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High Country News

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Lander, Wyoming

Friday, March 7, 1980

State severance taxes

How many coal bucks should a smart state lasso?

by Geoffrey O'Gara

BILLINGS, Mont. — Coal severance taxes are:

- 1) unpatriotic;
- 2) inhibiting coal sales;
- 3) not to blame for rising electric rates;
- 4) costing us jobs and forcing us to use foreign oil;
- 5) generating welcome bucks for boomtowns and insurance for the future.

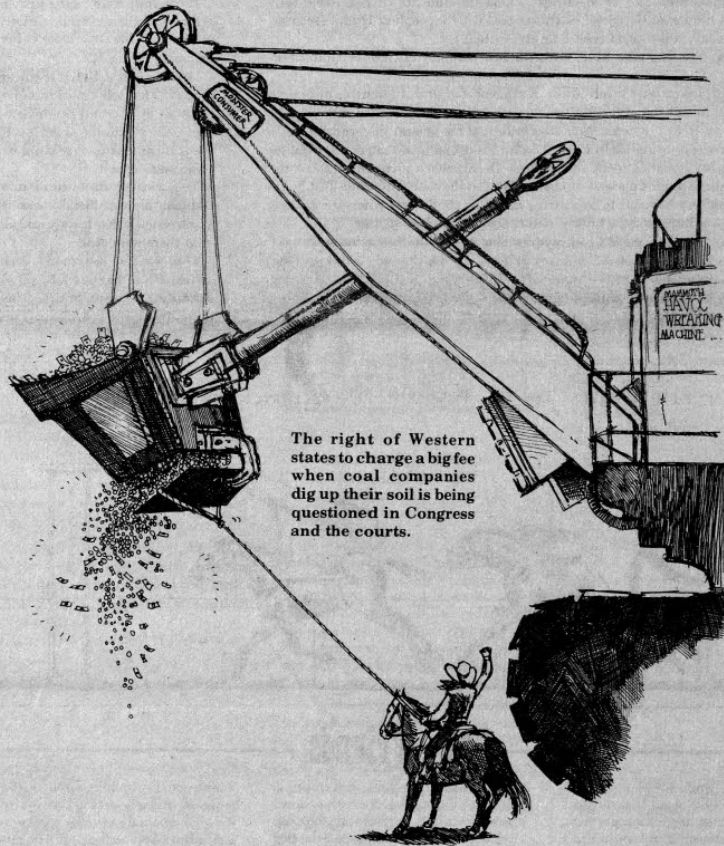
Like blind men feeling an elephant, different folks see different things when they look at severance taxes in the West. The above responses came from an Indiana congressman, a coal company lawyer, a North Dakota tax commissioner, a Wyoming state legislator and a Montana state senator, respectively.

At a gathering here sponsored by the Washington-based Conference on Alternative State and Local Policies, Montana State Senator Tom Towe (D) and other speakers talked hopefully of developing a unified regional severance tax, so that energy companies could no longer play one state off against another in their fight to keep severance taxes down.

But a look at the various approaches to mineral severance taxes in the Rocky Mountain and Great Plains region makes regional unity seem like a pipe dream. Using a variety of tax methods, some extremely complex, state taxes on coal alone range from Montana's 27-30 percent (\$2 per ton at Montana coal prices) to Colorado's 3.5 percent (62 cents per ton at Colorado prices) to Utah's system, which sets no severance tax on coal at all.

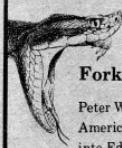
In every legislature except Montana's, there have been moves in recent years to up severance taxes on non-renewable resources. Citizen and environmental groups are pushing for the higher taxes. The mining industry

(continued on page 6)



The right of Western states to charge a big fee when coal companies dig up their soil is being questioned in Congress and the courts.

In the News



Forked tongue 16

Peter Wild peruses a book about North American snakes, then sinks his fangs into Edward Abbey's latest, a massive tome that will tip over your coffee table.

Clouds over Sunlight Basin 10

Exxon will drill some holes this year in Wyoming's Sunlight Basin — the first step in a search for uranium. Friends of the wild area are worried about the leaps and bounds that may follow.

Radical 'techno-twit' 4

Physicist Amory Lovins' "soft path" to solving energy problems is getting a hard look. With his own soft touch, Lovins is preaching conservation to environmentalists, businesspeople and politicians.



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Opinion



MX engenders new Utah defenders

A lot of people think they have Utah pegged: conservative, pro-defense, pro-development.

The state has cheered and beckoned the biggest power plant proposals ever — both Kaiparowits and the Intermountain Power Project — and derided the wet blanket attitude of groups such as the Sierra Club.

It's considered a friendly place for unfettered development — most any kind. While a few environmentalists may live there, they're mostly hiding near the universities in Logan and Salt Lake City.

Such thoughts probably comforted the U.S. Air Force as it eyed Utah as a possible site for the largest public works project ever built in this country: the MX missile system.

But a big surprise was in store. And now the backers of the land-based defense system may be looking for new public relations advisors.

Utah, once a reliable growth guzzler, is unhappy about the MX. Not only have Utah officials been cool, at meetings around the state its citizens have been downright hostile. As Gov. Scott Matheson puts it, if the people of Utah were given a choice today, "they would resoundingly invite it out."

Some say this has more to do with the MX than any change in Utah's sensibilities.

Previous projects have involved the development of Utah's resources by private enterprise. In the case of the MX, Sagebrush rebels point out that it will be the federal government at work. And this branch of the federal government has a particularly bad reputation in Utah. The Air Force's promises must sound hollow when southern Utahns recall the Defense Department's assurances about the safety of above-ground nuclear bombs exploded at the nearby Nevada Test Site.

And besides, who wants to be a prime target for the Soviet's nuclear weapons? Some Utahns have said the project makes them a "nuclear sponge."

But other aspects of the MX controversy indicate that Utahns' attitudes are not so easy to pin down. Federal military projects are not the only chink in their pro-development armor. Indeed, many of Utah's objections to the MX have nothing to do with its association with the feds or the Defense Department.

While the MX would provide jobs and prosperity, it would also take its toll on

Utah's water, air, wild lands and communities. Joe Mayer, a legislative assistant for Utah Sen. Jake Garn (R), says that while people in Utah may have various reasons for opposing the MX, most of the letters he gets mention not dollars or federal domination, but "a down-home concern" about preserving a quiet, rural conservative way of life. "They fear their lifestyle will be changed by the influx of workers," Mayer says. "And they ask, 'What's going to happen to my fishing hole?'"

In Delta, most people have decided that the Intermountain Power Project is plenty. While the agricultural town's residents see the IPP as a welcome (and lucrative) ripple on the surface of their lives, the MX on top of it looks like a tidal wave. Cost projections give some idea of the size difference between the two projects. MX estimates range from the Air Force's \$33 billion to critics' projected \$100 billion. Whatever the exact figure, the MX is at least seven times more costly than the \$4.5 billion IPP plant, which as the world's largest power plant, is no small undertaking itself.

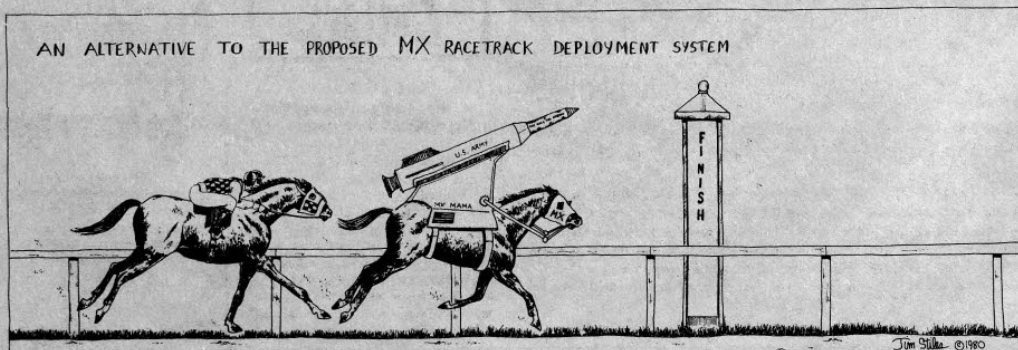
If the state were facing just the MX or just IPP or just the Alton strip mine, perhaps its citizens would quietly relent. But these projects and the many others planned for the state have collectively sparked the public anxiety now focused primarily on the MX.

One wonders if, before the overload, the pro-development stereotype prevented many Utah people's more minor concerns from being heard, while outsiders judged the state by its county commissioners or its congressional representatives. Most of these officials have been the last to question the MX. Even now, when most people in the state are asking that it not be built, Utah officials are still trying to find a way to accommodate it.

To accurately assess opinion in a state, you somehow have to get to the people, not their elected officials, and listen. When environmentalists have done this in Utah recently they have found allies where veterans of environmental battles had said there were none.

One wonders how many smaller battles were never waged because conservationists in the state felt too isolated by the idea that other Utahns are indiscriminating growth-lovers. The MX controversy, at least, has put that oversimplification to rest.

— JN



Dear Friends,

Last issue, while we were sounding the trumpets here about Michael Moss' arrival, another name slipped quietly onto the masthead: Tim Lange.

Tim has taken up duty as our correspondent in Colorado. He has produced some excellent stories for us during the past few months — on growth in Boulder, Colo., on the Mountain States



Timothy Lange

Legal Foundation, and, last issue, on Uravan, Colo. The "correspondent" title formalizes the relationship. We can promise you that you'll be seeing more good work from Tim in our pages.

Tim is as modest about himself as he is full of lively story ideas. He is 33, lives in Denver, and writes for *Straight Creek Journal* and *In These Times*, among other publications. We do not know, and would not say if we did, whether he likes bean sprouts, sleeps late or reads our classified ads.

