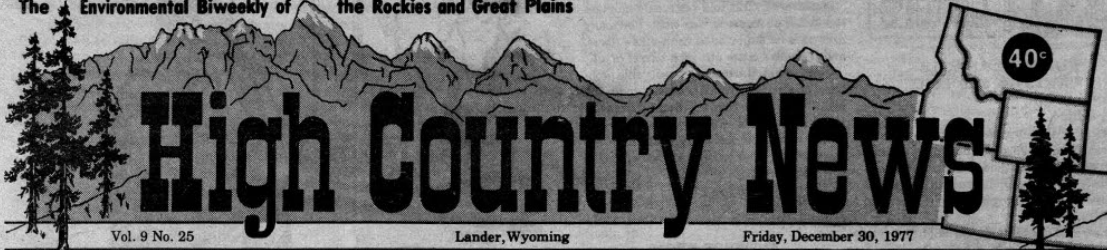


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The Environmental Biweekly of the Rockies and Great Plains



Indians wrestling for control over their minerals



FORREST GERARD, new head of the BIA, says, "We are perhaps in the most difficult era in Indian affairs that we have faced since the Indian wars."

by Marjane Ambler

Though left a hundred years ago with what were considered wastelands, Indian tribes now find that under those lands are over half of the nation's remaining energy resources, according to U.S. Senate figures. While Indian leaders may be gloating over the irony of the situation, many are also concerned. They realize this vast wealth of coal, oil, gas, and uranium can represent a threat as well as a blessing.

There have been pressures to mine the minerals and build power plants from people both within the tribe and from the outside. But there have been few assurances that the tribes will be able to control the development or get much financial return.

In recent months, however, the tables have turned. Several important decisions may reduce some states' incomes while increasing tribal incomes and influence over Indian-owned energy resources.

In November, the U.S. Solicitor General announced that states do not have the authority to levy certain taxes against Indian-owned energy resources. The immediate impact on Montana amounted to a loss of thousands of dollars in the form of oil and gas production taxes at the Fort Peck reservation and taxes on royalties for coal owned by the Crow tribe.

The decision represents an abrupt turnaround of U.S. Interior Department policy. The attorney for the Fort Peck tribes, Mar-

vin Sonosky, first suggested in 1965 that the state couldn't assess a production tax, but was turned down then and in several subsequent attempts. However, this time the solicitor said that the 1938 Indian Mineral Leasing Act does not allow states to tax certain Indian minerals.

How many millions of dollars might be lost to several states' treasuries by this ruling is now being determined in Interior Department offices in Washington, D.C. Anita Vogt, an Interior Department attorney studying the situation, says she can't even say whether severance taxes also will be affected until after a thorough examination of the situation, which is expected to take several weeks. The Bureau of Indian

Affairs (BIA), an Interior Department agency, is now surveying reservations to find out which state taxes have been levied in the past to Indian oil, gas, coal, and uranium. The analysis will include finding out which reservations are covered by the 1938 Leasing Act, which individual leases are under that act, and whether the ruling covers only certain types of taxes.

For Montana and the reservations in that state, the decision will be crucial. There, the state severance tax on coal is 30%, and two Indian reservations — the Northern Cheyenne and the Crow — lie in the middle of the state's major coal formation, the Fort Union. Bob Cochran of the

Montana Department of Revenue says the state has decided to challenge both rulings.

Since the only extensive coal mining on Western reservations is in the Southwest, Montana and other states will be most immediately interested in the decision about which oil and gas taxes will be eliminated. Oil and gas have been produced on many of the reservations in the region for decades.

CONTROL SHIFTS TO TRIBES

Most of the Indians' questions about control of energy resources were answered last summer. The Interior Department agreed

(continued on page 6)

Curmudgeon Edward Abbey

Outrageous hero of dignified crusade

© 1977 by Peter Wild

Wielding oversized golden scissors, the governors of Utah and Arizona strut to the middle of a new bridge spanning the Colorado River. After the standard flatulent speeches, they bend to cut the ceremonial ribbon. To their amazement rockets and bombs shoot into the air, the bridge leaps skyward, then collapses into the gorge below, leaving only limp tie rods dangling from the bedrock at either end. Moments later a plume of smoke, like a giant exclamation point, rises out of the chasm.

The opening scene of Edward Abbey's *The Monkey Wrench Gang* (1975) is a mere preview of the exploits of a kooky but idealistic band. At night the eco-raiders, "warped but warped in the right way," sally forth from Utah's canyons to defend the fragile land in an orgy of guerrilla warfare against what they see as the industrialized madness — the new strip mines, power plants, and highways — that are destroying it.

"I'm a humanist," its author explains elsewhere in his typically sardonic vein. "I'd rather kill a man than a snake." The statement arises from the major concerns of his writing, the appreciation of natural beauty and anger at its needless loss. These concerns have fueled 10 books and more than 20 articles.

Conservation literature of the past is full of praises to nature's beauty. Anger, when it appears, usually is designed to move readers to the gentlemanly pursuits of writing Congressmen, certainly no more than parading with signs displaying harmless slogans.

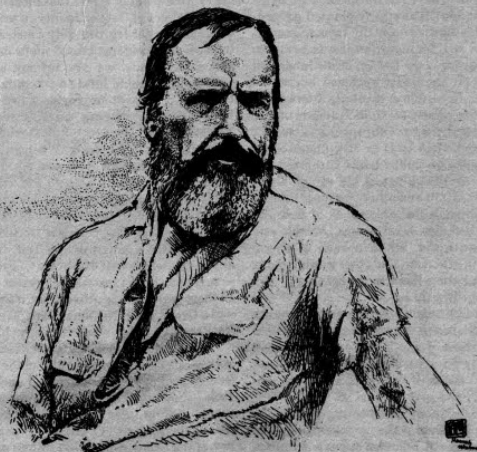
So it is that in the public mind, Abbey's

full-blown rage is what distinguishes him from others. "What's more American than violence?" asks the demolitions expert of the raiders. A veteran of the Vietnam war and Army mental institutions, he remembers napalm and defoliants broadcast over helpless peasants and rich farmlands. To him the gouging of the earth taking place in his own country simply is the warfare of a mindless military-industrial complex applied to American soil.

"I consider myself a savage, vicious, embittered, utterly irresponsible critic of our

society and for years, in my writing, I have been cultivating the art of the arrogant sneer, the venomous put-down, the elegant hatchet job. I want to be feared; I want to be hated," Abbey says, railing against developers of the Rocky Mountains. Like Enos Mills, he considers the Rockies his own territory, an extension of his personality. Abbey's cataclysmic vision is of a world gone mad with technology, racing toward catastrophe. Reflecting the frustrations of

(continued on page 4)



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FUND FOR ANIMALS WANTS GRIZZLY INFO

Dear Editor,

I read with interest both the story and the responses regarding the grizzly article. One would be inclined to believe the immediate effort to dispute and make excuses for this needless slaughter may result from a guilty conscience.

The Fund for Animals has fought hard to eliminate the grizzly hunting season in Montana and has pressured both state and federal agencies on behalf of the animal whenever and wherever possible. Why the particular concentration in Montana? Because we were aware of the killing. More importantly, it constituted an organized assault by the state and (pardon the expression) "game managers" on behalf of the hunter segment.

I accept the challenge of Mr. DeShon to become involved in the Idaho fiasco. Quite often a private group is able to accomplish what bureaucratic "red tape" will not permit. In putting forth this effort, the Fund will need the support of those individuals seeking true protection of the great bear. Please forward any and all information regarding the deaths, legal and illegal, encroachment of habitat, or other pertinent data to my attention.

It's been admitted the state and federal officials are at a loss as to appropriate action and acquisition of legal evidence to prosecute offenders. Maybe together we can accomplish something.

Lonnie L. Johnson
Field Director, Fund for Animals
7167 South 2000 East
Salt Lake City, Utah 84121

UNSOLVABLE PROBLEMS

Dear HCN,

Bill Schneider's article on the grizzly demonstrates again the unsettled question of sheep on public range. In fact, the grizzly may be the least of a host of problems: there's the coyote, lack of herders, competition from Australian wool and man-made fibers, diseases, and poisonous plants. In the past 30 years, it has taken heroic measures to save the sheep industry. Sympathetic legislators have granted government funds to poison the coyote, exemptions in the immigration law to bring in sheepherders, low fees on public lands, incentive payments for wool, and federal assistance in building sheep-tight fences.

Despite nearly two billion dollars of aid, sheep numbers have shrunk from about 40 million in 1945 to 11 or 12 million today.

To graze on public lands, sheep require almost exclusive use of the range. Until recently, 1080 and other poisons scattered for coyotes killed thousands of bobcats, bears, badgers, foxes, eagles, hawks, and other animals. When a band of sheep moves in elk, deer, and other wildlife move out, and they don't move back until the forage grows up again.

Both Schneider's article and responses from sheepmen express this exclusiveness in different ways. Whether grizzlies are killed by government agents or sheepmen matters little. If the sheep are there, apparently the grizzly must go.

But the most devastating and long-lasting problem is the damage sheep do to the land itself. Denuded slopes and gullies

throughout the West are evidence of this; and the invasion of Halogeton, a poisonous weed, in semi-desert areas is a direct response to overuse by sheep.

There are public lands, of course, where sheep range is in good condition, but these are the exceptions.

Nothing of what has been said changes the fact that we need the wool. For many uses, it is far superior to man-made fibers, and it doesn't come out of a barrel of oil.

Considering the mostly unsolvable problems of sheep on multiple-use lands, the best place to grow them is in small flocks on private meadows and pastures. Here is where sheepmen and conservation groups can work together to keep the sheep industry viable.

Noel Rosetta
Helena, Mont.

ANSWERS FROM JACKSON HOLE

Dear HCN,

To continue, briefly, your objective, dispassionate analysis of the situation in Jackson Hole, Wyo. (HCN, 12-16-77):

First, the right to develop land in Jackson Hole typically constitutes 85-95% of its fair market value and is the major asset of most landowners here. Most are not anxious to give that asset away — especially since the only remaining use of undevelopable land here (agriculture) is a loser, requiring periodic inputs of capital or loan proceeds guaranteed by rising land values.

Under these circumstances it is a bit much to expect wholesale donation of those values to the public. The Nature Conservancy (which I represent here) has, nevertheless, been given more than five million dollars worth of development rights (by people able to utilize large tax deductions) in the form of conservation easements, with more coming — indicating that philanthropy does, as you suggest, have a legitimate role here.

Second, the termination of such development rights by the public through regulation would surely involve an unconstitutional "taking" unless landowners were fairly compensated for the loss. Otherwise, the Internal Revenue Service would grant no deduction for their donation. Should such a taking occur, the tab would run into the tens or even hundreds of millions of dollars. Perhaps this is why the Teton County Commission has interpreted its authority to regulate the use of land conservatively, restricting such use only where public health and safety are legitimately at issue.

Third, it is an unfortunate fact (depending on your point of view) that most of the three per cent of Teton County in private ownership is not legitimately constrained from use by considerations of public health and safety. Thus, we are talking about enough developable land to accommodate the City of Denver or roughly two Salt Lake Cities — sharing an airshed and ecosystem with the second most visited National Park in America. When was the last time anyone saw a moose, bison, antelope, elk, or bighorn sheep — to say nothing of a decent Christmas tree or visible mountain range anywhere near Denver or Salt Lake City? The resident population (about 9,500) is now growing 10% annually, a rate which will duplicate Cheyenne — perhaps a more reasonable forecast — in 15 short years. On the other hand, if there's still a Grand Teton National Park 50 years from now, I wonder what it will be like?

Finally, almost nobody ever visits or even sees, except from afar, 99% of the vast federal holdings which surround Jackson Hole — nor are they likely to, it being rough, wild country. Meanwhile, nearly four million people (12 times the population of the entire state of Wyoming) annu-



"IN INDIAN LANGUAGE THAT MEANS 'WAR'."

ally visit the proposed Jackson Hole Scenic Area, and apparently like what they find. They are largely city people, on the one hand seeking respite from urban surroundings and finding enjoyment in the western ranch scene as much as in the mountains, but at the same time requiring the kinds of urban services eagerly provided by the resident community. The situation as it stands is nearly ideal, but is less so every year. The point of the Scenic Area legislation is to preserve this altogether fortunate coincidence of scenic splendor, abundant wildlife, picturesque ranch activity, western flavor, and visitor service for the two per cent of all Americans who show up each year expecting to find it.

Is a buck a head too much to ask?

Vince Lee
The Nature Conservancy
Wilson, Wyo.

