afford, either in terms of dwindling and expensive fuel supplies or of the pollution their galloping use creates.

We are not, at least intentionally, a nation of maniacs madly striving toward the bottom of the energy barrel. Rather, by the end of World War II, when the largest construction boom began, we had convinced ourselves that building technology had freed us of the concerns that can mean life or a freezing death to the builder of the snow house. Call it the sin of pride. Whatever its name, the country is paying the price, stuck with the huge and largely unworkable architectural legacy of the past 30 years.

Is there any hope? Yes. Mr. Stein feels that fuel shortages and pollution problems already are forcing architects to abandon the wasteful thinking that they recently embraced. Like Eskimos of the past, they are coming to terms with their environment. **Architecture And Energy** is a good indication of the change. It details what is wrong, both practically and philosophically, with conventional building plans, materials, and energy systems, but the emphasis points toward rational alternatives.

In his enthusiasm for numerical proof, Mr. Stein occasionally leads the reader into statistical labyrinths. Undoubtedly they will intrigue the mathematically minded, while they leave the rest of us somewhat bewildered. The book won't tell anyone how to construct a geodesic dome or a solar water heater, though its analysis, of near monumental proportions, should fascinate those who share the "less is more" philosophy behind the impulse to build them.

## Long Distance Paths of England and Wales

by T. G. Millar, David & Charles, Inc., North Pomfret, Vermont, 1977. \$12.00, hard cover, 160 pages. Maps and photographs.

Review by Peter Wild

Over the years HCN has brought you reviews on backpacking in the Tetons, building solar greenhouses, and the virtues of Edward Abbey's work — all material that we hope will help you enjoy and care for the West. Why introduce a book on hiking the national system of trails in England and Wales?

For several reasons. First, if a trip to Europe lies in your future, it likely will include a stop in England. Most tourists rush to Stratford-on-Avon, Buckingham Palace, and London's fine theaters, worthy

places indeed. But those who get itchy feet at the sight of a trail head and have a few extra days can bring additional rare memories back with them by hiking the English countryside — and for a fraction of what it takes to stay alive in London. We wouldn't want you to miss the opportunity.

Those who stay at home but are interested in the landscape of *Wuthering Heights* and the Roman Wall will find the book evocative reading: the path follows "parts of the Maiden Way, along the fell-sides, past the Roman station of Whitley Castle, for a distance of some nine miles leading eventually to Greenland and Hadrian's Wall, at the Nine Nicks of Thirlwall." Photographs, drawings, and-or maps on almost every page flesh out such curious place-names.

Beyond that, *Long Distance Paths* provides a basis of comparison for citizen advocates and public officials working to expand similar trail systems in this country — and that is the real pitch of this review. While we do have a number of long-distance trails, notably the Pacific Crest (2,500) and the famed Appalachian

(2,000 miles), there are not nearly enough — and nagging problems with those we have cry for long-term thinking. Additionally, during the Ford and Nixon Administrations, funding for trail maintenance and expansion became a stepchild to commercial use of public lands — at the very time of soaring public interest in the outdoors. We hikers have some catching up ahead of us, and we might as well do it right.

Granted, the United States and England have vast differences in topography and demography (though it is comforting to know that one can still get lost on the English moors). Yet there's a good deal we might consider borrowing. English trails are lightly marked paths running in a relaxed manner through villages, fields, and peat bogs — thus not robbing hikers of adventure. As to accommodations, sleeping out can be a problem, since many of the rights-of-way cross private land. What better method to get to know the natives, though, than to take advantage of the youth hostels or England's inexpensive bed-and-breakfast arrangements in private homes?

*Long Distance Paths* devotes a chapter to each of the eight routes in the system, guiding the reader along the trails, pointing out natural and cultural features. As for variety, the paths range from the rugged Pennine Way (250 miles), which provides rock climbing in the north, to the gentle Ridgeway Path (85 miles), through the pleasant green country just west of London. Several follow the tops of cliffs along England's dramatic coastline. One needn't of course hike the full length of any, since public transportation is available in villages along the way.

*Long Distance Paths* may be ordered directly from David & Charles, Inc., North Pomfret, Vt. 05053. Trail information also is available from The Countryside Commission, John Dower House, Crescent Place, Cheltenham, Gloucestershire GL50 3RA, England, and The Ramblers' Association, 1-4 Crawford Mews, London W1H1PT, England. And while you're exploring the Preseli Hills or St. Govan's ancient chapel — sights most tourists never see — don't forget to send us a postcard!

## Dear Friends,

The best news we've heard recently is that Wyoming has turned down an application for a uranium mine in the Chain-of-Lakes area. We consider the decision a breakthrough. We knew Wyoming's law required a company to prove it can reclaim land to equal or better use, but we wondered if the state would ever actually deny a permit on that basis.

To our surprise the state officials did us proud. We're watching and hoping they'll have as much gumption when the next mine application comes in for our desert areas that have so little rainfall they could never be reclaimed.

We hope you're intrigued by the possibilities of the Saskatchewan Land Bank, after reading Robin Tawney's story on page four. In the West, agriculture and the environment are very closely tied. We environmentalists have our disagreements with some farmers and ranchers on subjects such as poisons, dams, and land use planning.

But we ally with many of them when it comes to giving landowners power over strip mining, protecting agricultural land, and fighting power plants.

Now several environmental groups are realizing we must go beyond that. If we're concerned about keeping these wide open spaces with their small towns and special way of life, we're going to have to look at the whole agricultural economy.

As many farmers have pointed out, the best way to protect open land from subdivisions is to make sure the farmer can make a living. Most farmers don't want to sell their land — they feel they're forced into it.

One group, recognizing this new direction for the environmental movement, is considering hiring a full-time agricultural economist.

We should also tell you about our own good fortune — having Heather McGregor here for the summer as an intern from the University of Northern Colorado journalism department. She arrived in June with enthusiasm and lots of skills — composition, photography, and writing. She's just about taken over the darkroom work.

She also knows how to silk-screen T-shirts. So, soon, the shirts you order from HCN will be printed in Lander under Heather's direction. Off work hours, she's added to the joy of our jam

sessions with her lively fiddle playing.

Although, she's taking no pay for her weeks here, we hope she'll go home feeling like she has gained from a closer look at how a shoestring operation tries to put out a professional product.

— the editors



Heather McGregor

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