WILD BOOKS

Two new books by Contributing Editor Peter Wild reflect the diverse

talents of this prolific scribe. Wild, a professor of English at the University of Arizona whose first love is poetry, has published several collections. His latest seems made to order for HCN poetry buffs: *Wilderness*. Its subsections sport names as intriguing as the poems within: "Barn Fires," "Harboring Criminals" and "Orange Sleeping Bags."

HCN's artist and production manager, Hannah Hinchman, illustrated the book for Wild. Her spacious, peaceful landscapes are a handsome complement to Wild's intense word sketches. Copies are available for \$3 from New Rivers Press, 1602 Selby Ave., St. Paul, Minn. 55104.

Wild's second recent publication is a

monograph on Enos Mills, that renegade Coloradan who became known as the father of Rocky Mountain National Park. To prepare this pamphlet, Wild expanded considerably on an article on Mills published several years ago in *High Country News*. The 47-page paperback is available for \$2 from the Department of English, Boise State University, Boise, Idaho 83725. Figures in the university's Western Writers Series by other authors include: John Muir, Wallace Stegner, Ken Kesey, Frederic Remington, Robinson Jeffers, Edward Abbey and Gary Snyder.

Business-as-usual politics spurs new dam foes

It was a statement for every environmentalists' scrapbook.

"One of my greatest frustrations is to go to the chamber and scrap for fiscal sanity, then come back here and vote for projects that are unpronounceable and that are turkeys," said Wyoming Republican Sen. Alan Simpson, a member of the Senate's water resources panel.

From now on, he continued, "I'll be salting down the pork in the bottomless barrel."

Did we really hear right? That the conservative senator from Wyoming is calling for cuts in federal water project spending?

You bet we did. Simpson, along with Sen. Pete Domenici (R-N.M.), California's tax revolt leader Howard Jarvis, the National Taxpayers Union, Common Cause and the League of Women Voters are only a few of the people and groups now joined with environmentalists in an effort to drain the federal water project pork barrel.

In light of the legislation that recently passed the House of Representatives, it only makes sense.

The biennial omnibus water project authorization bill, H.R. 4788, approves some 180 projects, including dozens unstudied for their cost, feasibility or social and environmental impacts.

It contains 55 provisions cutting local cost-sharing responsibilities. It waives benefit-cost analyses. And adding insult to injury, it approves construction of a monument for the Army Corps of Engineers. The price tag for the bill is \$4.3 billion.

It is, to be sure, a superstar in history's hall of pork barrel bills.

"Some \$2.5 billion would be almost pure waste....," said President Carter. "It's a sneak attack on the taxpayer," said Jarvis. "H.R. 4788 is a grim example of the worst kind of legislation — costly, wasteful and destructive," said the head of Americans for Democratic Action.

Yet 283 representatives voted for it. When it comes to pouring cement, the name of the game is politics. And for pork barrel politics, it's been business-as-usual for a long, long time.

Now, \$4.3 billion may or may not sound like much compared to a total annual federal budget of \$800 billion. But let's say the president is right and \$2.5 billion of that dam money is waste.

Here's what you could buy instead: one-and-a-half years of federal efforts to conserve agricultural lands; one year's total budget for the Bureau of Land Management; two years' worth of federal programs to acquire recreational lands; one-and-a-half years' budget for controlling hazardous wastes; and one year's funding for the Office of Surface Mining.

Or, you could apply that \$2.5 billion to inflation fighting by eliminating almost one-sixth of next year's federal budget deficit. And you would save by avoiding projects' possible environmental impacts and cost overruns.

It's no surprise, then, that environmentalists had their own ideas last week when President Carter, in an election year move to balance the budget, asked his agency heads to suggest ways to cut their programs.

Edward Osann, coordinator for the environmentalist-backed Coalition for Water Project Review, suggested Carter take the nation's 18 largest water projects, including such monoliths as the Central Utah and Arizona projects, and simply cut their funding for next year by two-thirds; you'd save three-quarters of a billion dollars in this move alone, Mr. President, the coalition said.

Clearly, Osann and the coalition caught a dam-fighter's version of gold fever. An

across-the-board cutback on water project spending is not efficient water policy nor even good decision-making.

Although the coalition might strongly argue otherwise, some of those 18 projects might have some redeeming value.

If they do, let's build them. Delaying construction will only increase their eventual cost. If they don't make economic and environmental sense, let's kill 'em.

That Osann and other environmentalists have taken to extraordinary tactics is only testimony to their having grown streetwise to the difficulty of getting the federal government to consider water projects on their merits.

It is still to be seen how Carter's budget cuts will match up with Osann's suggestion. While Carter has come out strong on water policy reforms, with conservation as the cornerstone, he has fallen seriously off course, failing to veto last year's devastating appropriations bill and to effectively lobby against H.R. 4788.

But there are signs that attitudes are changing. Simpson and Domenici are one. The House vote on H.R. 4788 is another (while it did pass, an unprecedented 127 members voted no — a big enough vote to sustain a veto).

The South Dakota state legislature is a third, having just this week voted to accept deauthorization of their own boondoggle Osage water project after years of fighting for construction. A fourth is the plethora of election year rhetoric we'll be hearing on fiscal austerity and restraint. Wasteful projects should top the list.

The full Senate will soon consider its own project authorization bill, which Simpson and Domenici have vowed to improve. Congressional budget panels will soon be holding their annual spring hearings on water project spending. And President Carter will soon be faced with approving or vetoing both bills.

As one observer noted, the drain on the pork barrel has been loosened. A good kick from the public could unplug it for good. — MM



NO 25-CENT BUMPER STICKER EFFORT

Dear HCN,

We need governors and senators throughout the West who will not sell out and kow-tow to, nor give in, to large corporate and federal interests — we need all of our citizens to understand the workings of the federal government, to at least know who to write, what to say, and how to mobilize and channel public opinion meaningfully.

May hundreds of your environmentally concerned readers run for Congress, for the Senate, for county commissions — go to conventions, precinct meetings, get angry at the right time, develop the most effective invective you can — we must defend all of the West, not just bits and pieces in a local scale 25-cent bumper sticker civic effort — let us defend what we love in our mountains.

Our voices will be heard; our struggles must be victorious; our love for the sacred giver of Life, the Mother Earth, must be so thorough that she, with her invincible timeless logic will always carry us through.

Stephen William Fox
Chairman, No Nuclear Wastes Defense Fund
Santa Fe, New Mexico

Dear HCN,

I like your new front page flag, but how about showing a variety of animals in the circle from time to time? It's not that I don't like the mountain goat, but I think the diversity would be interesting, and it would let you showcase some of your excellent art work.

Frank Charron
Corpus Cristi, Tex.

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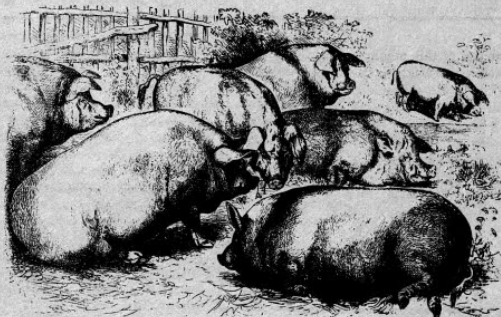
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4-High Country News — March 7, 1980

Blazing the soft path

Influential 'techno-twit' mines U.S. energy inefficiencies

by Peter Wild

Every high school seems to have at least one, the budding genius who bounds through the halls behind his thick glasses, fascinated by the marvels of computers, oblivious to the joys of rock 'n' roll. He goes off to Harvard or MIT. Years later, former classmates see him grinning at them from the back pages of the local newspaper. Happily lost in his theoretical world, he's on the research staff of some distant electronics firm or at work on a complicated government project.

In the case of Amory Lovins, the stereotype holds some truth. However, he did not follow his fascinations into a narrow if satisfying obscurity. Instead, Wall Street gurus, members of Congress, the president himself, United Nations agencies and prime ministers tug at his sleeve as he jets about recommending energy strategies. The young physicist also gives piano recitals, ties knots for a hobby and writes poetry.

One admiring colleague summarizes Lovins' Renaissance energy: "He has been consultant to many of the world's think tanks, has debated in many countries, testified before governments, working his way meanwhile through a calendar crowded with conferences, manuscript deadlines, mountains of reading, and mountains, too, to climb and photograph, with musical interludes." The advice that world leaders eagerly seek from this busy person is solidly anchored in scientific research, but it also has strong psychological appeal.

In Lovins' view, the United States has abundant energy. He foresees utility bills going down instead of up, to the benefit of consumers as well as of utility companies. No wonder that this New Englander is heralded as a "Messiah" by the *Washington Post*, the "Whiz Kid Energyologist" by *New Times*, and a "wunderkind" in the pages of *Science*. While he warns that difficult choices face the world in the coming years, essentially he bears good news.

A SCRAWNY WHIZ KID

Lovins' unusual personality and a chance encounter with a famous environmentalist steered him away from a traditional career. "I was brought up as a normal, healthy techno-twit," says Lovins, who as a child entertained himself by tinkering with clocks. His father was an engineer in Washington, D.C., his mother a social worker and editor. In 1960 they moved to western Massachusetts' wooded hills and rolling pastures with their 13-year-old son.

In high school Lovins was "the resident whiz kid," as Ellen Frank wrote in *New Times*, "a scrawny guy with a huge Adam's apple, thick glasses and

an ever-present weighty briefcase that swung wildly as he careened around the corridors." Some Lovins observers notice a physical resemblance to Woody Allen, but the energy "Messiah" has few of the anxieties and phobias of the failure-prone comic. During high school Lovins won prizes at international science fairs, took part in a production of *The Mikado* and entertained friends with his antics and piano playing. Equally important, teachers recognized his genius and encouraged him to take courses at nearby Amherst College.