OTHER DANGERS TO GRIZZLY

Dear HCN,

The letters which you published on the grizzly are full of bureaucratic mumbo-jumbo, taking a lot of space to say very little. We noted no grizzlies have written in, nor anyone on their behalf; only *Homo sapiens* who are looking forward to retirement and those fringe benefits.

As you have informed your readers in past issues, the grizzly is under siege by the developers of our National Forests as well as sheep eaters. The impenetrable lesson of habitat preservation as an absolute necessity is dying a hard but sure death at the hands of our bureaucratic compromisers.

Quoting from Aldo Leopold's *Sand County Almanac* under "A Taste For Country": "The recent extermination of the grizzly from most of the Western stock-raising states is a case in point. Yes, we still have grizzlies in the Yellowstone. But the species is ridden by imported parasites; the rifles wait on every refuge boundary; new dude ranches and new roads constantly shrink the remaining range; every year sees fewer grizzlies on fewer ranges in fewer states. We console ourselves with the comfortable fallacy that a single museum piece will do, ignoring the clear dictum of history that a species must be saved in many places if it is to be saved at all."

High Country News doesn't need subscribers like the ones who have written to

you, contemptuous of their own allies. Whether they work to protect grizzlies or other natural resources, their dedication is what will make the difference in the long run.

Van Shipp
Versailles, Ky.

BEAR-SHEEP CONFLICTS MONITORED

Dear Editor,

I enjoyed your recent review of grizzly bear-livestock conflict on the Targhee National Forest. As the forest biologist, I have been involved in this conflict for several years. There were several comments I felt should be added.

The first is that the Targhee National Forest has initiated a monitoring program on sheep allotments adjacent to Yellowstone Park to determine the extent of grizzly bear-sheep conflicts. This year has been our second season's work. Under this program, we check almost daily with herders to determine whether any grizzlies have been taking sheep. We feel this program has been quite successful in detecting problems. During the last two grazing seasons, we have located at least six different grizzlies which were killing sheep, and four of these were subsequently radio-collared and released on site by the Interagency Grizzly Bear Team.

A considerable range in philosophies toward the grizzly bear exists among those involved. However, the livestock owners, Interagency Grizzly Bear Team, the U.S. Fish and Wildlife Service Predator control Division, and Targhee Forest personnel have been very successful, I feel, at working together on getting these grizzlies which are killing sheep snared and radio-collared.

The whole process takes a tremendous amount of effort plus expertise, and without contributions of either time and/or skill from all parties involved, our program would certainly be a failure. Anyway, we are developing a much better understanding of this problem, and livestock owners such as Ross Davis and Bill Enget have contributed their help, even though they would rather see these bears moved out of the area rather than released on site after radio-collaring.

Sara Jane Johnson
Wildlife Biologist
Targhee National Forest
St. Anthony, Id.

Indian mineral tax ruling is fair

A recent ruling by U.S. Solicitor General Leo M. Krulitz seems fair, despite what some Montana editorial writers have said. Krulitz said Montana production taxes could no longer be imposed upon oil and gas on the Fort Peck — or any other — Indian Reservation. A U.S. associate solicitor said the ruling also affected certain state taxes on coal owned by the Crow tribe.

It won't be clear which states and which taxes will be affected until after the Interior Department studies the situation more carefully.

We hope that when the department rules, its decisions will be based upon existing laws and not influenced by pressure from the states that are now alarmed at the potential loss of revenues.

Both of the reservations affected immediately by Krulitz's decision are in Montana. In the case of the Crow Reservation, Montana had taxed the royalty interest of the Crow Tribe itself, under a tax law that has since been removed from the books.

Now Montana is challenging the solicitor's ruling, fearing that it might also affect the state's severance tax. Yet Montana has consistently refused to share severance tax proceeds with Indian tribes even though some of the taxes are collected on Indian-owned resources. The former Montana attorney general, Robert Wopdahl, justified this by ruling that tribal

governments do not qualify as "local governments."

It has often been said that the need for energy transcends artificial boundaries. It's also true that impacts from energy development are felt on both sides of the boundaries around reservations and around states.

The state of Montana apparently sees no boundaries when the money is flowing out of the reservations. When it would flow in to deal with impacts, however, the state suddenly is very aware of these boundaries.

As long as severance taxes are imposed on Indian resources — in any state — the tribes are limited in their ability to tax or impose royalties of their own. Without this income, they can't deal effectively with environmental, social, or cultural impact on their reservations.

But we realize that even if the Interior Department decides that no state severance taxes can be applied to minerals owned by Indians, many transboundary impact problems will have to be worked out, just as international or interstate impact prob-

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lems will sooner or later have to be worked out by the governments involved.

Some people may fear that the potential of increased revenues to the tribes will only encourage full-scale development on the reservations. We think most tribes are likely to carefully scrutinize the possible effects of different levels of development on their land. They know better than anyone that the lives of their children are inextricably tied to the future viability of their limited land base.

This is not a situation where anyone needs to argue for sympathy for the "poor, persecuted Indians." The fact is that the minerals are the Indians' and so should be the revenues from them.

—MJA



Guest Editorial

American mania for self-sufficiency

by Stewart Brand
editor, COEVOLUTION QUARTERLY

Self-sufficiency is an idea that has done more harm than good. On close conceptual examination it is flawed at the root. More importantly, it works badly in practice.

Anyone who has actually tried to live in total self-sufficiency — there must be now several thousands in the recent wave that we (culpa!) helped inspire — knows the mind-numbing labor and loneliness and frustration and real marginless hazard that goes with the attempt. It is a kind of hysteria.

The trouble is that self-sufficiency looks good and tastes good and gets swallowed whole — clear down into one's premise structure, where it becomes a design guideline. When a problem comes up, we check the various solution alternatives against the criterion of whether this solution will help make us more self-sufficient. And each time we make a mistake.

Because, self-sufficiency is not to be had on any terms, ever. It is a charming, woody, extension of the fatal American mania for privacy. "I don't need you. I don't need anybody. I am self-sufficient."

It is a damned lie. There is no dissectable self. Ever since there were two organisms life has been a matter of co-evolution, life growing ever more richly on life. Any "self" is strictly a term of convenience for one's mildly discontinuous local set of body and

mood considerations. Any "privacy" is a temporary incremental respite from the big dance.

I cherish privacy, even live alone, so it's a bit of a jump to realize how unbasic it is. For me it takes considerable privacy to make jumps like that, and considerable bumping around with other dancers to make the jumps. Neither one alone works.

Now our poor rich nation wants energy self-sufficiency — a deadly stupid chimera. We nations all are in total dependency on systems which have no respect for national boundaries — atmosphere, oceans, ocean life, biotic provinces (which are not real provinces), and our daily sun, without which there is nothing. Cultural flow, language, economic flow — this stuff slows up at national boundaries and probably should, but it never stops. To refute George Washington, "Life IS entangling alliances."

So, where does this come out for one's premise structure, design guidelines, and such? It would seem that the more fundamental statement is one of dependency. We can ask what kinds of dependency we prefer, but that's our only choice.

For example, is it preferable to be dependent on institutions we don't know, and which don't know us, or on people, other organisms, and natural forces that we do know? Local dependency.

I'm betting that abandonment of illusions of self-sufficiency will free us up to

accept and enjoy local dependency, by preference.

And since our world is increasingly cultural, and proportionally ever less physical, the meaning of local is not geographic, at least not only.

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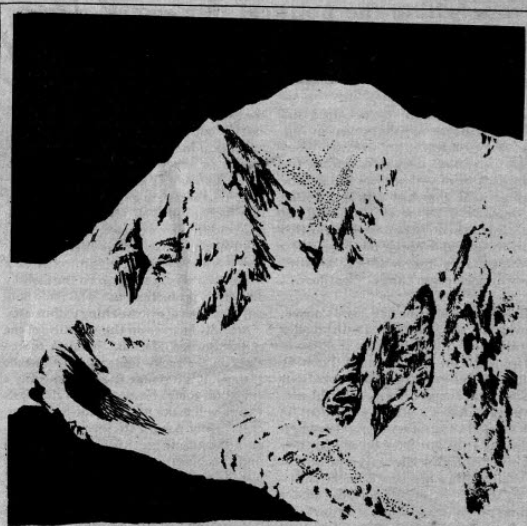
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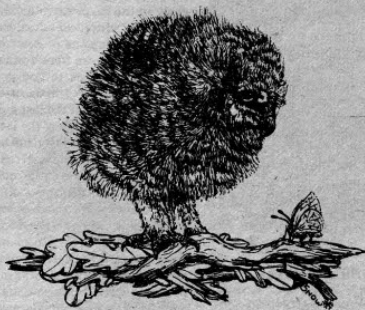
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The High Country News staff thanks everyone for your help over the past year. Volunteers, con-

tributors to the research fund, writers, photographers... thank you one and all. Best wishes for the holiday season, and good fortune in the coming year.



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Curmudgeon Ed Abbey. . .

(continued from page 1)

other movements over the recent past, Abbey urges anarchy as the only effective response: the dynamiting of dams, the surreptitious pouring of Karo syrup into the vitals of bulldozers.

The view would have appalled gentle John Muir, who, in a different time, had faith in rational solutions. And in the minds of the apostles of growth, it discredits Abbey as another "irresponsible, subversive wilderness nut." Conservationists, with their favorable public image and tradition of applying steady pressure from within the political framework, might chuckle at Abbey's antics as naughty wish fulfillment. In public, however, almost all of them have stood clear of Abbey's frenetic brand of anarchism, letting him take the brunt of counterattacks. That is fine with Ed Abbey, who proclaims that his most admired animal is the crocodile, that he will return in a future life as a soaring vulture — that, anyhow, he is too ignorant and lazy to be a conservationist.

To what extent is this sulfurous writer a poseur? He has chosen to earn a living from his pen, no easy task in 20th century America. As with Mary Austin, and to a lesser degree Muir, a certain manufactured public image — in his case of a snide,

ideal which much of America has yearned to find there. The fact that the industrialized outside world is making war on his refuge has pushed him to the forefront of defending what he loves — not for society's sake — but for his own.

Whatever calculated froth might accompany them, both his anger and painful sensitivity to beauty are genuine. He is the daring romantic hero, a figure with appeal to a good part of the public. Chafing from the strictures of industrialization and overpopulation, the public not only recognizes the practical necessity of conservation, it also longs for a taste — even a vicarious taste — of its fast fading wilderness heritage. As a result, his books have encouraged legions of movers and shakers who somewhat more passively share his concerns.

In the words of *Publishers Weekly*, Abbey has become "one of the most outspoken and eloquent exponents of an environmental viewpoint." And his occasional mocking of environmental groups to the contrary, he has set an example, giving generously of his time and often lean finances to support the cause that lies at the heart of his writing — the preservation of wild America.

One of his pithy self-observations explains, "I put the best part of me in my books. I keep the scummy side secret." That might further a writer's romantic image with his audience, but it is not entirely true of Edward Abbey. In fact, with some variation, the author's life is the subject of his books. In the best romantic tradition, Abbey the writer and Abbey the man are much the same person. Craggy-faced, lean, cagey in private conversation, he is the image of the desert rat with a shady past projected by



Edward Abbey

Photo by Douglas Peacock

as "a logger, sawyer, and woodsman," made his home in the lesser, though richly wooded, mountains of the northern Appalachians.

With his two brothers, young Abbey helped with the standard farm chores. But the boys enjoyed plenty of freedom:

"Vines of wild grape trailed from the limbs of ancient druidical oaks — dark glims of mystery and shamanism. My brothers and I, simple-minded farmboys, knew nothing of such mythologies, but we were aware, all the same, of the magic residing among and within those trees. We knew that the Indians had once been here, Seneca and Shawnee, following the same deer paths. . . . We knew all about moccasins and feathers, arrows and bows, the thrill of sneaking naked through the underbrush, taking care to tread on not a single dry twig. Our lore came from boys' books, but it was the forest that made it real," Abbey says.

The sense of beauty and mystery was also the beginning of pain. In the accelerated development after World War II, Abbey would witness the assault on a natural world that once had lent wonder, meaning, and security to his life.

For the meantime the farmboy was af-

flicted with wanderlust. At the age of 17, baby-faced and naive, he set out in 1944 on a hitchhiking tour to see the West — a land important to much of America's youthful dreams — before the Army could thrust him into the holocaust then going on in Europe and the Pacific. For him, as for so many other Americans over the generations, that journeying West marked a coming of age, a self-discovery.

The Journey Home (1977) tells of his first glimpse of the distant Rockies, "An impossible beauty, like a boy's first sight of an undressed girl." He also tells of his involvement in a robbery that has a light-hearted Huck Finn ring to it and of his horror at first seeing humans turned into robots on a production line.