His truncated university career is an indication of a freewheeling brilliance that insists on its own development. Racing ahead of his professors, young Lovins soon wearied of the fare at Harvard and left Massachusetts for Oxford, England, to pursue a Ph.D. in experimental physics. The scholars at Oxford were impressed by their candidate. They made him a research fellow—the youngest in the university's long history. But restlessness again plagued him. Master's degree in hand, he quit in 1971.

Lovins had spent school holidays exploring the British countryside afoot. Enthralled by tramps into Wales, he and a friend composed a book-length manuscript on the Eryri Mountains of Snowdonia National Park, a craggy, lonesome place of mists and eagles. Lovins' search for a publisher led to a meeting in 1970 with fellow American David Brower.

MOUNTAINS OF LONGING

Brower was in England to place his recently-founded organization, Friends of the Earth, on an international footing. Events moved quickly after the young physicist and the environmentalist, 35 years his senior, made friends. *Eryri, the Mountains of Longing* (1971) became an early offering in FOE's series of lavish, format-style books. The volume mixed passion with logical arguments, asking that one of Great Britain's last wild corners be spared from careless mineral and hydroelectric development.

Brower had crystallized the thinking of this youthful genius, who was stewing at the age of 23 because "it wouldn't make much difference to anyone whether I solved the problems of the world in the laboratory."

FOE's representative plunged into solving Britain's immediate environmental ills. Lobbying, writing, organizing, Lovins scuttled another planned invasion of Snowdonia, this time in the shape of an open-pit copper mine. He served on the Royal Commission on Environmental Pollution and publicized his efforts with *Open-Pit Mining* (1973) and *Non-Nuclear Futures* (1975). Thus he moved through a spectrum of issues to tackle what he came to view as the overriding environmental

crisis: decreasing energy supplies for a growing world population.

IN THE INTERNATIONAL LIMELIGHT

Multi-talented, politically adroit Lovins is an expert at the lightning attack, the master stroke. When prime ministers and industrialists picked up the October 1976 issue of *Foreign Affairs*, they saw "Energy Strategy: The Road Not Taken?" by Amory B. Lovins, not yet turned 30, a mere boy beside his graying fellow authors. He peered from the photo insert, baby-faced behind dark-rimmed glasses. His tentative grin, if widened just a bit, might be about to break out with "What, me worry?" Energy salvation was at hand, the article said.

Critics lambasted his thesis as "a piece of crap" or praised it as "the most influential single work on energy policy written in the last five years." *Foreign Affairs* found itself deluged with requests for reprints. *Electric Perspectives*, an organ of the U.S. utility industry devoted an entire issue to an attack on Lovins' article. More than anything else, the *Foreign Affairs* piece launched the FOE staff member into the international limelight. There, where he dodges brickbats with apparent ease, his fame promises to grow as energy problems worsen.

Amory Lovins protests that he is not so much an original thinker as a "roving synthesizer and gadfly." His ideas draw heavily on the innovative thinking of such people as E.F. Schumacher, of *Small Is Beautiful* fame. In Lovins' opinion, the industrialized world suffers not from energy want but from energy waste. His prime emphasis, then, is on "mining the inefficiencies in the present system."

He points to the typical American refrigerator as an example, so badly designed that the motor uses about half its power to cool itself—in contrast to more efficient pre-World War II models. Lovins reasons that with the technology now available—weatherstripping, insulation, solar heating and more efficient motors and lighting—the coun-

try could cut fossil fuel energy demands by about two-thirds.

He chides those who equate high energy use with prosperity: "Some people feel that civilization in the U.S. would be inconceivable if we used, say, half as much electricity as we do now. Yet that is what we did use in 1963, when Americans were at least half as civilized as they are now."

"With the utilities we are in the position of somebody stuck in a narrow alley with a blind elephant."

The *Foreign Affairs* article began with the well-known quote from Robert Frost about two roads diverging in a wood. As Lovins describes it in *Soft Energy Paths* (1977), the world needs to abandon what he calls the "hard path." The hard path has led us into a centralized, capital intensive, complex, inefficient, dangerous, inappropriate and non-renewable energy thicket. The soft path takes the opposite direction, toward a placid, decentralized, inexpensive, uncomplicated, efficient, safe, appropriate and renewable glade. Lovins places nuclear reactors and large fossil-fuel generating plants in the first category. He contrasts them with solar, wind, geothermal and biomass energy sources—environmentally benign alternatives tailored to meet local needs.

Beyond the economic and environmental problems of the outmoded hard path lies another danger, that of a "friendly Fascism." The nuclear industry, for instance, means loss of traditional freedoms because it must protect itself with guards, secrecy and censorship. As a Jeffersonian democrat, Lovins fears the power of "an alien, remote and perhaps humiliatingly uncontrollable technology run by a faraway, bureaucratized technical elite."

Again echoing a theme from Schumacher, he says that only local control and local ingenuity can be flexible enough to devise economically feasible and environmentally sane soft paths. He observes in a *New Roots* interview that "to work their best, most renewable energy systems have to be tailored to local climatic and cultural conditions, but the Exxon's of this world can't do that. They can only make cookie-cutter technologies."

Such broad suggestions might be dismissed as the pipings of a day-dreamer if they weren't backed by Lovins' thorough research. "Amory is the only person I know," commented a friend at a solar conference, "who can write a one-column letter to *Science* magazine and follow it with two



columns of footnotes." The attention to detail keeps his critics scrambling.

Lovins claims that "it's numbers. That's what makes them mad. I'm using their own figures against them. It's not the eloquence of my arguments. It's just that their way costs too much."

SINCERE, INTELLIGENT CRITICS

As in any debate on a complex issue, Lovins' proposals have sincere, intelligent critics. Some of them accuse him of bending their own facts to suit his purposes. Yet his well-documented arguments are winning increasing support in the scientific community. Writing for *Science*, Allen L. Hammond carefully picks his way through Lovins' proposals and concludes that the New Englan-

der's message "is easily the most comprehensive and technically sophisticated attempt to put together an energy program compatible with environmental values."

While comprehensiveness and professional sophistication have thrust the young physicist to the fore of the energy debate, his good nature persists. A friend from high school days comments: "He has never let his intelligence get in the way of friendship. It's like an autonomous product, a computer tucked in his pocket."

Writer and activist Alexis Parks provides a picture of Lovins' attention to practical details: "In the midst of a speech to a crowd of some 600, a speech I was recording from my front-row seat, Amory, without a break in his stride, as if it were merely some sort of punctua-

tion, looked at me, pointed to my tape recorder on the floor to remind me that the tape needed turning over, (he had heard the click, I hadn't) and continued on. In Austria, working on the ECO-Salzberg papers, he manned the typewriters with the rest of the staff, typing at faster speeds than most of us, often with an apple or chunk of bread in his mouth."

Faced with what they see as life-and-death issues, environmentalists can easily burn out with seriousness. Not Lovins. His breezy humor combines with self-confidence to leaven what can be a gloomy business. He advises fellow environmentalists to be careful with the electric industry. "With the utilities we are in the position of somebody stuck in a narrow alley with a blind elephant. You want to be very careful if you're in

that position and lead it gently by the nose — to make sure you keep one step ahead of it."

Rushing to a meeting with a state governor, he digs out a necktie and quips to a reporter about putting on his "camouflage."

But Lovins' life is not all work. Each summer he escapes to the White Mountains of southern Maine. At Camp Winona, dressed in his well-worn lederhosen, the scientist counsels boys and leads them on climbs. Camp also gives him a chance to indulge his love for photography. Since the Eryri book, Lovins' work has appeared in another FOE volume, *New England's White Mountains: At Home in the Wild* (1978).

ON TO OTHER PROBLEMS

Still in his 30s, the physicist sees the world making the recommended shift from the hard to the soft path — with or without his efforts. To him the issue is one of lessening the trauma of a change that will come through necessity. "It's going to happen anyway. If we don't start it now, when the price runup does come, it will come faster and go higher. But if you do it on a pre-announced schedule, so people can take it into account, you can absorb the shock."

Partly because he thinks people already have the answers to the energy problem, he's ready to move on. Also, for some time Lovins has worked on his solutions with the help of Hunter Sheldon, an assistant director of the

Lovins is an expert at the lightning attack, the master stroke. His fame promises to grow as energy problems worsen.

California Conservation Project. He credits her background in the social sciences with broadening his perspectives. In 1979 they were married, and their combined interests are leading Lovins into new, even more complex, challenges.

As he puts it, "I'm becoming more involved with food, land and water issues, not just with energy. The more we look at the ways of using energy efficiently, the more in the long run it seems that energy isn't a terribly interesting problem. It's not nearly as difficult as we thought. Problems like peace and social justice and food are going to be much more difficult and complicated, and we really ought to be getting on with those."



Amory Lovins will be in the West this summer for a week long workshop, Sept. 21-27, called "Soft Energy Path Exploration" at Feathered Pipe Ranch, Box 1682, Helena, Mont. 59601. Write for details.

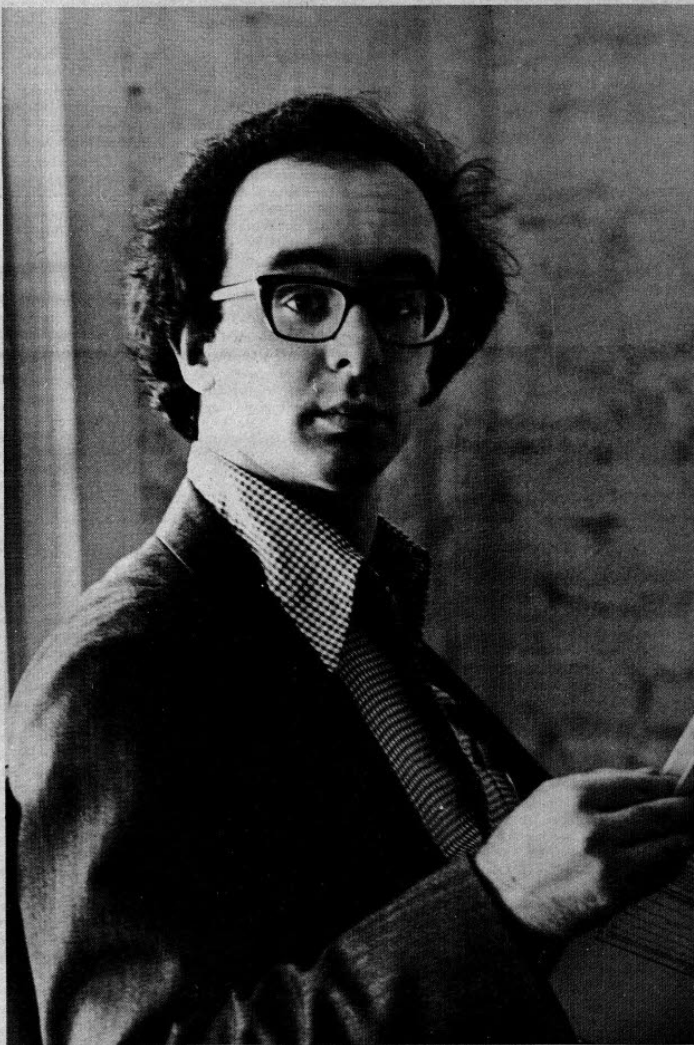


Photo courtesy Friends of the Earth

AMORY LOVINS

States taking coal bounty...

(continued from page 1)

and utilities are fighting hard to hold or lower them.

But a kind of paralysis has set in. High taxes, such as Montana's, are popular in the state and likely to stay high; low taxes, such as Colorado's, seem cast in cement. In low severance tax states, politicians argue that any increases would drive industry elsewhere and hurt the economy; in high-tax states politicians and voters luxuriate on the cushion of bountiful tax revenues.

Widely varying levies are applied to uranium, oil and gas, metals, trona (sodium bicarbonate), and other minerals. But the big struggle is over the pound of flesh extracted by state severance taxes from coal producers.

HELP OR HINDRANCE

The largest, richest deposits of coal in the country lie in eastern Wyoming and Montana, and mining industry representatives will pull out coal production charts to show that high coal severance taxes in Montana have all but killed production growth in that state, while in Wyoming, with a tax half as big, production is soaring.

But defenders of Montana's system point to a bulging treasury — \$30 million now in the state's coal tax trust fund and \$4 billion expected by the year 2000 — and invoke a recently-signed \$1.7 billion sales contract for coal from the Spring Creek Mine in southeastern Montana to show their coal is still marketable.

Still, other states balk at following Montana's lead. In Colorado, where

coal is taxed at less than four percent of its price per ton, and even less when it's dug from underground mines, a bill this year to up the severance tax has never gotten out of committee. Colorado's taxes on oil and gas, molybdenum and uranium are even lower, with numerous loopholes.

In Wyoming this year, Gov. Ed Herschler (D) tried for the second time to push a severance tax hike through the legislature. It did not get anywhere, nor did lesser hikes. In what may have been a hopeless flight of fancy, the Wyoming Outdoor Council proposed a 25 percent severance tax on coal, uranium and trona. Herschler's less quixotic effort aimed at a four percent hike on coal from the present 10 percent rate (an ad valorem tax brings the effective Wyoming rate to 16.9 percent).

Herschler's opponents, led by Republican House Majority Leader Russ Donley, argued that Wyoming's economy was stronger than Montana's because of its lower tax; that the coal industry, now very active in Wyoming, would be driven away by higher taxes; and that a lower tax is, in Donley's literature, "red, white, and blue" — more patriotic. Others opposed to upping the Wyoming tax said a raise wasn't necessary — the state was pulling in enormous revenues already, and the income would rise as new mines opened in coming years.

Certainly Wyoming's economy is booming, with the population growing and a very low unemployment rate. Coal production there, primarily in the rich Powder River Basin, has soared to over three times Montana's. And projections by the U.S. Department of

Energy have production going much higher in the next 20 years.

But Hap Stuart, a rancher and former chairman of the Powder River Basin Resource Council, points out that, regardless of severance taxes, Wyoming has considerably more federally-owned coal, which attracts energy companies seeking large, cheap leases. Stuart also points to less expensive transportation and thicker coal seams in Wyoming.

In an insightful article in the *Billings Gazette*, reporter Roger Clawson blamed the disparity between Montana and Wyoming coal development on the state's policies before Montana upped its tax in 1975 — he thinks the development-oriented policies of former Wyoming governor Stan Hathaway attracted coal producers, while the more conservative Montana administrations, remembering the way the state's copper was ripped out, shied away. Clawson points out, and industry experts support him, that the industry's position today is a reflection of policies made almost a decade ago, since it takes about eight years to bring a mine to production.

Nor do all industry representatives put sole blame for discouraging sales on severance taxes. "The higher the severance tax, the more serious a factor it is in sales," said Peabody Coal Co.'s attorney Terry O'Connor, "but it's just one of the factors that's cranked in. A utility customer won't come back and pinpoint exactly why they didn't buy our coal."

KEEPING TAXES DOWN

But utilities and energy companies know at least that severance taxes add to their costs and cut into their profits, so they are fighting back vigorously.

Energy lobbyists showed impressive clout this year: only one legislature, New Mexico's, raised its tax rates on nonrenewable resources.

In Montana where it is too late to lobby against tax rate hikes, 10 utilities and four coal-producing companies filed suit last year in district court claiming the state's 30 percent tax was a burden on interstate commerce and should be declared unconstitutional. They lost, and the suit is now being reviewed by the state Supreme Court. Montana officials expect it eventually to reach the U.S. Supreme Court.

But industry sources express greater hope for another tourniquet on state taxes: federal law. Bills have been introduced by two Texans, Sen. Lloyd Bentsen (D) and Rep. J. J. Pickel (D), that would limit severance taxes on federal coal to 12.5 percent. Texas utilities have been particularly hard hit by rising coal prices and transportation costs. But as the Montana Attorney General, Mike Greeley, noted in a brief filed with the state Supreme Court last month, Texas collected over \$1 billion in oil and gas severance taxes last year — considerably more than Montana got from its coal tax.

The Texans' bills have not gotten anywhere, but an even stronger bill by Rep. Phil Sharp (D-Ind.) may get a hearing this year. Sharp calls Western severance taxes "profiteering" and Wyoming and Montana "a domestic OPEC."

Montana Sen. Max Baucus (D) is also worried about a severance tax cap on oil and gas that has been included in the windfall profit tax bill now before Congress. He thinks it may set a precedent for interfering with state severance taxes.

While the severance tax may cut into profits and irritate utilities and energy companies, a study by North Dakota Tax Commissioner Byron L. Dorgan challenges the idea that state levies are to blame for higher electricity prices.

The price of coal, Dorgan points out, represents only about 10 percent of what consumers pay for electricity — the rest is for equipment, transportation, service and transmission losses. A 30 percent severance tax (North Dakota's is currently 20 percent) represents only a two percent rise in utility bills for faraway utility customers — less, Dorgan points out, than the sales tax Minnesota adds to utility bills (four percent).

There is also some question whether high severance taxes would greatly depress production and thus force the country to depend more on energy from abroad.

The departments of Energy and Interior commissioned a study on future Western coal production in 1978 which ran various severance tax rates through a national coal computer model. The study, by ICF, Inc., of Washington, D.C., forecast that the West would produce 770 million tons of coal in 1990 (in 1975, by comparison, the West produced 110 million tons of coal) if other conditions remain unchanged.

If severance taxes in Western states generally were raised to a level comparable with Montana's, the production forecast would drop to 734 million tons

Nix to MX missile say protesters in Wyoming

by Philip White

CHEYENNE, Wyo. — Grow wheat, not warheads.

That was a common assertion by 50 southeastern Wyoming citizens who attended an impromptu meeting here last month to protest locating the MX missile system in Wyoming.

Lindi Kirkbride, a rancher at Meriden, northeast of here, who helped organize the meeting, said the coalition of farmers, ranchers, environmentalists and nuclear weapons foes has formed a group called Wyoming Against MX (WY A MX).

Until December 10th, few area residents paid much attention to the debate over locating the MX in Nevada and Utah. Laramie County had been rejected as an MX site by the U.S. Air Force (USAF) for "geotechnical" reasons.

But that all changed when the USAF agreed to reconsider its decision at the request of Wyoming's Democratic governor, Ed Herschler.

At the WY A MX meeting, citizens from Laramie and Albany counties said construction of the nuclear missile system's 10,000 miles of roads and 4,600 hardened shelters would take valuable

farmland out of production and would require too much water.

Others said that a population influx of more than 50,000 construction workers and support personnel would overburden schools and government services in an area already suffering from rapid energy-related growth.

The project has been called the largest public works project in American history. The federal Office of Management and Budget estimates it would cost \$50 billion.

Residents of this area are well acquainted with missile silos. Cheyenne's Warren Air Force Base is the command center for hundreds of Minuteman III missile silos in the region. Cheyenne boomed in the late 50s and early 60s when the Atlas missile sites were constructed. Undoubtedly, Cheyenne is on the Soviet target map.