For all that, what most impressed him and changed his life was his view, from the door of a swaying boxcar, of the Southwest's mountains and deserts. Much would intervene in a long scrambled period of settling down before he returned there permanently to make what he refers to in his half serious, half self-chiding way as "Abbey's last stand."

In 1945 the Army sent him to Italy, from which the infantryman returned two years later, still a private, a rebel against authority in general and organized activities in particular. The pain of it was that Abbey also was drawn to success in the more traditional ways — a tension that adds complexity to his life and writing. Otherwise, he might have ended up as just another disgruntled desert rat.

Using the University of New Mexico as a home base, he took 10 years of study interspersed with ramblings to earn an undergraduate degree and then a M.A. in philosophy. The duality is reflected by the fact that the budding extremist suffered through the discipline of writing a master's thesis entitled *Anarchism and the Morality of Violence*.

He also exercised his rebellious glee while editing *The Thunderbird*, a student literary publication. In a monograph entitled *Edward Abbey*, Garth McCann reports that, "His editorship exploded suddenly in the furor surrounding the March 1951 issue which contained his own story, 'Some Implications of Anarchy,' and the following epigram from Voltaire, which he ironically ascribed to Louisa May Alcott and which appeared on the cover: 'Man will never be free until the last king is strangled with the entrails of the last priest.' By the time the local religious and civil authorities had finished roasting that *Thunderbird*, most of the copies had been seized and the magazine staff and supporters were temporarily in serious trouble."

Yet the former editor not only survived, he did it with a certain élan. Abbey the Searcher, torn between wholesale freedom and the strictures of academe, scurried back and forth between desert Albuquerque and the world outside, enjoying a Ful-

Conservationists, with their favorable public image and tradition of applying steady pressure from within the political framework, might chuckle at Abbey's antics as naughty wish fulfillment.

often flippant Ezekiel — has helped sell books and fill lecture halls to overflow. With other contemporary writers, Abbey enjoys the put-on, delights in pulling the public's leg, revels in the shock value of the pyromaniacal anarchist darting through the shadows of his novels. Frequently it isn't clear where Abbey the disgruntled idealist ends and Abbey the leg-pulling mischief-maker begins. It may be that Abbey himself doesn't know — and doesn't care.

His politics add to the confusion. Conservation generally is associated with broader liberal causes, as is reflected in the lives of Gifford Pinchot, Austin, and William O. Douglas. Often exploitation of nature finds its strongest support among political conservatives. Abbey's stance has a foot in each camp. His advocacy of private ownership of firearms as defense against tyranny and his wish for the least government possible might draw applause from the political right — if it weren't for his equally vehement condemnation of industrial growth and of the corporate America that promotes it.

Yet Abbey doesn't care about consistent political views. All he wants is the old American dream, to be left alone in the wilderness, which he associates with wildness, freedom, fulfillment. To him it is the one spiritual underpinning that can define his life, bring peace and consistency in a chaotic, self-destructive world. From boyhood his has been a wildly fluctuating search for the romantic ideal reflected in his books, an ideal he has found corroding in the West's deserts and mountains, an

the heroes of his novels. Whether or not he carries out the militant tactics recommended in his books, an edgy power surrounds Ed Abbey the man, potential violence set on hair trigger.

He tells admirers gauche enough to ask that he lives in Wolf Hole, Ariz., a place that, mostly, doesn't exist. That false trail is a calculated part of his literary mystique. It is also a form of self-protection for a writer who must put bread on the table by dint of his production, but who finds himself the target of overweening enthusiasts. Actually he lives on the outskirts of one of the isolated Mormon hamlets tucked away in the rocky folds of the Colorado Plateau. It is a refuge that he gained by a circuitous route. No doubt literature professors will make much of the writer's archetypically American sense of rootlessness, his Adamic agonies and ecstasies in finding a home — and with a good deal of justification. But this will only cause chagrin for Edward Abbey, a detractor of long-faced academe.

Though Travernian mists float over some of his past, its general outlines are not obscure. He was born in 1927 on a farm near Home, Penn. — and Abbey has not let the irony in the place-name pass: "I found myself a displaced person shortly after birth and have been looking half my life for a place to take my stand." Like many an Abbey statement, it consists of truth mixed with exaggeration. His childhood, though materially poor, had an idyllic quality of the pristine to it. Abbey's grandfather was from a village in Switzerland, and Edward's father, continuing the rural trad-



Photo by Jack McLellan

THE CANYONS and peaks of the Southwest have inspired "Abbey's Last Stand." Shown above, the Kaiparowits plateau with the Abajo Mountains in the background.

(continued on page 5)

(continued from page 4)

bright scholarship to Scotland at the University of Edinburgh, showing up in Wallace Stegner's creative writing class at Stanford, spending a mere two weeks at Yale working on his Ph.D.

In the meantime, Dodd, Mead published his first book, *Jonathan Troy* (1954), a novel "about an intense and frustrated romanticist who lives in a Pennsylvania mining town," which the reviewer for the *New York Times* went on to summarize as "a symphony of disgust." The young writer had begun his career where, according to Goethe, romanticism ends: in morbidity.

Fortunately, Abbey had the strength and vision not to stop in the sinkhole of self-pity. The second novel, *The Brave Cowboy* (1956), juxtaposes a Lone Ranger style cowboy and the modern West. With its irony, adventure, wish fulfillment, its love of poking fun despite the sense of loss, its independent hero set against an overwhelming technology, the book established

To what extent is this sulfurous writer a poseur?

the themes for later novels, *Fire on the Mountain* (1962) and *Black Sun* (1971), as well as for the other writings that came as Abbey mused more deeply on his adopted home territory.

Yet as was true of the milder David Brower at a similar stage of his life, Abbey had not yet sunk his roots, had not yet ended his period of Sturm und Drang. Several times he returned to work in the industrialized East, each time he left in frustration for the less crowded West. In 1964 he moved to Hoboken, N.J. For a short while he produced training manuals for General Electric but was fired "for spending too much time staring out the window."

He next took a job as a welfare worker in Brooklyn. Despite his love of the outdoors, Abbey was flexible in "Glitter Gulch, U.S.A." To a certain degree he could celebrate, as Walt Whitman did, the smell of the grease paint, "The blab of the pave."

Still, the West tugged at his imagination. After two years of Hoboken, he finally had enough of the rats that "raced in ferocious packs, like wolves," enough of his "happy little journey through hell." He escaped to a job as a ranger at Organ Pipe Cactus National Monument, on the Arizona-Mexican border, where he could contemplate the lonely desert sweeps.

As he approached the age of 40, Edward Abbey was slowly circling in toward Wolf Hole to take his stand as an advocate of wilderness. All the while he was writing books and articles that show his increasing identification with the land and his commitment to protect it. He also scrambled to support himself and a succession of four wives. *The Brave Cowboy* was made into

a movie, *Lonely Are the Brave*, starring Kirk Douglas. That brought a little money, \$7,500, and if his other volumes made neither him nor his publishers wealthy, living was cheap in Wolf Hole.

Winters he climbed peaks, roamed the deserts, and wrote; summers provided more stable incomes. He spent them in various places, working as a fire lookout and ranger at the North Rim of the Grand Canyon, at Glacier National Park in Montana, and in Utah's Arches National Monument.

Out of three summers at Arches came *Desert Solitaire: A Season in the Wilderness* (1968). It brought him his first substantial fame. Like many other works of the genre — Thoreau's *Walden*, Aldo Leopold's *A Sand County Almanac*, or Henry Beston's *The Outermost House* — it is a loosely-structured, reflective account of "days lingering and long, spacious and free as the summers of childhood," spent alone in the wilderness.

What sets it off from other finely-drawn eulogies to nature, making the book a classic among backpackers and the larger number of armchair backpackers, is Abbey's outrage at the nation's assault on this and other last refuges of solitude and undeveloped landscapes. With the grim humor of the guerrilla who realizes his may well be a lost cause, Abbey shifts from sublime passages to stinging comments on the tourists, whose first interest is the location of the Coke machines, who dash madly through the country's national parks in "motorized wheelchairs."

These, along with the highway builders and chambers of commerce, the motel chains and Congressmen and small-town mayors who are urging that the last patches of the wild West be turned into plasticized Disneyland, are participants in the nation's mass madness: "There are some who frankly and boldly advocate the eradication of the last remnants of wilderness and the complete subjugation of nature to the requirements of — not man — but industry. This is a courageous view, admirable in its simplicity and power, and with the weight of all modern history behind it. It is also quite insane."

In one scene the ranger's musings over browsing deer are interrupted by a jeepload of beefy engineers. Their leader glows with the prospect of building a high-speed road through the undeveloped park that will bring 20, perhaps 30, times the visitors, who, overweight in their overweight cars, will gawk at the sculptured curiosities of Arches. "I knew that I was dealing with a madman," comments ranger Abbey. After they go grinding off over the landscape in their government

vehicle, he spends the night in a futile but foreshadowing gesture of pulling up the survey stakes for their highway.

Desert Solitaire came at the right time. Four years earlier Congress had passed the Wilderness Act. Enthusiasm for environmental reforms, kept alive over the previous three or four decades by a fairly small group of advocates, was again taking hold in the public imagination. People were swelling the membership rolls of environmental groups, flocking into backpacking outlets for topographic maps, for the Vasque boots and Woolrich hiking shorts that were becoming accepted casual wear, especially among the restless young. As urbanites sought escape and tried their legs in deserts and mountains, they saw exactly what Abbey was talking about. The tinsel of industrialized America was spreading over their last refuges. Despite their efforts, the dismantling of nature was going on at a far faster pace than its preservation. His concerns — based on the quieter warnings of a long line of noted conservationists — culminated in an anger that sparked and magnified their own.

"Mr. Abbey is a good hater," chortled the urbane but conservation-minded *New Yorker*.

But Ed Abbey is not the conservationists' leader. He has left that to the administrative geniuses, the David Browers of the movement. The largely voiceless rank and file sits through wilderness hearings and supports legislation in the face of frequent defeats by the politically powerful exploiters. Meanwhile, this flamboyant Pancho

Dec. 30, 1977 — High Country News-5



Conservation pioneer series

heads, who makes them and their goals seem staid and reasonable by comparison.

After the success of *Desert Solitaire*, Abbey's writing fortunes improved. *Harper's*, *Playboy*, *Life* — even *The Reader's Digest* — wanted his articles for a public eager to follow environmental affairs, eager for vicarious thrills via the wilderness curmudgeon. He was in demand to write the oversized, full-color nature books gracing the coffee tables of middle America. In 1973 Time-Life Books published *Cactus Country* and E. P. Dutton *Appalachian Wilderness*, each graced with lavish photographs.

Two years earlier the Sierra Club had sponsored *Slickrock: The Canyon Country of Southeast Utah*. The volume was designed to win public sympathy for pre-

Abbey has given buoyancy and raciness to a volunteer movement always in danger of slipping into gloom.

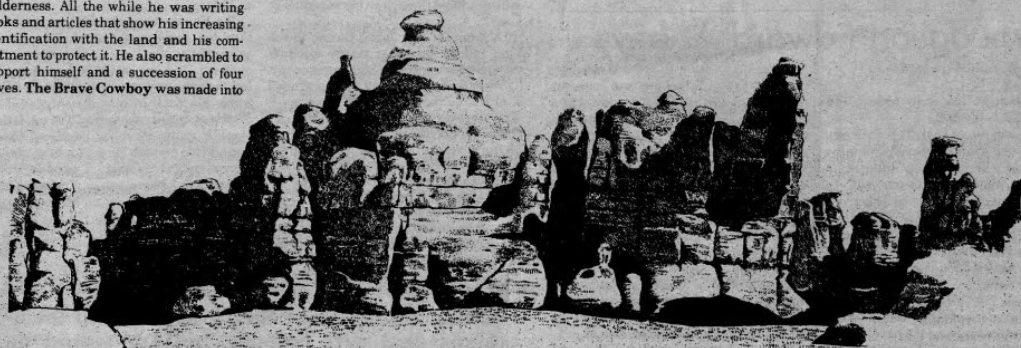
Villa storming out of the badlands for verbal blasts at the megamachine has become their hero, a hero whose panache, because at times it is zany and laughable, though in essence serious, has given them heart in what they see as a grim life-and-death struggle over the earth's future.

He has given buoyancy and popular raciness to a volunteer movement always in danger of slipping into gloom, and he has inspired other public figures to mount their own campaigns to save wilderness, though using somewhat more restrained methods than Abbey seems to suggest. And if conservation organizations remain solidly nonviolent, they are grateful to Abbey, whose diatribes draw the fire that opponents of conservation once heaped on their

servicing Abbey's desert stamping grounds. The feisty, aggressive style of *Slickrock* helped defeat several industrial invasions, such as the Kaiparowits power plant, though the energy industry continues to eye environmentally careless Utah as a prime site for polluting power plants.