The farmers have accepted the intrusions of previous missile deployments. But the magnitude of the MX system has them worried. And a rash of contradictory statements by MX promoters has them confused.

On December 14th, Air Force Brig. Gen. Guy Heckler, the Pentagon's chief MX lobbyist, told a Nevada audience that the Air Force is considering building "part or all of the system" in Wyoming if a Nevada-Utah site is found unsuitable.

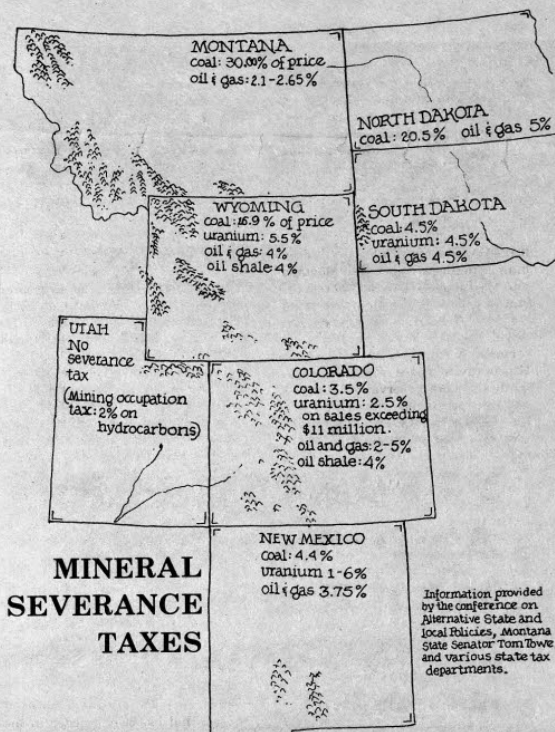
On January 23rd, USAF Undersecretary Antonia Chayes told the House Interior Committee that the Air Force preferred to base the missiles in Utah and Nevada and that no other state was a "clear" second choice. (She said alternative sites were examined in six other states; Wyoming was not on that list.)

On February 11th, Lt. Col. Melvin Castillo, a USAF missile engineer at Norton AFB in California, told a meeting of the Cheyenne Chamber of Commerce that the USAF wanted to build the entire system in one area. "At this time, the split-basing mode is not a viable alternative," Castillo said.

But retired USAF Col. James E. Cowan, a former missile wing commander at Warren AFB in Cheyenne who is now a Cheyenne banker, said on February 12th the chances of bringing portions of the MX to Wyoming "look better all the time."

Cowan, who heads a 12-member committee appointed by Herschler to promote the MX here, said one-third of the system could be built in Laramie County and the environmental impacts would be minimal.

USAF Lt. Col. Jesse Ford, an aide to Heckler at the Pentagon, told United Press International on January 11th that a 680-square-mile site in the Great Divide Basin northwest of Rawlins, Wyo., may be suitable for the MX.



MINERAL SEVERANCE TAXES

(Because some states have complicated tax formulas, figures in most cases have been rounded off. In addition, many states have credits, price definitions and property value levies which make precise calculation difficult.)

— a loss of only 35 million tons, according to ICF.

But the study also gave a clue to what frightens state legislators when they consider raising severance taxes — a radical shift in coal production among Western states. If the study is correct, high regional severance taxes would shift much production from Wyoming and Colorado to Montana, where much of the coal is of higher quality, if these two states brought their taxes up to Montana's level.

Montana's Towe argues that even if a state's production dropped with increased mineral taxes, revenues would remain high — as for instance, Montana today keeps pace with Wyoming in coal tax revenues despite producing much less coal. And Montana, he adds, collects its revenues with less environmental and social impact to mitigate than Wyoming.

RADICAL VIEW

Even while some industry representatives complain that Montana has gone too far, there is an argument at the other end of the spectrum: Montana has not gone far enough.

Belden Daniels, a Harvard economist, former international banker and energy consultant to Indonesia, Alaska, and California, said here that while Montana was far ahead of other Western states in demanding a slice from energy development profits,

it lagged behind international big-leaguers and even other states.

Alaska, Daniels pointed out, will get about \$2 billion this year from sale of leases, oil royalties, severance taxes, and energy property taxes.

Daniels also pointed out another shortcoming: misusing the revenues from severance taxes.

First, he warned against putting revenues into the states' general funds, which can lead to a build-up of government services that cannot be sustained after the energy boom ends. Second, he warned against accumulating a huge energy trust fund and investing it poorly. Montana, with a conservative investment policy, is probably suffering a net annual loss on its investment by earning less than the rate of inflation, he said. Without good investment, Daniels said, "These things are worth more to you left in the ground," echoing an economic philosophy heard in oil producing countries around the world.

Many environmentalists, though they usually campaign for severance taxes as a tool for mitigating impact, admit privately that they wish the mining industry were right: that severance taxes would discourage mining altogether, or at least slow the pace of development considerably.

Where does the severance tax money go?

Montana puts half its revenues into a permanent trust fund, a rapidly-

growing nest egg expected to hold billions by the time the coal industry finishes its work in the state. The principal cannot be touched unless three-fourths of the legislature approves; and what its enormous earning potential will be used for remains uncertain (see sidebar).

Outside of the permanent trust fund, that still leaves half the coal tax revenues — which totaled \$42 million in 1979 — to be invested in an educational trust fund, alternate energy research, local impact aid, the state's general fund, and other areas.

Forsyth, a town in eastern Montana's coal country, has received a total of \$4 million in grants since the severance tax was enacted in 1975, to which the town has added over \$1 million in matching funds. With the funds, a new elementary school has been built, a high school upgraded, and a new sew-

age system built. City officials have purchased a new patrol car, garbage truck, and street sweeper, among other things.

Is that enough?

A rancher from nearby Colstrip, Wally McRae, talked here about the way life has changed since coal development began. He decried in an un-sentimental way the loss of ranchland and rural ambience, but he grew angry recalling the year his daughters attended school in an abandoned supermarket. He also noted the rise in drugs and crime, the transient nature of the town's inhabitants.

Colstrip has gotten more than \$2 million in Coal Board grants since 1976. Clearly, for ranchers like McRae, the money from that overflowing severance tax coffer has not paid the price.

Slicing up the severance pie

The money keeps accumulating. It infuriates representatives of out-of-state coal consumers like Congressman Phil Sharp (D-Ind.), who calls high severance taxes "exploitative" and "profiteering." But it keeps accumulating.

States with severance taxes distribute the proceeds in a variety of ways — for roads, capital improvements, natural resource development, educational facilities, environmental monitoring and general impact aid. But most of them have also begun setting aside a portion of severance tax income for the future, usually in trust funds in which the principal cannot be spent without the approval of the legislature. Often a three-fourths vote is required.

Investment strategies differ but are generally conservative. New Mexico, which had accumulated \$301.3 million in its Severance Tax Permanent Fund as of July, 1979, earned about eight percent on it last year. Wyoming, with \$163.5 million in its Permanent Mineral Trust Fund, earned less than 11 percent in 1979. Primarily, trust funds are invested in U.S. Treasury notes, certificates of deposit and bonds.

Occasionally, a permanent fund will be used to underwrite economic development — as when New Mexico last year offered low interest money (eight percent) to state banks. That program was discontinued this year.

The idea of that money just piling up may infuriate Sharp and his constituents, but experts on energy development, like Harvard economist Belden Daniels, encourage such a strategy. In fact, Daniels argues against putting any money from severance tax revenues into a state's general budget — as all states still do, to a greater or lesser degree. He also argues for an aggressive investment strategy to provide a good rate of return.

Montana has one of the most complicated systems for distributing severance revenues, and it illustrates the many demands for natural resource levies. Half of the severance tax revenues go into the permanent Constitutional Trust Fund (up from 25 percent last year), and the rest go into local

"I don't think they've come to grips with it yet, but as the money grows, you can bet a lot of people will get interested."



impact aid (nine percent), and educational trust fund (10 percent), a parks fund (2.5 percent), alternative energy research (2.5 percent), a renewable resource fund (1.2 percent), libraries (.5 percent), county land planning (.5 percent) and the state's general fund (17 percent).

Montana has accumulated \$22.7 million in its permanent trust fund, but that will nearly triple by summer with this year's percentage hike. The trust earned about nine percent last year, earnings that the legislature can, and does, appropriate.

Like other Western states, no one in Montana seems to have a clear idea of what it's going to do with the money in its permanent fund (state officials estimate the trust will top \$3 billion at the turn of the century). State Sen. Tom Towe introduced a bill last year that would have used the money to aid young ranchers and new small industry in the state, but it got nowhere.

"I don't think they've come to grips with it yet," says Murdo A. Campbell, administrator of Montana's Coal Board. "But as the money grows, you can bet a lot of people will get interested."

"We just plan to let it accumulate," said Janet Atwood of the New Mexico trust fund, "and hopefully when it's the minerals are gone we can live off it."

by Jim Scott

DENVER, Colo. — Metropolitan nights in the western United States are punctuated by the clang of trashcan-tipping coyotes. The song dogs' howling choruses interrupt concerts at the Hollywood Bowl. Foxes, raccoons and skunks make frequent urban appearances.

Rare wildlife species, too, sometimes find their way into big city life. Peregrine falcons, an endangered species, have nested on top of the main post office in Washington, D.C. In Pittsburg, Kan., a portion of the sewage system has been declared a protected area in deference to several gray bats, another endangered species.

Growing numbers of wild creatures are likely to join this invasion of the cities. Many species have little choice. More than one million acres of land are plowed under annually in the United States to make way for cities. A recent congressional report estimates that an additional 19 million acres — roughly an area the combined size of Vermont, New Hampshire, Massachusetts and Rhode Island — will be devoured by urban sprawl by the year 2000.

At the same time urban wildlife is becoming increasingly valuable. In a recent study by the U.S. Fish and Wildlife Service, which randomly surveyed over 100,000 households in all 50 states, researchers found that more people were interested in nonconsumptive uses of wildlife — such as bird-watching, nature study and wildlife photography — than in consumptive uses such as hunting, fishing and trapping.

COLORADO'S PLAN

Colorado is one of several states that have developed urban wildlife programs. Initiated in 1979 by the Colorado Division of Wildlife's nongame section, this project is funded in part by the state's income tax check-off program, which allows residents to contribute portions of their refunds to a special nongame wildlife cash fund.

Headed by Steve Bissell, the Division's "nonconsumptive use" specialist, the program is intended to tally urban wildlife populations, analyze their habitats, develop ways to increase their numbers, and help the public appreciate them.

Using photographs taken by a satellite 570 miles above the earth, Bissell has been able to pinpoint various urban habitats in the Denver Metropolitan area. Most vegetation appearing on the image is bluegrass, a relatively poor ecological niche for wildlife.

"Changing some of the bluegrass parks back to their native vegetation would greatly improve the urban

habitat," Bissell says. "Many birds and small mammals would be attracted to these areas that now support almost no wildlife."

The city of Columbia, Md., has improved its wildlife habitat dramatically. With a vast resource of open space (28 percent of the city has been set aside permanently for this), city officials have all but abandoned mowing operations, allowing much of the habitat to return to native vegetation — saving the city more than \$15,000 annually in the process.

The first major urban wildlife project by the Colorado Division of Wildlife is a bird survey encompassing the city and county of Denver. In urban neighborhoods, parkways, suburban areas, industrial parks, waterways, and even downtown Denver, Bissell and his staff have set up a series of 20 one-mile transects.

Beginning in late March, three-person volunteer teams from various bird-watching and conservation organizations in Denver will survey these routes one day a month for a year, recording all bird species and their relative abundance.

RIVERS: AVENUES FOR WILDLIFE

River corridors are especially good habitat. The South Platte River and Cherry Creek, which flow through Denver, are excellent environments for urban creatures. "Basically, there is little development in the floodplain," says Bissell. "These avenues are a good access into the city for birds and small mammals."

Cemeteries, one of the major open spaces in most large cities, are another important niche for birds. Graveyards in Boston, Mass. make up 38 percent of the open space within that city. At Forest Lawn Cemetery in Buffalo, N.Y., check lists of bird species inhabiting the grounds are available from the staff. And in Wheat Ridge, Colo., a suburb of Denver, Crown Hill Cemetery is one of the few places in the state where one can observe a small falcon known as the merlin with any regularity during the winter months.

Through the survey, Bissell hopes to learn what attracts birds to the city and determine the potential for increasing urban bird populations. He also plans to make the results available to developers, local governments and others interested in improving wildlife habitat.

His hope is that with a boost from these projects, birds and animals now trapped in the city will be given the opportunity to make a go of it.

Jim Scott is a writer for the nongame section of Colorado Division of Wildlife.

SURVIVAL IN THE CITY

FOXES, FLYCATCHERS, AND FALCONS MAKE A METROPOLITAN GO OF IT

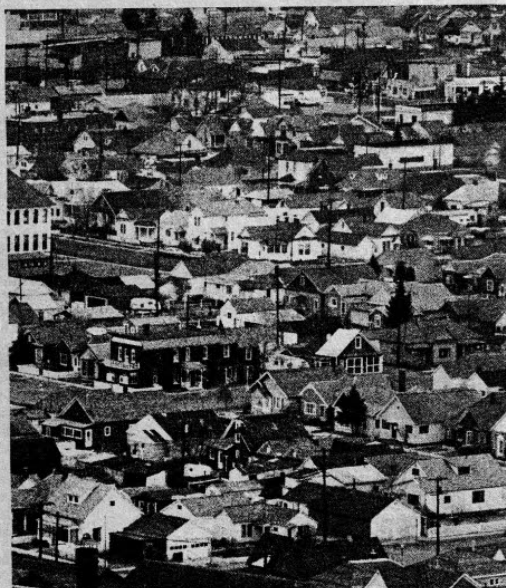


Photo by David Spear



Photo courtesy of the Colorado Division of Wildlife

ABOVE: Songbirds, such as the flycatcher shown above, aren't particularly fond of the bluegrass-carpeted world they find in most cities, but they are adapting to a world shared with humans.

LEFT: The city. Despite its apparent lack of facilities, foxes, coyotes, raccoons, skunks, prairie dogs and all kinds of birds make it their home.

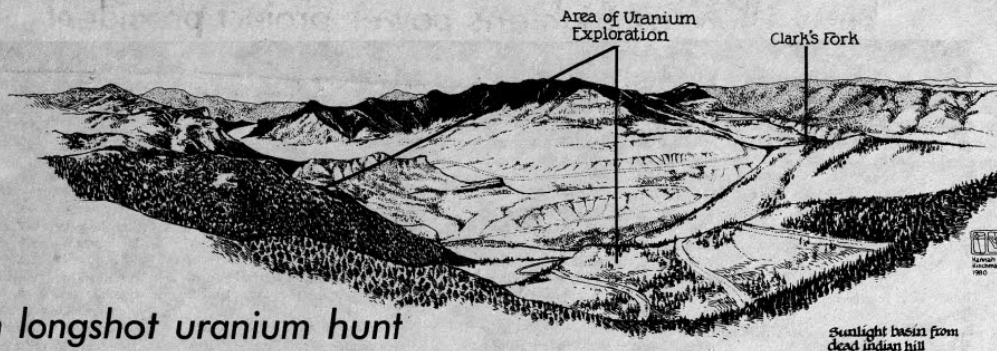
RIGHT: Steve Bissell, the Colorado Division of Wildlife's crusader for urban wildlife welfare.



Photo courtesy of the Colorado Division of Wildlife

10-High Country News — March 7, 1980

ENERGY



Exxon longshot uranium hunt clouds future for Sunlight

by Jill Bamburg

The Exxon Minerals Company plans to step up its search for uranium in the scenic Sunlight Basin area near Cody, Wyo., this summer.

According to an operating plan filed with the U.S. Forest Service, the company plans to sink 19 exploratory holes in the area, most of them at sites off the Sunlight-Dead Indian Road. A check of the records in the Park County Clerk's office this summer revealed that Exxon held approximately 245 claims in an 11-section area within the Shoshone National Forest.

The area, which lies northeast of the North Absaroka wilderness, includes a calving ground and critical winter range for elk, a fishery of statewide importance and several sites of archaeological interest. Sunlight Creek runs into Clark's Fork, a candidate for inclusion in the nation's wild and scenic rivers system.

Exxon plans to drill 13 holes using a truck-mounted drill along the Sunlight-Dead Indian Road and along an old road between Dead Indian Creek and Elk Creek that will be reopened to

Exxon's exploration plans are not immediately threatening, but local residents fear there may be a uranium mine in their future.

gain access to the sites. Six additional holes will be drilled with a portable rig transported by helicopter to sites inaccessible by road. Exxon's operating plan calls for no site leveling or tree removal and for reseeded of all areas disturbed in connection with the drilling.

The area also includes some private inholdings: one large cattle ranch, a number of dude operations and summer camps, and a handful of summer homes. Residents, most of whom only spend summers there, number less than a hundred. The area is a major playground for local residents of Powell and Cody, and attracts tourists from around the country.

None of that appears to be immediately threatened by Exxon's explora-

tion plans for this summer. But the company's interest in the area has generated some fears among local residents. Summer home owner Mary Duggleby, who has fought previous efforts to develop Sunlight Basin, said Exxon's exploration "doesn't mean they're going to mine, but that doesn't mean they aren't either."

Exxon spokesman Wiley Bragg said much the same thing. He emphasized the high risk and long odds of uranium exploration. The highly competitive nature of the business makes him reluctant, too, to discuss such subjects as the depth of the exploratory holes, the evidence supporting further exploration and the likelihood of one type of mining versus another in the event of a commercial find.

Describing exploration as an "unfolding type of information gathering approach," he said Exxon will defer any decisions on future exploration or development of the area until it has assessed the results of this summer's prospecting. Bragg acknowledged the beauty and ecological sensitivity of the Sunlight Basin area, but said no meaningful discussion of trade-offs among "measurable specifics" can begin until exploration results are reviewed.

Jill Bamburg is a freelance writer based in Jackson, Wyo.

Coors taps an energy brew

There's more than Rocky Mountain spring water behind the Adolph Coors Company these days.

The Colorado-based brewer, it seems, has been quietly accumulating coal and natural gas properties, according to a recent story in the *Straight Creek Journal*.

Meanwhile, investors have taken a new look at Coors, and have pushed its stock from a record low of \$11.25 to \$14 a share.

Securities analyst Paul McKay, who was quoted about Coors' energy holdings in the *Wall Street Journal* last month, says the company may eventually make more money from its energy properties than it has by selling beer for the past six years.

McKay says that Coors is holding



Across the nation and around the world

B.C. BANS N-FUEL HUNTING. The Canadian province of British Columbia has banned uranium exploration and mining for seven years, short-circuiting at least one major mining and milling project and causing an uproar in the Canadian uranium industry. B.C. Premier William Bennett told the *Wall Street Journal* that nuclear power did not fit into the province's energy strategy. While environmentalists in the region rejoiced, industry spokesmen condemned Bennett's action, as well as his cancellation of a study on uranium regulation in the region. About 30 companies with uranium interests in B.C. are expected to shift their activities to Saskatchewan, a province with a more favorable stance towards nuclear power.