Within the sales and propaganda success of *Slickrock* lay an irony that the *New York Times* was quick to point out. David Brower had been forced to resign as the club's leader because of his militancy. Now the organization was sponsoring "a two-fisted polemic against 'industrial tourism.'" The book, more warlike than any Brower had edited, was a sign of how

(continued on page 6)



The Interior Department chose an Indian company, the Council on Energy Resource Tribes, to conduct the study Congress requested in the strip mining bill.

Indian minerals. . .

(continued from page 1)

to allow the Cheyenne River Sioux tribe to draw up its own regulations governing resource development on its reservation in South Dakota. It is the first tribe to ever take over this authority, but indications from Congress and the BIA are that it's only the beginning.

Dick Wilson, head of mines and minerals for the BIA in Washington, D.C., says BIA agreed to allow the tribe this authority because of "residual tribal authority." This means that since Congress has never explicitly removed this power from the tribes, then the tribes still have it.

In the federal strip mining bill passed last August, Congress didn't address the question of tribal sovereignty directly. It decided instead that a study should be conducted to determine what is needed — financially and technically — for tribes to have the same power as that given to state governments in the bill. A state that has regulations at least as stringent as the federal government's can regulate strip mining within its boundaries.

Significantly, the Office of Surface Mining chose an Indian company, the Council on Energy Resource Tribes (CERT), to conduct the study. CERT is an organization of 24 Western energy-rich tribes with an office in Washington, D.C., and a Western office planned soon (see HCN, 7-29-77). In November, CERT hired Ed Gabriel, a former Department of Energy staff member, to be its executive director.

Gabriel says the contract for the study hasn't been signed yet, but the organization expects to get the \$700,000 that Congress set aside for the study.

While the study only covers coal strip mining, Wilson says tribes can also take over regulation of oil and gas, as the Cheyenne River Sioux have done. Until a tribe has its own regulations approved, development is controlled by BIA. BIA regulations now being drafted for oil and gas offer tribes alternatives to leases, such as joint ventures or partnerships, which are difficult to arrange under present regulations.

The Interior Department retains the authority to approve contracts, however. The move toward tribes drawing up their

own regulations over mining and drilling will be less controversial than the tax changes announced by the Solicitor General since it will affect only the tribes, the BIA, and the companies. For the tribes, however, it's an extremely important step, according to tribal representatives.

EVIDENCE OF TREND

These decisions in the past few months seem to be part of a trend that got off to a slow start with Congress's enactment of the Indian Self-Determination Act and Education Act. Since, the courts, the Administration, and Congress have gradually begun recognizing Indians' authority over their own lives and land.

The Self-Determination Act, according to newly appointed Assistant Interior Secretary and head of the BIA Forrest Gerard, officially recognized the right of Indian tribes to assume the control and management of programs previously dominated by the BIA. Gerard's appointment and the method used to select him seem to be evidence of this new trend. When Interior Secretary Cecil Andrus took office, he consulted with 250 Indian leaders from across the country before nominating Gerard to head the BIA. Although another man got more letters of endorsement, Gerard, a member of the Blackfeet tribe from Montana, had broad support from the Indian community. The position was elevated to that of an assistant secretary, giving Gerard the opportunity to take part in policy level decisions, even in non-Indian bureaus within the department.

During confirmation hearings, Sen. James Abourezk (D-S.D.) told Gerard he hoped his appointment would bring "drastic change" to the BIA. He demanded assurances from Gerard that he would support cancellation or renegotiation of tribal mineral contracts arranged by BIA if they contained unfair royalty provisions.

Another example of recent Congressional recognition of tribal sovereignty is the Clean Air Act. A Senate staff member calls the act "one of the more pro-Indian acts ever passed" because it gives tribes the same power as states to redesignate their land as Class I or Class III, according to



SULFUR DIOXIDE emissions from the Four Corners plant would be taxed if a proposal by the Navajo tribe wins approval from Interior Secretary Cecil Andrus.

whether they want to keep nearly pristine air or allow for some development. This power could have a significant effect on development plans on or near the reservations.

FREES TRIBES TO TAX

Just what this trend will mean for Indian resource development isn't clear. But a closer look at the tax decision and the shift toward Indian environmental regulation shows the two are intertwined. To a large degree, the two changes will determine whether Indian resources will be developed in the future, and how the impact will be controlled.

"For those who want to develop, the crux is taxation," Andy Ebona, director of the United Indian Planners Association, said at a recent conference on Indian energy development. Several other Indian and BIA speakers at the conference in Billings, Mont., agreed, pointing out several reasons why state taxation of Indian resources is so crucial.

To date, there have been few jobs created for Indians when energy development occurs on or near reservations. Thus the main advantage of developing minerals instead of leaving them in the ground is revenue produced through either royalties or taxes.

BIA Area Director James Canan in Billings, Mont., says that tribes must be cautious about imposing high taxes or royalty rates for fear of pricing their coal or oil out of the market.

To date, the Crow tribe has been the only tribe to levy a coal severance tax in addition to royalties. The tax has been approved by the Interior Department for the coal under the reservation, which has not been developed. It cannot be levied on the Crow-owned coal just off of the reservation under the ceded strip, which is being developed. Prior to the tax ruling by the solicitor, if coal had been mined on the reser-

vation, it probably would have been subject to a 30% state tax as well as the 20% Crow tax, for a total tax of 50%.

The tribe took the risk of making its coal discouragingly expensive, however, because it wanted more than just the return from royalties, according to Ellis Knows Gun, vice secretary of the tribe. He says that the state is now making almost four times as much as the tribe from Crow-owned coal being mined on the ceded strip.

The Navajo tribe in the Southwest faces a similar problem. In 1976, the states collected \$18.5 million in taxes while the tribe received only \$12.8 million in royalties from Navajo resources. Instead of a severance tax, the tribe is taking a different tack.

Utah International is paying royalties to the tribe that are the equivalent of two percent of the value of the coal. Federal coal royalties are now 12.5%. Consequently, the tribe will consider two new taxes — a business activity tax and a possessory interest tax — at its January, 1978, general council meeting. These would apply to existing leases, according to Robert Mele of the Navajo Tax Commission. However, these taxes, if approved by the council, might not survive legal challenges. Most of the companies included clauses in their lease agreements preventing new taxes, according to Mele.

The Navajo tribe has high hopes for a third tax, a pollution tax, which has been submitted to the Interior Department for approval. The tax would immediately affect the companies operating two coal-fired power plants that now discharge sulfur dioxide onto the reservation. The tax is designed to minimize sulfur dioxide pollution and provide enough money to eliminate its environmental damage, if possible, or if not, to compensate for it. Mele says the Interior Secretary has "no legal reasons" not to approve the tax.

The recent solicitor's ruling, however, (see next page)

Curmudgeon Edward Abbey. . .

(continued from page 5)

far the movement, helped by Abbey, had shifted in just two years.

Abbey's most recent book, *The Journey Home*, collects a series of essays ranging geographically from a lookout tower in Montana to the Hoboken waterfront. In places it boils with the expected Abbey ire. But the author also is at ease playing his flute to the evening or talking quietly to a grove of aspens — literary risks that could easily slide into bathos if attempted by a less skilled hand.

Along with the Indians who once inhabited the region around Wolf Hole, Edward Abbey considers his home the navel of creation. Brooding on the changing world from his last stand, he shows the flexibility and talent to expand and deepen his vision, continuing to delight and surprise his

Garth McCann sums up the Westerner's contributions to literature and conservation: "On the whole, Abbey's writings have brought the West spiritually into the present — away from the pseudo-cowboyism and ill-considered individualism that pervade popular notions, and into the problems, the personalities, and the forces that constitute the limits, the threats, and the options for our time. The issue is no longer whether the good guys will beat bad guys, whether the settlers will prevail against the ranchers, or whether the sheriff will catch the crook. Today we must ask whether the people generally and individually can adjust their culture to their needs and to those of their environment. . . Will we damn our entire existence in order to create a temporary pleasure-dome, or will we be able to make the most of the contradictory values and conditions within

**"Unless they have the ability to help themselves deal with impact, Indians would be foolish to bring this (energy development) on."
—Eric Metcalf**

presents the most far-reaching opportunity for tribes to tax new resource development and possibly some existing development.

If the Interior Department rules that state taxes must be removed and if the ruling withstands legal challenges, tribes will be able to increase their own revenues and will clearly have increased financial incentives to develop minerals. Several tribal representatives say the increased revenues offer potential for higher quality development, too.

For example, the increased revenues could be used to alleviate impact problems caused by development both on and near the reservations, according to Eric Metcalf of the Northern Cheyenne Research Project. He says that Montana has one of the best impact alleviation programs in the country. Yet none of this state and federal money — even revenue from Indian-owned resources — is used on Indian reservations. The Old West Regional Commission, a joint state-federal group, has given a few grants to tribes for impact-related projects, but there has never been enough money to cope with the impact of mining, he says.

Not only do the tribes face the traditional impact problem areas: environmental degradation, law enforcement, social services, medical facilities, and schools. They also have to deal with the potential for cultural upheaval if many new non-Indian workers come to the area.

"Unless they have the ability to help



JAMES CANAN, says tribes must be cautious about imposing high taxes or royalty rates for fear of pricing their coal or oil out of the market.

themselves deal with impact, Indians would be foolish to bring this (energy development) on," Metcalf says.

As another example, Knows Gun says the tribes could use tax money for implementing land use codes, monitoring development activities, and research on how best to protect the existing resources. Of all the tribes in the West with energy resources, only about six of them, including the Crow, have energy offices. Most of the rest have only economic development and planning offices, which often means they have to rely more heavily upon the BIA to protect their resources. This dependence disturbs many tribes that feel the agency has been derelict in its trust responsibilities.

Knows Gun says the Crow tribe now has the expertise in its research office to develop "the best reclamation code in the



ELLIS KNOWS GUN says it's reassuring to know there will be a federal minimum standard for environmental controls.

whole world." In fact, he has worked with staff members from the Northern Plains Resource Council, a rancher-conservationist group in Montana, on preliminary drafts for such a code. All the tribe needs, he says, is time and backing from the Interior Department.

WANT BETTER PROTECTION

Congress offered such backing for coal regulations in the federal strip mining bill. The law appears to recognize the tribes' sovereignty, but stipulates that any codes must be at least as strong as the federal codes.

This stipulation doesn't seem to worry the tribes, according to Ellen Brown of the U.S. Department of Energy, who has worked closely with CERT tribes. "If anything, I hear from the tribes that federal standards aren't stringent enough," she says.

Speaking as an official of the Crow tribe, Knows Gun says it's reassuring to know that there will be a minimum standard to fall back on. "We have to make sure those companies don't have loopholes to get through."

Knows Gun says he's not sure how other tribes feel about the stipulation. However, judging from the legal actions that precipitated the changes in federal policies, many tribes are upset with the way BIA has been protecting their environment so far.

For example, on the Cheyenne River Sioux Reservation Tribal Chairman Wayne Ducheneaux, sued to stop an oil lease sale on the reservation, partly because some tribal members were so upset with the way oil development had been regulated in the past by the BIA.

Several tribal members had complained that a stream near an existing well tasted like oil. "It was an environmental mess out there," Ducheneaux says. The local BIA office in Eagle Butte, S.D., denies there was water pollution, however, citing data from U.S. Geological Survey tests taken after the complaints.

The oil lease was put up for lease again Dec. 14, two years after the original sale date, but this time a combination of the tribe's and the BIA's regulations will be used to protect the environment. According to Wilson of the BIA in Washington, D.C., "Eventually, the entire regulatory

framework will be theirs (the tribe's)."

This growing trend toward tribal sovereignty has its costs, however. A backlash is growing, especially among non-Indian people who live near reservations or on private land within their boundaries. Gerard said during his confirmation hearings, "We are perhaps in the most difficult era in Indian affairs that we have faced since the Indian wars. I am alluding to the fact that many of our legal victories, ranging from fishing rights to the land claims, have created new kinds of pressures."

Two U.S. representatives from the state of Washington, John Cunningham and Lloyd Meeds, are introducing legislation that they claim would take tribal sovereignty to its logical extreme. They propose abrogating all Indian treaties and eliminating reservations, dividing the tribal lands and funds among the adult tribal members unless they want to form a tribal corporation. Any special hunting and fishing rights would also be abrogated.

The bill's sponsors call it the "Native Americans Equal Opportunity Act." One of the organizations backing the bill, the Interstate Congress for Equal Rights and Responsibilities, has members in several states and an office in Washington, D.C.