NRC LIFTS NUCLEAR BAN. Almost a year after the Three Mile Island accident prompted the Nuclear Regulatory Commission to declare a moratorium on new nuclear plants, the NRC last month lifted its ban. The five NRC commissioners announced that the Tennessee Valley Authority would

be allowed to rev up its Sequoyah unit No. 1, near Chattanooga, Tenn. No electricity will be produced for six weeks, however, while additional safety features are added. Plants in Virginia and New Jersey, completed but inoperative, are waiting in line for an NRC go-ahead.

RELAX, SAVE ENERGY. What will the nation do if the oil spigot is turned off? Work fewer days a week is one suggestion from the Department of Energy. DOE's stand-by proposals for what to do if the energy well runs dry include the 4-day work week, a partial ban on driving, a lower national speed limit and gasoline rationing. Gasoline represents 40 percent of the nation's oil use, and the government can exercise such controls if states fail to meet federal oil-saving targets (not yet set) during an energy supply disruption.

TAX THAT GAS. In a recent study the International Monetary Fund, the 140-nation organization that watchdogs world monetary affairs, said the United States could reduce its imports and keep oil profits at home if it upped its gas taxes sharply. Presently, the U.S. gas tax is about 18 percent of the price of gasoline, compared to Germany's tax of 126 percent, Japan's of 72 percent and France's 180 percent. How likely is it that the IMF recommendation will be followed? Well, the Carter administration has shelved consideration of such a step, and only one candidate for the White House, Illinois Republican Rep. John Anderson, has campaigned for an increase. And Anderson's standing in the polls is lower than the current tax.

TIDAL TURBINE FUNDED IN FUNDY. The huge tides that come and go in Nova Scotia's Bay of Fundy represent more potential electricity than the Canadian province could use, according to the government utility that supplies power to the area. Now the Tidal Power Corp. is putting up \$15 million to build a hydroelectric turbine on a causeway at the mouth of the Annapolis River, which flows into the bay. The demonstration project will generate 20,000 kilowatts of electricity, only 0.5 percent of the potential in the Fundy tides. George Baker, vice-president of the utility, told the *Wall Street Journal* he foresaw a future surplus of tidal electricity that "could be dumped into New Brunswick and the New England states." Nova Scotia imports about 25 million barrels of oil a year.

mineral leases on 220 square miles in the Piceance Basin of western Colorado. About ten percent of those holdings are already leased to Northern Natural Gas Company, which has five producing wells and more planned.

McKay has calculated the holdings' net worth at \$234 million, or \$8.35 a share.

Coors also holds mineral rights on natural-gas-rich land northeast of Denver and is developing two coal mines in Delta County and Wattenberg Basin.

The company has reportedly acquired the energy reserves simply to further its management goal of becoming a vertically integrated company, controlling every step in the production of its beer.

New Utah tax frightens power project president

The most talked-about bill passed by the Utah legislature this session levies a two percent tax on all electricity sold by the Intermountain Power Project. Before passage, IPP President Joseph Fackrell warned legislators that the bill could mean "a death knell" to the project's proposed 3,000-megawatt coal-fired generating plant. Fackrell's speech didn't seem to worry the Senate, however, which passed the measure unanimously. The House passed it 46 to 11.

- Other energy-related bills passed at the 20-day budget session will provide:
- tax credits for solar, wind and hydroelectric installations;
 - seed money for a tar sands pilot project;
 - and tax incentives to encourage

gasohol use and production. As the session ended last month, Utah Gov. Scott Matheson (D) congratulated legislators on several bills affecting IPP, including the gross receipts tax. He said the package "sets the stage for all future energy development within our state's borders."

"Utah is willing to allow and to encourage development of our energy resources," Matheson said in his closing remarks to the legislature. "But that development must pay its fair share of the costs to the communities where it's located and to the state."

IPP, which is to be built in Millard County near Lyndyl, Utah, would be the largest power plant in the world. IPP's Fackrell feared that the gross receipts tax, which is expected to bring

the state about \$13.7 million annually, would jeopardize the tax-exempt status of bonds that will be issued to finance the plant and its transmission lines. If the Internal Revenue Service had ruled that the interest payable to IPP bondholders was taxable, the plant would not have been able to attract the financial backing it needed, Fackrell said.

However, state officials maintained that the bill would not affect the status of IPP's bonds. "IPP will not be closing down," said Kathleen McGinley, a research analyst for the state planning office.

IPP is tax-exempt because its sponsors are all municipalities or rural electric cooperatives. To get around the problem of taxing a non-taxable entity such as IPP, the bill calls its cut of the

project's gross receipts "a payment in lieu of excise tax."

State Sen. Charles Bullen (R) of Logan, Utah, who sponsored the bill, told the Senate that no matter who owned the plant it should have to pay for its impacts.

"IPP is not a city — it's a giant power plant," he said. While most of the power from the project will go to California, "Utah gets the pollution," he said. He also pointed out that IPP will burn 8 to 10 million tons of coal a year and the state has no severance tax. "As we develop our resources we should have a method of taxing them," he said.

Another successful bill in the package requires payments before the project is built to cover the costs of schools, sewerage and other municipal services required by the project workers. IPP strongly supported this measure as a way of getting money to community officials before impacts occur.

While this bill will affect the timing of IPP's payments to local communities, it won't cost the utility any more in the end. The impact fees will be credited to the in-lieu-of-property-tax payments IPP will owe the county after construction is complete.

Overall, the IPP bills will bring about \$60-65 million a year to the state and its subdivisions, Bullen says.

But he says the municipalities still have an advantage over private power projects, since they are saving about \$200 million a year by issuing tax-exempt bonds.

In other natural resource-related legislation, Utah solons approved:

— a resolution in support of the Sagebrush Rebellion called "the U.S. Land Reclamation Act";

— a resolution asking for redesign of the MX defense system proposed for Utah and Nevada by the U.S. Air Force;

— and a bill that will place a checkoff box on state income tax forms to allow Utah residents to contribute a portion of their tax refunds for use in the preservation of nongame wildlife.

Windfall tax bill emerges with full load of tax breaks

The windfall profits tax took final form last week, as House-Senate conferees agreed to dun oil companies for about half the additional profits they will make due to decontrol of prices on domestic oil. The conferees agreed to exempt Indian-owned oil, to distribute \$3.1 billion in tax revenues to the poor next year, and to offer tax cuts covering everything from wind energy systems to inherited income.

Under the conference agreement, the windfall profits tax would be phased out by 1993, or whenever it has raised \$227.3 billion. Because of decontrol, oil companies are expected to realize over \$400 billion in additional profits before the tax.

Independent oil producers, who saw their Senate-passed exemption from the tax killed in conference, plan to stage a protest this month in Washington in hopes of blocking approval of the conference agreement, which must go back to both houses and then to the President. Like the protesting farmers who brought their tractors to the Capitol, the independents are br-

inging drilling rigs to town. Independents, who drill but don't refine or market oil, claim the major oil companies fought against their exemption in order to drive them out of business.

Though future Congress' could tamper with the formula, conferees estimate that 60 percent of the windfall tax revenues will go to reducing various taxes, 15 percent to energy and transportation programs and 25 percent to aid the poor in paying their fuel bills.

President Carter, who recently threatened to veto the bill, said last week he would sign the conference version despite its many differences from his original proposal.

Carter had asked for a trust fund of windfall tax money to be used to encourage independence from foreign energy sources through programs like synthetic fuel development. Instead, the conferees elected to funnel the tax revenue into the U.S. Treasury, giving Congress the power to decide from year to year how to spend it.

Under the formula in the conference bill, the \$3.1 billion to assist low-

income persons coping with higher oil prices in fiscal year 1981 will be distributed in our region as following: Colorado, \$41.9 million; Idaho, \$17 million; Montana, \$17.8 million; New Mexico, \$16.2 million; Utah, \$19.3 million; and Wyoming, \$7.5 million.

In the next decade, the conference bill would dish out \$7 billion in energy tax credits. Homeowners who install solar, wind or geothermal energy systems will be allowed a maximum tax credit of \$4,000, retroactive to Jan. 1. Credits for intercity buses, fuel-saving business equipment and gasohol were included, among many others.

In moves unrelated to the nation's energy problems, the conferees threw in a tax break on interest and dividend income for the next two years, and tax relief for heirs that will amount to about \$4 billion over the next decade.

In addition to funnelling portions of the government's windfall revenues to the poor, the conference included tax breaks to middle-income persons to help them pay heating bills.



The Rockies and Great Plains

URANIUM LEASES HALTED. Montana has stopped uranium leasing on state lands — for the moment. State officials say they want time to figure out how to get top dollar for the state's resources. With 300 uranium leases currently on state land, most of them issued last year, and 60 more applications, Montana Land Commissioner Leo Berry Jr. thinks it may be time for the state to switch from a "first come, first served" leasing system to competitive bidding.

GRACE ENTERS SYN FUEL RACE. A synthetic fuels facility targeted for northwest Colorado is on the drawing boards at W. R. Grace &

Co. Grace is studying a \$500 million plant that would produce methanol, carbon dioxide and pulverized coal, all of which would be mixed and carried by pipeline to California and the Southwest, according to the National Coal Association. The three products would be separated upon arrival, the coal would be burned by power plants, the gas used for recovering oil from heavy sands, and the methanol used for auto fuel or gas-turbine power generation.