Knows Gun of the Crow tribe sees a direct connection between the bill and the growing strength of the tribes. "It makes me sad," he says, referring to the backlash. "Indians are fighting to protect what we have left," he says, pointing out that the Crow Reservation has been diminished from 51 million to 2 million acres.

"If Indian tribes control their own destinies, that's a demonstration that there's a real democracy," he says. "Otherwise, it's people being victimized for their resources."

Research for this article was paid for in part by funds from the High Country News Research Fund.

Dec. 30, 1977 — High Country News-7

Supreme Court to settle water dispute

The U.S. Supreme Court has agreed to enter a dispute over water between arid Western states and the federal government.

The states lost their battle before the 9th U.S. Circuit Court of Appeals in California. They argued that states should be able to impose water-use conditions on federal reclamation projects. The court ruled that, while the federal government must go through state channels in appropriating the water, states must grant appropriation permits without any conditions if public water is available.

California Attorney General Evelle Younger argued, to the contrary, that since the water in federal projects is ultimately linked to the growth and development of arid states, "It is critically important to these states that they participate" in determinations of how the water is used.



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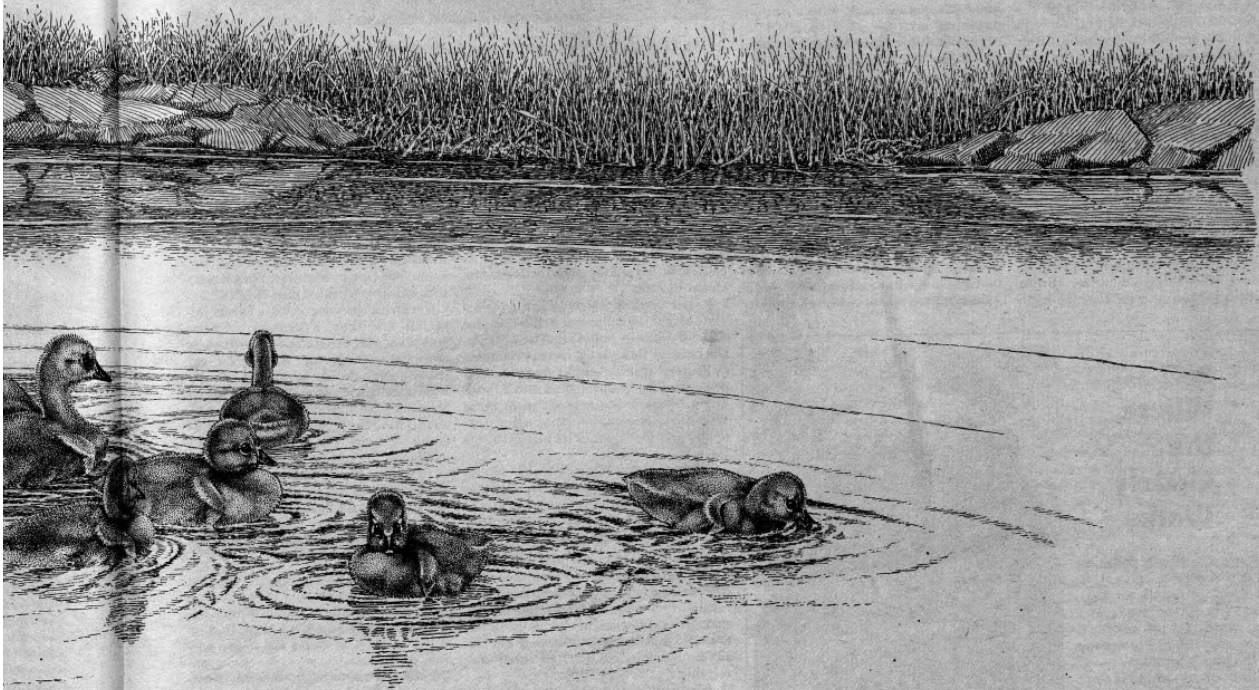
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Sen. Abourezk demanded to know if the new head of BIA would support cancellation or renegotiation of tribal mineral contracts if they contained unfair royalty provisions.





Lenny 11-1977

Andrus nixes S. Utah plant site

The U.S. Interior Department has told the Intermountain Power Project (IPP) that it will not be allowed to build its proposed 3,000 megawatt electrical generating plant in southern Utah near Capitol Reef National Park. In letters to IPP and Utah Gov. Scott Matheson, Andrus said that as long as there is a site available that does not require an air quality variance, Interior would not approve a variance for the coal-fired plant at the southern Utah site in Wayne County near Hanksville, Utah.

Interior Secretary Cecil Andrus nixed the site because of fears that emissions from the power plant would pollute the air in the park, which is an Class I air quality region.

IPP officials say that because of the site

change "There is a real possibility that the plant won't be built. We felt that all of the problems were resolved in Wayne County. We don't know whether we can resolve them at the other site."

The "other site" is Lynndyl, Utah, recommended by a special state task force as an alternative to the Hanksville site. IPP's Clark Leighton says, "We had the project in Wayne County because the water is there. We're not certain that the water is in Lynndyl. Several members of the agricultural community have made overtures that they would like to sell their water and that there is enough water there. However, the project has always maintained a posture of not taking agricultural water out of that use." Leighton says that IPP may reassess

that position, however, in view of the Interior Department directive.

IPP has begun a study of the Lynndyl site to determine whether it would be suitable. Leighton says, "If we can't find a suitable site, we may have to dig in and make whatever appeals are available."

IPP warns that the Lynndyl site is not necessarily a preferred one from IPP's point of view. The company is only considering it because the state task force re-

commended it. Leighton says that any one of four other sites along the Green River that were studied by the task force seem to be preferable, particularly for their water supplies.

IPP hasn't set a target date for a final site selection. The preliminary work on the Lynndyl site will be done in early January and the board will discuss the possibilities in mid-January. IPP says that it spent \$7.5 million studying the Hanksville site, out of a total project cost of about \$3 billion.

Missoula may curtail use of fireplaces

Missoula, Mont., residents who may think they are fulfilling their civic responsibility by burning wood to keep warm now are being told they are contributing to air pollution. The Missoula Emergency Planning Committee has recommended that during air pollution alerts, citizens be told not to use wood fuel unless they get a special permit because it is their only heat source.

The committee says that during 1977, a total of 292 tons of particulate matter were added to the air from burning wood. Fireplace and wood stove enthusiasts, the town

residents burned more than 23,000 tons of firewood in 1976-77.

During an inversion period, wood burning is responsible for from 29%-42% of the suspended particulate in the air. To dramatize the impact, the committee points out that wood burning by all Missoula citizens resulted in as much airborne particulate as a local pulp and paper mill plus a plywood mill. The odor from the mills' pollution has made Missoula notorious.

The committee expects wood burning to be curtailed about 10 days a year.



Photo by Kevin Dahl

CAPITOL REEF National Park in Utah, 10 miles from the site of IPP's proposed Hanksville site.

East, West fight EIS battle through the mail

A bitter exchange of letters between an Eastern coal expert and the Montana Department of State Lands has led to some hard feelings over a draft environmental impact statement for the proposed expansion of Westmoreland Resources' Absaloka mine in Montana. Norman Kilpatrick, director of West Virginia's Surface Mining Research Library, charged that the lands

department "lied" in the EIS and suggested that "the entire document must be reworded by competent persons."

Kilpatrick was commenting on only one chapter of the EIS, the "Description of Alternative Actions." The department said in the EIS, "Low sulfur coals from Illinois and Appalachia are used almost exclusively for

metallurgical processing." Kilpatrick responded that "The statement . . . is a lie!" (emphasis in original) He went on to say that "anyone knowledgeable of the coal industry is well aware that almost one-half of Appalachia's low sulfur coal is used for electric utility and industrial generation of steam or heat."

Kilpatrick says that by ignoring the availability of low sulfur coal in the East, the EIS did not truly reflect all of the alternative actions. He says that increased mining of Eastern coal is possible, instead of expansion of the Westmoreland mine. In addition, he says that increased mining in the West hurts the economy in the Eastern coal fields, and that the EIS had ignored this impact.

Kilpatrick also quarrelled with several other omissions in the report. He said that the report should have presented in situ coal gasification and magnetohydrodynamics (MHD) as options.

Michael Woods of the Montana State Lands Department responded to Kilpatrick's letter with a personal letter rather than a departmental one. Woods said, "It is not departmental policy to tell lies" and said that the statement about low sulfur metallurgical coal was easily correctable.

Woods said that the EIS ignored the impact on Appalachian coal fields because according to the Montana law under which the EIS was prepared, the "human environment" is defined as "the environment in which Montanans live." Woods went on to say, "Perhaps it is a bit extreme to say that the Montana State Lands Department couldn't care less about the economy of Appalachia, but the majority of residents of Montana don't, and their taxes fund this agency."

Woods defends his omissions of MHD and in situ coal gasification by saying that current research indicates that they have a

long way to go and are, by themselves, "no panacea."

Finally, Woods told Kilpatrick that he should have read the entire EIS, not just one chapter, before commenting on the work. He wrote, "You adopted a snotty, supercilious attitude while making it clear that you simply hadn't read the EIS."

Kilpatrick then responded to Woods' letter. He said that "if Montana residents didn't care a bit about American citizens in other states, the Powder River Basin coal promoters would not keep using the national sacrifice argument in Wyoming and Montana." He also denied that his comments "were the product of a snotty supercilious attitude." I do believe that I have questioned the competence and objectivity of this section and that is what really bothers me." In asking to see further impact statements, Kilpatrick says, "I believe we will provide more professional treatment of these reports than is reflected in your letter to me."

One of Kilpatrick's main points was that Montana seemed entirely too anxious to grant Westmoreland's permit. Woods' letter to Kilpatrick said that coal gasification is still in the test stages and a long way from commercialization, so it was not considered as an alternative because "Westmoreland wants a permit now."

Kilpatrick's response points out that the Montana State Lands Department may be in too much of a hurry to give them one, if that is their attitude. He writes, "I must say your statement, 'Westmoreland wants a permit now,' seems a bit less than objective. In West Virginia, for example, if a surface operation cannot demonstrate the techniques for good reclamation exist, they may have to wait a long time for a permit."

This exchange probably would have gone unnoticed, but Kilpatrick, frustrated by Montana's response, released the letter to the news media.

Bill Schneider

Where the Grizzly Walks

Where the Grizzly Walks by Bill Schneider is a history of the big bear's struggle for existence. The author reveals who is to blame for the silvertip's plight and outlines a strategy for the bear's salvation.

The book is more than a story about bears; it concerns people, their life styles, their government, their land, and their dreams.

Bill Schneider has written extensively on conservation in dozens of periodicals. His writing focuses on protecting wildlife habitat and wilderness. He has been the editor of *Montana Outdoors*, the official magazine of the Montana Department of Fish and Game, for eight years.



Doug O'Leary photo

Mountain Press publishing company of Missoula, Mont. is sharing the profits on sales of this book with HCN. To order, send \$9.95 to HCN, Box K, Lander, Wyo. 82520. Price includes postage. Order form on page 15 of this issue. 256 pages, illustrated, clothbound



The HCN Hot Line

energy news from across the country

STRIP MINE RULES. Final interim strip mine rules were issued on December 13. The standards, which are based on the new federal strip mine law, will apply to all new mining operations begun after Feb. 3, 1978. However, according to Public Lands News, states may not be allowed to manage mining on federal lands because Congress has not passed an appropriations bill for that segment of the law.

GAS STANDARDS FOR PICKUPS. The U.S. Transportation Department (DOT) is proposing that four-wheel drive vehicles, pickup trucks, and vans be required to get one to three more miles per gallon of gas by 1980 to 1981. DOT claims that this would save 12 billion gallons of fuel. The proposed standards would require that by 1981, a four-wheel drive vehicle average 17.7 miles per gallon and a two-wheel drive pickup average 20.5 gallons.

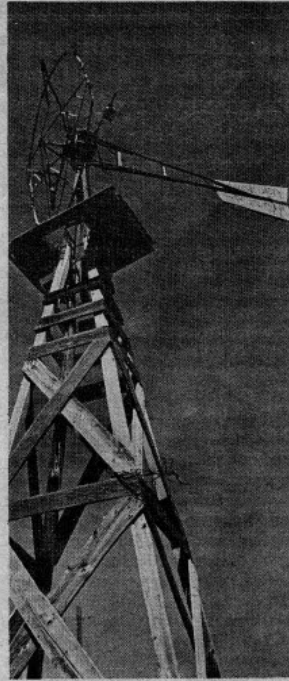
NUCLEAR PROTESTORS BEGIN DEFENSE. Jurors at the trial of 100 Oregon anti-nuclear protestors will be asked to determine if nuclear power is dangerous enough to justify illegal acts by opponents. The unusual defense is being used under Oregon's "choice of evils" statute, which permits an illegal act if it is necessary to prevent an imminent threat to public health. The trespassing trial charges, expected to last several days, will focus partially on expert testimony about the dangers of nuclear power.

SOLAR POWER FOR DEVELOPING NATIONS. Dennis Hayes, a researcher for Worldwatch Institute, says that developing nations should turn toward solar energy on a large scale. In a recently-released report, Hayes says that developing nations have several advantages for using solar power: they haven't already built large economic and industrial systems based on fossil fuels; many developing nations are in areas of abundant sunlight; and their populations are widely dispersed, a situation not suitable to highly centralized energy technologies.



EXPLOSION AT NUCLEAR PLANT. An explosion at a Waterford, Conn., nuclear power plant knocked a door off of a building and released an undetermined amount of radioactivity. A company spokesman said that the levels did not present a health hazard, however. One man was injured in the explosion and hospital officials said he was "highly contaminated" when admitted, but that the radiation levels dropped significantly after he was treated. The explosion was caused by a mixture of pure hydrogen and pure oxygen, which blew water out of the loop seals. A loop seal is like the trap in a kitchen sink, a company spokesman said.

TVA SUES URANIUM FIRMS. The Tennessee Valley Authority (TVA) has filed antitrust suits against 10 foreign and 3 domestic uranium producers, charging them with price fixing and conspiring to eliminate competition on the world uranium market. TVA says that it has been boycotted and denied the ability to



Colorado Game and Fish Dept. photo by Don Domenick

A WIND POWER research grant has been given to AERO-West by the state of Montana.

purchase uranium except at prices and under conditions established by collusion of the producers. TVA operates 3 nuclear units in its power system and 14 more are in design or under construction. The three domestic producers listed in the suit are Gulf Oil Corp., Engelhard Minerals and Chemicals Corp., and Rio Algom Corp.

WETA forum criticized; funding cut

by Glenn Oakley

The Montana Committee for the Humanities (MCH) has decided not to fund any further conferences of the Western Environmental Trade Association (WETA). MCH says that a trial conference, held in Missoula, Mont., on October 18, entitled "A Rational Look at Energy," did not present a balanced view of energy resource problems.

WETA is a Montana-based labor, business, and agricultural group. The group had planned to conduct a series of 11 forums about energy issues across Montana. WETA says that the conferences would have been directed at "small businessmen, ranchers, laborers, and, particularly, classroom educators."

However, the first forum was sharply criticized for not presenting the viewpoints of ranchers affected by coal development in eastern Montana and environmentalists.

In its application for the MCH grant to fund the forum, WETA wrote, "This forum seeks to unveil the needs of and effects on the 'little guys' in a broad range of occupations." The line-up of speakers at the Missoula forum included representatives of the Montana Coal Council, Montana State University, the International Union of Operating Engineers (a labor organization that represents some strip mine workers), the National Center for Appropriate Technology, Montana Power Co., and the Montana

Petroleum Council. In addition, Melville rancher Norman Starr and Carl Johnson, listed by WETA as a conservationist, were featured speakers.

MCH's Angela Santamaria says the lack of humanist content in the meeting was "very serious," and that the whole forum suffered from a "lack of balance."

Although the panel member list was known to MCH in advance, MCH committed more than \$1,000 to put on the Missoula forum. Before the forum, MCH chairman Tom Huff said WETA assured him it would be balanced. The Northern Plains Resource Council became immediately alarmed when it learned WETA had been granted money for the Missoula forum. Dave Albersworth from NPRC predicted the forum would represent only the "big industry point of view." NPRC responded to the Missoula forum announcement by printing a "fact sheet" about WETA which stated: "Although WETA's membership includes representatives from several labor and agricultural organizations, 1976 contributors of \$1,000 or more were Hoernor-Waldorf (now Champion International), Long Construction (Colstrip mining contractor), Anaconda, Burlington Northern, Montana-Dakota Utilities, Decker Coal, Exxon, and the Operating Engineers."

One of the two persons to review the forum for MCH, David Emmons, wrote in his summary to MCH that "some of the

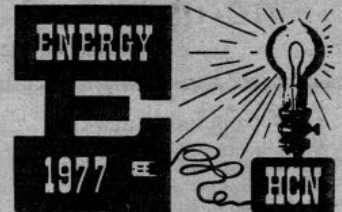
speakers dealt with their topics." For instance, Emmons wrote that Norman Starr "began his remarks with an intemperate attack on some — he never mentioned any names or organizations — who had presumably challenged his credentials as a rancher. Referring once to these unnamed 'assailants' as 'gutless wonders' he spent 12 minutes defending himself from imprecise charges of dubious relevancy."

Starr's ranch, NPRC's Albersworth says, is not underlain by coal, nor would transmission lines from Colstrip 3 and 4 cross his land.

Joe Crosswhite, representing labor, dismissed air pollution in Montana by saying that if all the pollution in Pittsburgh, Pa., were distributed over Montana, "I don't think anybody's gonna get hurt bad."

Carl Johnson, who was listed as a conservationist, began his talk by remarking that his billing as conservationist "threw me." Emmons in his summary noted that "Johnson can't even pretend to" represent conservationists.

Peter Koehn, the other MCH reviewer, summed up the forum, writing, "the overall thrust of the statements prepared by program participants and the film narrative would lead members of the audience to conclude that the only 'rational look' requires full development of energy resources, the all-out application of technology to meet energy needs, and the reduction or elimination of government intervention in energy-related areas of the U.S."



energy news of the Rockies and Great Plains

MONTANA ENERGY GRANTS. The Montana Department of Natural Resources has awarded three grants for alternative renewable energy projects. AERO-West has been given \$6,498 to demonstrate wind and photovoltaic electrical systems, a liquid solar heating system, and a solar preheating system for hot water. A \$15,000 grant was awarded to the District 11 Human Resources Council to fit several low-income homes with solar water heat. And, one individual, John Badgley, was awarded \$3,675 to compile information on underground construction.

SLURRY RIGHT OF WAY. A federal judge has ruled that the Energy Transportation Systems, Inc. (ETSI) coal slurry pipeline must be granted right-of-way to cross Burlington Northern and Chicago and Northwestern railroad tracks in Wyoming. Judge Ewing Kerr says that the slurry company by virtue of a "succession in interest" has the right to build its pipeline under the tracks. ETSI had claimed in its suit that the railroads had only a surface right-of-way and that oil and natural gas companies had already been allowed subsurface easements under railroad tracks. ETSI originally had also named Union Pacific railroad in the suit, but the judge allowed Union Pacific to withdraw from the action because its right-of-way was created by an 1862 law and was more firmly established than the other two.

WESTERN COAL LOSING EDGE. A Congressional Research Service report prepared at the request of Sen. Clifford Hansen (R-Wyo.) says that Western coal is losing many of the advantages it once held over Eastern coal supplies. The study says that there are five basic disadvantages to the development of Western coal: much greater distances to be shipped before it reaches Eastern markets; intricate permitting systems necessary for opening a Western mine; high state severance taxes; requirements that best available control technology be installed on new power plants, discouraging the use of low sulfur Western coal to reduce air pollution; and current Western leasing policy. The current administration "has overtly expressed its desire to discourage the development of public coal reserves" in the West, according to the report. The report concludes that the possibility of reaching the Carter Administration's production goal of one billion tons by 1985 does not seem likely.

ENVIRONMENTAL ARBITRATION. The Interior Department has awarded a grant of \$87,900 to the American Arbitration Association for a project to identify major environmental-energy disputes that can be resolved through arbitration without going to court. Interior says that the association will identify five typical energy-environment conflicts and define the steps required to resolve the disputes by mediation. The group will also prepare a handbook on solving these kinds of disputes.



Western Roundup



Six ways to proceed with Garrison

Six ways to handle North Dakota's Garrison Diversion project were listed in a "preliminary draft" environmental impact statement published by the U.S. Interior Department in December.

The alternatives range from the full-blown \$600 million project authorized by Congress, which would provide water to irrigate 250,000 acres, down to plans either to irrigate only 102,000 acres or to allow no further development. A final draft of the statement, required in an agreement between the department and the National Audubon Society, is due Jan. 1.

North Dakota Gov. Arthur A. Link is enraged by the terms of the out-of-court

settlement between Audubon and the department, which stopped all work on the project pending completion of the environmental statement.

"Perhaps our position should be that we refuse to consider additional allocation of water, the granting of right-of-way over state lands, and the increased mining of coal until such time as the Garrison Diversion has been constructed and is in operation," Link says.

The state is suing the Secretary of Interior, saying that in making this agreement with the Audubon Society he has exceeded his authority under a 1966 master contract for the project.

Utes demand minimum flows for CUP

The Ute Indian Tribe is asking that minimum stream flows be maintained as one condition of the tribe cooperating in the Central Utah Project (CUP). The tribe presented a revised list of demands to federal, state, and local officials recently. The officials need tribal cooperation to divert rivers flowing through the Uintah-Ouray Reservation.

Prior to a tribal election, the tribe had demanded control over all hunting, fishing, and camping on the major streams coming out of the Uinta Mountains. Now, after three new tribal officials' election, the tribe has revised that to ask instead for hunting rights for individual Ute Indians

on all public lands and on all fee lands within the reservation, with the permission of the owner, according to United Press International.

They are also now asking for protection of fish populations in streams diverted for CUP, a voice in CUP management, and a guaranteed 500,000 acre-feet of water for Indian lands.

The tribe asks that the federal government buy irrigable lands for the tribe in exchange for lands used in CUP. Reservoirs should be built where they will not cause unnecessary disruption of the environment and cultural values of the tribe.

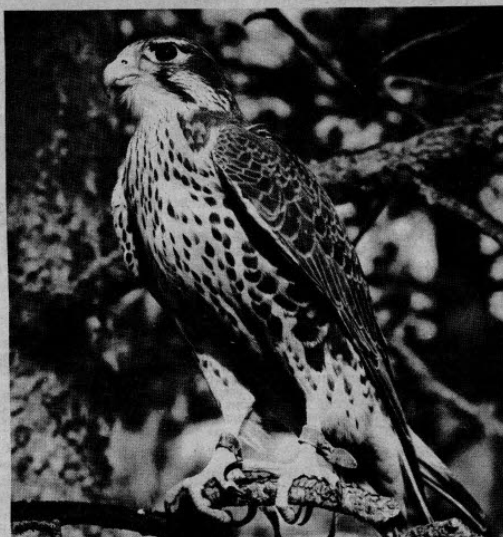
Snowmobilers protest Teton regs

A National Park Service policy restricting snowmobiles in national parks is meeting with protests in Grand Teton National Park. The park restricts snowmobiles to unplowed roads within the park and the surfaces of two large lakes. An environmental assessment of the park's winter uses completed last winter indicated strong support for limiting snowmobiles, according to Grand Teton Superintendent Bob Kerr.

Snowmobilers say they can't see how they are damaging the park. "It's kind of bad when they start closing areas just be-

cause some people don't like the sound of a snow machine. It's a great sport if people would just try to get along in the outdoors," one man said, according to the **Jackson Hole News**. Others point out that decibel levels are already limited by the Park Service.

Those who support the park policy say the noise from the snowmobiles disturbs wildlife as well as disturbing people who visit the park on skis or snowshoes. The regulation restricting motorized vehicles to roadways is applied nationwide in national parks, summer and winter.



Colorado Division of Wildlife photo by Don Domenick

PEREGRINE FALCON

20 Wyoming species on 'rare' list

A state wildlife inventory shows more than 20 animal species classified as rare in Wyoming.

Among the species listed are the spotted bat, meadow jumping mouse, wolverine, black-footed ferret, least tern, purple martin, brown capped rosy finch, scrub jay, burrowing owl, peregrine falcon, whooping crane, and Columbian sharp-tailed grouse.

Rare reptiles and amphibians on the list are the Rocky Mountain rubber boa, western smooth green snake, red-bellied snake, milk snake, and wood frog.

Fish classified as rare include the

shovelnose sturgeon, goldeye, Colorado River cutthroat trout, Utah cutthroat trout, northern pearl dace, finescale dace, silvery minnow, and blue head sucker.

According to the surveying agency, the Wyoming Game and Fish Department, a "rare" species is one that occupies only a small percentage of the preferred habitat within its ranges or exists in small numbers through out its entire range. Under the department's definition, a rare species cannot always be found by a skilled observer even during intensive survey work.

UAW supports Udall Alaska lands bill

There are strong feelings in Alaska on various sides of the question of how to designate lands there. The most recent coup for the forces supporting large withdrawals is the announcement that the United Auto Workers (UAW) is supporting Rep. Morris Udall's (D-Ariz.) bill. Udall's bill would place 114 million acres in national parks, refuges, and wild rivers.

Rep. Don Young (R-Alaska), who has said that labor support will play an important role in the Alaska lands battle, responded by saying the UAW must have acted without adequate information, according to the **Alaska Advocate**. Young is leading the effort to block the passage of the Udall bill. He wants to protect 37 million acres now and to study additional acreage for five years.

UAW legislative director Howard Paster, however, says the union has studied the issue closely and decided that the legislation would adequately protect mineral and oil and gas development options in Alaska.

Meanwhile, the state of Alaska has indicated which lands it would like as part of its entitlement under its Statehood Act. The state legislature has passed a resolution calling for a lawsuit if Congress blocks the state from taking the lands it wants.

Conflict seems inevitable between the state's wishes and the Congress's actions on the Udall bill or a substitute bill. Some of the state selections fall within areas chosen by the legislation. Of the 44 million acres named by Alaska, three million were chosen for oil, gas, or coal potential, and some of them fall within the Arctic National Wildlife Range.

According to the **Alaska Advocate**, debate in the state over Udall's bill seems to be adding strength to a movement to secede from the U.S. "The political and economic forces at work in the state (for Alaska independence) never have been so strong before," the **Advocate** says, although the newspaper gives them little chance of success.

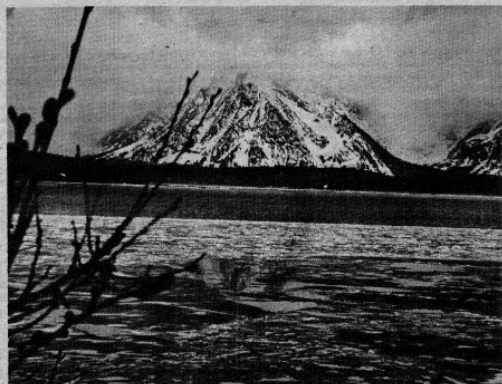


Photo by Margo Higley

WINTER IN Grand Teton National Park.

14-High Country News — Dec. 30, 1977



WILD CREATURES WERE FIRST by Myra Connell

Everyone knows that certain important knowledge must be learned from the birds and the bees, but there is much more. Indeed, many techniques essential to human culture were developed by animals.

I have watched wasps gathering wood pulp from the surface of weathered logs, but I am unable to learn how they form their wondrous paper globes, sometimes showing alternate stripes of red and gray or two tones of gray.

I surmise that the Chinese may have unraveled the secret process by which the tiny architects transform wood pulp into continuous filament. The Chinese kept paper-making technology strictly to them-

selves for about 500 years, from the second century to the seventh century, A.D., when the Moors and Arabs finally forced them to reveal the formula. A revolutionary surge of communications and knowledge resulted.

The ancient Egyptians preserved the bodies of their dead as mummies. Is it possible that they developed the art after observing the chrysalis stage of the butterfly?

Humans regard themselves as lords of creation; still the earth is littered with wreckage of past civilizations, fallen because of failure to solve social problems. Bees are considered of a lower order than humans; nonetheless they have established a perfect society, with rational division of labor, divorceless marriage, obedient children.

Among other achievements, bees developed the hypodermic needle and the air conditioner. Moreover, if the human race could adopt the bees' birth control system, war might be abolished and mankind saved from certain suicide.

Ants were dairymen, using plant lice

and beetles as farmers use cows, before the first bovine was domesticated. Some species of ants even cultivate edible fungi in underground farms.

Consider the science of navigation. Many species of birds migrate thousands of miles sans instruments. Geese, dunlins,



Colo. Division of Wildlife
photo by Don Domenick

SOLDIERS who must use camouflage might well seek advice from the ptarmigan.

and many others flew in perfect formation before the Wrights flew at Kittyhawk. Swallows need no calendar in order to arrive at Capistrano on March 19th.

These same birds make sun-dried "brick" for their nests, a material widely used in ancient cities as well as in modern times in our Southwest.

Soldiers who must use camouflage might well seek advice from experts like the nighthawk or the dead-leaf butterfly. Once while clearing alders from farm land I almost struck a brooding woodcock with the ax, so perfect was her protective coloration. Spiders formed symmetrical webs before geometry texts were printed, and even today with all our boasted-about technology, man cannot duplicate spider silk.

The Eastern katydid and some Western crickets tell the temperature without a thermometer, and announce it to those in the know by their chirps.

I think Indian women may have learned something about cradles from the orioles. Even the straw with which we sip a milk shake duplicates a butterfly's tongue.

STATE OF WYOMING PUBLIC NOTICE

PURPOSE OF PUBLIC NOTICE

THE PURPOSE OF THIS PUBLIC NOTICE IS TO STATE THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS UNDER THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972 (FWPCA), P.L. 92-500 AND THE WYOMING ENVIRONMENTAL QUALITY ACT (85-502 et. seq., WYOMING STATUTES 1957, CUMULATIVE SUPPLEMENT 1975).

IT IS THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS TO THREE (3) OIL TREATER DISCHARGERS TO RENEW ONE (1) MUNICIPAL WASTEWATER PERMIT AND TO MODIFY TWO (2) INDUSTRIAL ONE (1) MUNICIPAL AND ONE (1) COMMERCIAL DISCHARGE PERMIT WITHIN THE STATE OF WYOMING.

APPLICANT INFORMATION

(1) APPLICANT NAME:	SUPRON ENERGY CORPORATION
MAILING ADDRESS:	P.O. BOX 125 MCGREGOR, NORTH DAKOTA 58755
FACILITY LOCATION:	FEDERAL - 5 No. 1, NE ⁴ , NE ⁴ , SECTION 6, T36N, R81W, NATRONA COUNTY, WYOMING
APPLICATION NUMBER:	Wy-0027545
FACILITY LOCATION:	FEDERAL - 33 No. 1, SE ⁴ , SW ⁴ , SECTION 33, T37N, R81W, NATRONA COUNTY, WYOMING
APPLICATION NUMBER:	Wy-0027553
FACILITY LOCATION:	FEDERAL - 4 No. 1, NE ⁴ , SW ⁴ , SECTION 4, T36N, R81W, NATRONA COUNTY, WYOMING
APPLICATION NUMBER:	Wy-0027561

Facilities are all oil production unit located in Natrona County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. All discharges are to the North Fork of Casper Creek (Class II stream) via an unnamed drainage.

All three facilities must meet Wyoming's Produced Water Criteria effective immediately upon discharge. Semi-annual self-monitoring is required for all parameters with the exception of oil and grease which must be monitored quarterly. The proposed expiration date for the permits is December 31, 1982.

Chapter VII of the Wyoming Water Quality Rules and Regulations refers that every produced water discharge is beneficially used if the total dissolved solids concentration is 5,000 mg per l or less.

(2) PERMIT NAME:	CITY OF SHERIDAN, WYOMING
MAILING ADDRESS:	P.O. BOX 48 SHERIDAN, WYOMING 82801
PERMIT NUMBER:	Wy-0029010

The wastewater treatment plant serving the City of Sheridan consists of: grit chamber, bar screen, comminutor, flow recorder, two primary clarifiers, two trickling filters and one final clarifier. The discharge is to Goose Creek (Class I stream). Sludge from the primary clarifiers is dewatered with the use of a sludge dewatering filter and the dried sludge is then landfilled.

The City of Sheridan has been 14th on the State's priority list for Federal funding of new or upgraded wastewater treatment facilities. However, lack of Federal monies makes it certain that no construction will take place during calendar year 1978. The situation after 1978 is uncertain, therefore, the proposed permit is scheduled to expire December 31, 1978.

The proposed permit contains interim effluent limitations which the existing facility can meet with proper operation and maintenance. Effluent limitations which will have to be met upon completion of new or upgraded Federally funded facilities are included to guide assistance to those who may be designing the facilities during 1978. These limitations were based upon Wyoming's proposed water quality standards, a 7 consecutive day - 10 year low flow in Goose Creek of 4.3 MGD and a maximum discharge volume of 2.5 MGD. It should be recognized that the final 200 Water Quality Plan for the Powder River Basin may recommend some modifications of these limitations.

No specific limitations on ammonia are included in the discharge permit because it is the State of Wyoming's policy to evaluate the need for ammonia removal only after a facility has been upgraded to achieve secondary treatment standards.

The self-monitoring requirements of the permit are extensive and include the submission of reports on a monthly basis.

(3) PERMIT NAME:	ASH CREEK MINING COMPANY
MAILING ADDRESS:	10403 WEST COLFAX AVENUE, SUITE 660 LAKEWOOD, COLORADO 80215
FACILITY LOCATION:	NE ⁴ , SECTION 22, T38N, R84W, APPROXIMATELY 10 MILES NORTH OF SHERIDAN, WYOMING
PERMIT NUMBER:	Wy-0028510

Ash Creek Mining Company operates an open pit coal mine located approximately ten miles north of Sheridan, Wyoming. Water encountered while mining is routed to two small settling ponds which discharge to Little Youngs Creek (Class II stream).

A discharge permit for this operation which required compliance with best practicable treatment standards immediately, was issued in July of 1977. Since that issuance, Ash Creek Mining has requested that the permit conditions requiring continuous flow monitoring be changed to require flow measurement once per week. According to the Company, the discharge does not flow continuously. It is proposed that the requested modification

be allowed, however, the permit contains language which would require continuous flow measurement should the discharge flow become continuous in the future. All other conditions and requirements of the original permit are retained in the modified version. The permit will expire December 31, 1982.

(4) PERMIT NAME:	ATLANTIC RICHFIELD COMPANY
MAILING ADDRESS:	1500 SECURITY LIFE BUILDING 1616 GLENARM DENVER, COLORADO 80202
FACILITY LOCATION:	BLACK THUNDER MINE NEAR RENO JUNCTION, WYOMING
PERMIT NUMBER:	Wy-0024091

The Atlantic Richfield Company is now operating its Black Thunder Coal Mine, located near Reno Junction, Wyoming. The Company has recently requested that its discharge permit for this mine be modified to clarify the location and description of the various discharge points.

Three abandoned discharge points (001, 002 and 003) have been dropped in the proposed permit. Discharge points 004 through 007 remain with some modification of the location and description of each.

Discharge points 004, 005 and 007 handle mine water or plant site runoff and the permit requires immediate compliance with effluent standards considered to be "best practicable" for this type of activity. Discharge point 006 consists of sanitary wastes treated in a lagoon system and the permit requires immediate compliance with National Secondary Treatment Requirements.

The discharges are to the North Frong of Little Thunder Creek (Class III stream). The permit will expire December 31, 1982.

(5) PERMIT NAME:	TOWN OF THAYNE, WYOMING
MAILING ADDRESS:	P.O. BOX 298 THAYNE, WYOMING 83127
PERMIT NUMBER:	Wy-0025995

Wastewater treatment at the Town of Thayne, Wyoming, consists of a two cell lagoon (first cell is aerated) followed by a strag irrigation system. If the facility functions as designed there is no surface discharge to waters of the State. However, due to numerous problems, the facility has not yet functioned as originally proposed. The great majority of wastewater entering the system originates from the Bear Valley (Masson Cheese) cheese plant.

When the lagoon system was being installed it was discovered that groundwater levels were too high to allow proper construction and operation of the lagoons. Therefore, a "clear water" underdrain system was installed under the lined lagoons with the drains discharging to Flat Creek. A discharge permit allowing these underdrains to discharge was issued by this Department in January of 1976, and since it was anticipated that the discharges would consist only of uncontaminated groundwater, no effluent limitations or monitoring requirements were included in the permit. Investigations by this Department indicated that these drains were being contaminated and the permit was modified to require monitoring of the drains on a weekly basis and to report the results monthly. Since that time it has been determined that although the underdrain discharges are contaminated to some extent, the contamination is not excessive and is fairly consistent. The proposed permit modification, therefore, will require the Town to monitor the quality of the discharge from the underdrains on a monthly basis instead of weekly.

Since the Department is continuing to work with the community on elimination of its operation and maintenance problems, and because the grant project for the original construction has not yet been finalized, it is inappropriate to include effluent limitations in the permit at this time, though in the future it is anticipated that the permit will again be modified to include effluent limits.

(6) PERMIT NAME:	BALD MOUNTAIN TRAILER COURT
MAILING ADDRESS:	ROUTE 1, BOX 103A BUFFALO, WYOMING 82834
PERMIT NUMBER:	Wy-0022985

The Bald Mountain Trailer Court is located west of the Town of Buffalo, Wyoming, on U.S. Highway 16. Wastewater treatment consists of an extended aeration package plant followed by a small polishing pond which presently discharges into a natural drainage and onto the property of United Campground, which is located directly below the Bald Mountain Court. A wastewater discharge permit was issued for this facility in August, 1977. Investigations since that time have determined that a compliance schedule should be incorporated into the permit to upgrade the discharge to meet secondary treatment standards. It has also been determined that the present discharge from the lagoon should be monitored and reported to the regulatory agencies on a quarterly basis.

The permit is, therefore, being modified to incorporate a compliance schedule for meeting secondary treatment standards by September 1, 1978, and quarterly self-monitoring of the present lagoon discharge, effective immediately. All other conditions of the permit will remain the same. The permit will expire July 31, 1982.

STATE-EPA TENTATIVE DETERMINATIONS

Tentative determinations have been made by the State of Wyoming in cooperation with the EPA staff relative to effluent limitations and conditions to be imposed on the permit. These limitations and conditions will assure that State water quality standards and applicable provisions of the FWPCA will be protected.

PUBLIC COMMENTS

Public comments are invited any time prior to January 30, 1978. Comments may be directed to the Wyoming Department of Environmental Quality, Water Quality Division, Permit Section, Hathaway Building, Cheyenne, Wyoming 82002, or the U.S. Environmental Protection Agency, Region VIII, Enforcement Division, Permits Administration and Compliance Branch, 1860 Lincoln Street, Denver, Colorado 80295. All comments received prior to January 30, 1978 will be considered in the formulation of final determinations to be imposed on the permit.

ADDITIONAL INFORMATION

Additional information may be obtained upon request by calling the State of Wyoming, (307) 777-7781, or EPA, (303) 327-3674, or by writing to the aforementioned addresses. The complete applications, draft permits and related documents are available for review and reproduction at the aforementioned addresses.

Public Notice No. Wy-77-0016

Classified Ads

Classified ad rate is 10 cents a word. \$1 minimum, no billing. Deadline is Tuesday of publication week.

UTAH WRITERS sought by HCN. We are interested in stories from Utah on air pollution, alternative energy innovations, coal development, and people making the news. Pay is two cents to four cents per word for fair, accurate news reporting. One-sided diatribes unacceptable. Contact Joan Nice, Box K, Lander, Wyo. 82520 with story ideas.

Show your care. Become a member of National Parks & Conservation Association. For over 50 years NPCA has been a leader in the continuing battle to protect our environment. Join with us today in our fight for a better tomorrow. Members receive our fascinating, monthly magazine. For membership information write to: NPCA, Dept. M, 1701-18th St., N.W. Washington D.C. 20009.

POLITICAL CAMPAIGN CONSULTANT: Political committee needs experienced person to work with legislative candidates. Salary negotiable. Apply to: MontCel, Box 468, Helena, Mont. 59601.

WANTED: PHOTOGRAPHS of uranium mines, mills, exploration, tailings, or mining towns. HCN wants good quality black and white photos of these and other relevant topics. \$2-\$4 for each photo used plus exposure to other potential clients — our readers. Contact HCN Editors, Box K, Lander, Wyo. 82520.

EMPLOYMENT OPPORTUNITY. The Northern Plains Resource Council has an opening for a full time organizer. NPRC is a citizens organization of ranchers, farmers and other citizens working on energy and coal development issues in the Northern Great Plains. Send resumé, writing sample and references to NPRC, 419 Stapleton Building, Billings, Montana 59101. (406) 248-1154.

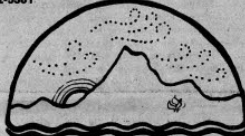
Western Door Wilderness School

A school teaching wilderness, athletic and camp skills, but not exclusively a skills school. A school devoted to helping students expand and discover their limitations, but not exclusively a motivational school.

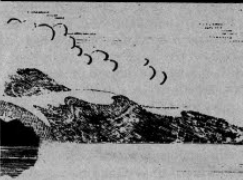
Wilderness courses offered include backpacking-watercoloring the Uinta mountains of Utah, a course exclusively for women in Allegheny National Forest in the East, canoeing the Allagash in Maine, hiking in January in Utah's Canyonlands, ski touring in the spring,

homesteading and mountaineering skills in the summer. The curriculum is at once varied but basic.

Send for a brochure today. **WDWS, 172 N Street, Salt Lake City, Utah 84103. (801) 322-5381**



Island Between



by Margaret E. Murie, University of Alaska Press, 1977, \$9.95, 228 pages. Illustrated by Olaus J. Murie. Exclusive distributor: ISBS, Inc., P.O. Box 555, Forest Grove, Ore. 97116.

Review by Bruce Hamilton

According to Eskimo legend, St. Lawrence Island was formed by a great giant who lived in the Far North. Standing astride the Bering Strait he reached down between his legs, picked up a handful of sand and stone from the ocean floor, squeezed out the water, then threw it down between the continents. The Eskimo people, "Inuit," who inhabit the island call it

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Sevuokuk ("squeezed"). **Island Between** is their story.

The book is an entertaining narrative history full of adventure and tragedy. At the same time it offers insight into the lives, customs, and conservation ethic of a people who live close to the land.

The main part of the book centers around the life of Toozak — a young hunter who lived in the late 1800s. The reader follows Toozak as he learns to kill birds with a sling; trap fox using a whale vertebra, a noose of baleen, and ptarmigan scent; and hunt Aghvook — the mighty whale. Toozak faces several crises, including meeting an angry polar bear, floating adrift on an ice floe; and watching his people degenerate as white whalers disrupt their culture with hard liquor, strange diseases, and worthless trinkets. Throughout the narrative, Murie weaves in information about Inuit legends and customs.

Perhaps the most valuable aspect of **Island Between** is that it is true. Many of the books coming out of Alaska create false notions of the land and the people. But Murie, relying on the painstaking research of Dr. Otto Wm. Geist, takes evidence from archeologic studies, recorded history, recent customs, and personal testimony of the Inuit to create a realistic picture of native life in the Far North.

"I have tried to write from the Eskimo point of view," Murie says, "and to keep the whole story as straight and unpretentious and natural as are the people themselves."

She has succeeded. In the process, she offers her readers unusual insight into the conservation issues facing Alaska, its wildlife, and the Inuit today.



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Between the Indians and the energy companies In the Gulf Oil camp, an Indian

Kent Ware is a Kiowa Indian. He is also a high-salaried executive for Gulf Oil Corp. — the director of the Indian affairs division.

Ware says his office was created five years ago to dispell the distrust that stands between energy companies and many Indian tribes. He hopes tribes are more willing to trust him because he is an Indian, and says, "I feel I'm working for my people. If I ever felt like I was being used, I wouldn't work for Gulf."

Ware is not involved in negotiations between Gulf and the tribes. His job is public relations. He arranges for scholarships for Indian students in engineering and other sciences, for grants to tribes for such things as community functions and adult education programs, and for grants to national and regional Indian organizations, such as the Native American Rights Fund.

"We don't give large grants — we don't

want to give the impression that we're buying our way in," he says. He says the money isn't limited to tribes that Gulf holds leases with, although he couldn't name any exceptions.

Gulf is sensitive about inferences of bribes, especially in the aftermath of a minor scandal created when another company, Shell Oil, offered individual families payments prior to the annual Crow Fair if the tribe would sign a lease. (Shell says it has since discontinued making any grants to tribes or tribal members during negotiations. The firm still is giving money for scholarships and for Indian studies programs, however, according to Shell representative Kirk Blackard.)

Public relations — presenting a good corporate image — is one reason for Gulf's grants, Ware says. But he also sees it as fulfilling the company's social and moral responsibilities. "Whatever we're taking

out, we're also putting back in," he says.

Ware says his company puts a high value on having a good working relationship with the tribes. "If we don't have the (mineral) inventory, we're out of business," he says, and the tribes control a major share of the nation's minerals. Ware's job is maintaining his company's access to Indian resources. "If they know and trust me, they'll trust Gulf. I'm the alter-ego of Gulf."

Summing up, Ware says, "I'm an Indian first and then a Gulf employe."

Some tribal leaders from the Crow and from the Northern Cheyenne tribes, however, see Ware first as a representative of Gulf, not as an Indian. Ellis Knows Gun, vice secretary of the Crow tribe, says he views anyone representing an energy company the same way. "I view him as a professional person — not as an Indian — who is working for a multinational corporation that would rip us off if they could."

"We're not going to be sitting ducks just because he is an Indian . . . Regardless of who is there, for negotiations, we utilize



KENT WARE: "I'm an Indian first, then a Gulf Oil employe."

our best person, who happens to be a non-Indian by the name of Charles Lipton."

In the Indian camp, a New York consultant

Charles Lipton is the director of an independent New York consulting firm and an example of the new expertise tribes are utilizing to negotiate with energy companies.

Lipton is a consultant for the United Nations and has negotiated with energy companies on behalf of several foreign countries.

He now is working with several tribes, including the Crows. He represents an annoyance to one Bureau of Indian Affairs official in South Dakota, who says Lipton convinced the Cheyenne River Sioux tribe to sue to stop an oil lease sale there (see story, page 1).

Lipton was the featured speaker at a recent conference on Indian energy development sponsored by the American Association for the Advancement of Science, the Montana Intertribal Policy Board, and Montana State University.

"This is somewhat of a reunion for me," he says, referring to his negotiations for

Western tribes. He is meeting with many of the same energy companies he dealt with before and finding they are offering the tribes the same deals that they offered the foreign countries 30 years ago.

"The companies that have been exploiting overseas now can't — the countries have wised up. But we haven't wised up in Indian country," he said.

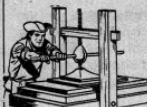
A high-powered speaker, very critical of both the energy companies and of the federal government's protection of the tribes, he inspired awe in some and distrust in others at the conference.

He advised the tribal representatives at the conference to get a professional appraisal of their resources before signing any development contracts. "You could have a Rolls Royce or a used Volkswagen," he cautioned. "If you can't sell it for what you want, sit on it," he added.

"Have patience. Don't accept trinkets and lollipops."



CHARLES LIPTON: "Don't accept lollipops and trinkets."



Busy

1978 is going to be a busy year for environmentalists. RARE II, Alaska d-2 lands, Western water policies, coal, oil, and uranium exploration, wildlife, and solar energy — these are just a few of the issues HCN will be writing about this year. Join HCN in its monitoring of the Western energy surge, won't you? A one year subscription is \$12.00. (25 issues). Thanks.

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Dear Friends,

We decided that the centerspread in this issue would be best left wordless, but we couldn't resist tucking away a few comments somewhere about the artist. The Canada geese family was done by Laney Hicks, a Wyoming resident who is better known for her intelligent, combative environmental leadership than for her art. For six years, up until last spring, she was the Northern Plains representative for the Sierra Club.

While it may surprise some readers to see that Hicks is as skilled with pen and ink as she was on the environmental battle front, it makes sense. Her early training was in art, not in science or in public policy debate. She earned a bachelor of fine arts degree from the University of Denver and then spent six years illustrating biology books — first for the National Science Foundation's biological science curriculum studies project and later for two different pub-

lishers, John Wiley & Son and Harper & Row.

Since she left the Sierra Club job, she has remained active in the environmental movement as a volunteer, while being careful to allow herself time for serious art work. She is the energy chairman for the Sierra Club's Northern Plains Regional Conservation Committee; she was just appointed to the agriculture and environment advisory board for KTWO television in Casper, Wyo., and she is on the board of directors of the Wyoming Outdoor Council. She remains a leader in the effort to strengthen the alliance between environmental and agricultural groups in the region.

Her home in Dubois, Wyo., at the base of Togowotee Pass is filled with evidence of her enduring interest in the natural world — wildlife photos and books. It also contains a few of her sketches and paintings and the furniture and quilts that she has made. All are of such quality that they testify to the patience, artistic skill, and attention to detail that she has used to ob-

serve, record, and defend the Rocky Mountain West.

Another friend of High Country News, Myra Connell, is busy preparing an index to the articles we published in 1977. We'll print it free of charge to all subscribers sometime after the first of the year. If you could use a key to the environmental news in the Rockies last year, don't throw away those back issues. Help is on the way.

Our most observant readers may have noticed that we recently changed the column head "Distaff Corner" to "Branching Out." Both Myra Connell and the staff felt that the old column head was outdated, implying that women's thoughts should be confined to a corner somewhere. To replace it, Connell wisely chose "Branching Out," which gives her license to say just about anything. The new art work for the column was provided by Thomas Connell, Myra's husband, whom we've featured as the "homestead artist" in our HCN gift shop.

—the editors

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