OIL LEASING FRAUD. Following a six-month investigation centered in Wyoming, the Interior Department this month suspended oil and gas lease lotteries indefinitely. The lottery system, by which most federally-owned oil is leased, allows companies and individuals to put their name in the hat for oil development privileges on certain public lands. To improve their chances of winning lottery drawings, companies have allegedly arranged for individual citizens to file applications the companies' behalf. The Interior Department is considering, among other solutions, a conversion to an all-competitive lease system, in which tracts would go to the highest bidder.

STRIP MINING GOLD, NOT COAL.

Montana has seen plenty of new coal strip mines in recent years, but a Pennsylvania mining company is proposing something a little different: a 75-acre gold strip mine near Boulder, Mont. The company, Jeannie S. Mine Co., wants to start a placer-mining operation and will file an environmental statement on the plan. Potential conflicts: winter range for mule deer and the mining company's hope to build a holding reservoir on the Little Boulder River in an area already earmarked for a holding reservoir for other purposes.

CACHE CREEK STUDY. For the first time in the Rocky Mountains, an environmental impact statement will have to be prepared on an exploratory oil well. The well, on Cache Creek in the Bridger-Teton National Forest, part of the potentially oil-rich Overthrust Belt, is planned by the National Cooperative Refinery Association. The Forest Service is concerned about the 17,000-foot well's impact on the nearby proposed Gros Ventre Wilderness. Nearby Jackson, Wyo., residents fear the well may harm a popular recreation site.



Photo by Richard Murphy, Jackson Hole News. **CACHE CREEK CANYON**, a favorite spot of outdoor enthusiasts near Jackson, Wyo.

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Photo by Jackson Hole News

THE NATIONAL ELK REFUGE, near Jackson, Wyo., is being re-seeded with native grasses in an attempt to provide more winter forage for the herd.

Goodbye alfalfa, hello wildrye: Elk Refuge eyes native grasses

by Betsy Bernfeld

Anyone who has spent any time digging grass out of the flower bed or strawberry patch might find it hard to believe that once grass is gone it's very difficult to get it back. But it's true,

particularly in the western high country, where low rainfall, cyclical severe droughts, high elevation, thin topsoil and extreme winters intervene.

At the 24,000-acre National Elk Refuge in Jackson Hole, Wyo., managers are attempting to re-establish grass on approximately 2,000 acres. These lands were originally sagebrush grassland, but early settlers plowed them under to plant a mixture of brome-grass and alfalfa.

Refuge managers used to plant hay on the refuge to bale for elk feeding, a practice discontinued in 1975. Nowadays, they buy compacted alfalfa pellets

and cubes when supplemental feeding is necessary in the winter.

Statistically, brome and alfalfa are better producers than the native grasses. If the plan is to cut and bale hay in the summer for winter feed, they are a good choice.

What the Elk Refuge needs, however, is good winter forage for the elk, to cut down the amount of supplemental feeding. Brome-alfalfa reaches its nutritional peak in July. Once the snow hits, the brome-grass lies down. The single stems of alfalfa that protrude through the snow cover are unpalatable and un-nutritious. And the old brome-alfalfa crop has worn out.

But the decline of the brome-alfalfa has not brought about a resurgence of its predecessors. "Native grasses will not grow back," according to Refuge biological technician Dave Griffel, "because there is no large natural seed source nearby."

BRINGING BACK NATIVES

An ambitious grass-reseeding project is now under way. While the managers hope to plant native species, they say other criteria will enter into their choices. The grass must be a big producer, to feed 7,000 to 8,000 elk. It must be a tall grass so it will stick out above the snow and a hardy grass so it won't

collapse during the Jackson Hole winter. It must hold nutritional value through the winter, and it must be palatable to the elk.

Great Basin Wildrye, a tall, native, nutritious grass, looks like a good choice. However, Refuge managers are having difficulty obtaining seeds. Native grass seeds are not readily available, often must be hand-gathered, and can cost as much as \$250 a pound.

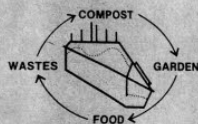
A second choice might be the easily obtainable Russian Wildrye, which has similar characteristics to the Great Basin but is non-native. Several varieties of native wheatgrass are also being considered.

Once the seed is selected, however, it is not as easy as throwing it to the wind. It takes two years to plant the grass. The first summer the ground is plowed. Because the soil is then too loose for grass, oats are planted instead. They make a nutritious cover crop, and by the second spring an excellent seed bed is established.

The National Elk Refuge has plans to renovate their brome-alfalfa fields at a rate of 200 acres per year. In 10-15 years the fields will all be reseeded, and then the cycle must start again, as the earliest-planted crops begin to wear out. To keep productivity at a high level, the fields must be reseeded about every 10 years.

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WILD HORIZONS EXPEDITIONS, Box 2348-H, Jackson, Wyo. 83001 (307) 733-5343. Guided backpacking, mountaineering, ski touring, field seminars in conservation. Emphasis on all aspects of conservation and wilderness education. Custom and family trips, small groups, free brochure.

BLACKIE. You spurge! Keep in mind, nestling beneath your Hudson Bay blanket, the jellyfish outside glinting in moonlight, that we knew Coos Bay together, frog effigies and pestilence. You massasauga! Say I'm fickle; I call it gamesome. CUMQUAT.

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THE MONTANA WILDLIFE FEDERATION is seeking an Executive Director. Candidates should have strong backgrounds in organizational management and natural resource issues, along with public speaking, writing and editing skills. Duties include developing conservation strategies, coordinating activities of volunteers, maintaining organizational records, producing a monthly newspaper and fundraising. To apply, or for more information, contact MWF, Box 4373, Missoula, MT 59806. Applications accepted through April 25.

Western Roundup

March 7, 1980
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Uranium tailings taint upper Colorado River

Uranium mill tailings piled throughout the upper Colorado River Basin are seeping into streams and groundwater, but state officials are divided on the severity of the problem.

The possibility of serious seepage, in

addition to radiation problems associated with tailings used for foundations in homes and buildings, has renewed interest in a comprehensive study of radiation dangers in the area.

Some amounts of radioactivity from

the abandoned Vitro Uranium Mill tailings are probably seeping into the Jordan River near Salt Lake City, says Gerald Kinghorn of the Salt Lake County Water Quality Pollution Control Office. How much and what effects

it is having on the area's water supply are not known.

"There may not be a problem or there may be a big problem," Kinghorn said. "Whatever the case, we need to find out."

Other Utah Public officials do not share Kinghorn's concern.

"This matter has been resolved long ago," said Larry Anderson, director of the Utah Department of Health's bureau on radiation and occupational health.

"We were concerned when the Environmental Protection Agency came out with new, lower standards on radioactivity contamination. But subsequent testing showed that we are still in compliance. No new material has come to light on this," Anderson said.

Kinghorn is not satisfied, however, and is helping to coordinate a new study by the U.S. Geological Survey to review the situation.

The Vitro site in Salt Lake is one of more than a dozen in the upper basin area where uranium mill tailings have been abandoned.

According to United Press International, a recently unearthed 1966 federal report says that radiation from tailings has been polluting the Colorado and its tributaries for more than 30 years.

Twelve million tons of tailings at 17 locations in Arizona, Colorado, New Mexico, as well as Utah, have been eroding into the water system, increasing the amount of dissolved radium to five times that found in unpolluted streams, the report says.

Experts say groundwater pollution is of particular concern because detection may lag behind the contamination by several years.

Supreme Court hears Idaho homestead case

Adding a new twist to the Sagebrush Rebellion, a case before the U.S. Supreme Court could determine whether millions of acres of federal lands will be opened for agricultural development.

The suit is based on the 1894 Carey Act, one of several laws passed by Congress to encourage homesteading of federal lands in the West.

The state of Idaho, which modified its

program for administering the act in 1973, is arguing that Interior Secretary Cecil Andrus has unlawfully retained control of lands open to homesteading under the act and is inhibiting development.

The state is suing its former governor and has won before two lower courts. The Department of Interior has appealed to the high court.

"The major issue involves the secretarial discretion over how the available lands should be used," said Lorin Welker of the federal Bureau of Land Management in Idaho.

Applications for homesteading under the Carey Act are made first to the state's Department of Water Resources, which then asks the BLM to temporarily set aside land for study. An irrigation and farm plan is then designed, and, finally, approval from the BLM for transferring ownership of the homesteaded land is obtained.

To date, says Welker, some 620,000 acres of federal land have been transferred to private ownership under the Carey Act.

But the state is arguing that an additional 145 Carey Act applications have long been on file with the BLM, and as much as 3 million acres in the state could be developed.

The case could affect some 17 million acres of public lands throughout the West that may qualify for homesteading under the act.

A proposal to expand the Idaho Birds of Prey Natural Area, which contains Carey Act land applications, could be affected if the court upholds the state's challenge.

Interest in the case, which may not be decided for several months, is running high: Attorneys general of nine other states are reportedly supporting Idaho's position.

Idaho

Suit wins free federal documents

The U.S. Forest Service agreed last month to waive fees for producing some 7,000 pages of agency documents sought by the Idaho Wildlife Federation. The group filed suit to obtain the fee waiver, successfully arguing that it's use of the documents was in the public interest.

The successful lawsuit by the Idaho wildlife group may set an important precedent for public interest groups trying to obtain government documents.

The Freedom of Information Act was enacted in 1966 to make government information available to the public. But the costs of obtaining such documents, at ten cents a page or more, are often prohibitive. (See HCN 11-30-79 for an explanation of the Freedom of Information Act.)

The Forest Service also agreed to pay the group's attorney fees and to reconsider its regulations on granting fee waivers. Those rules, which are designed independently by each federal agency, and the interpretation they receive in regional and local offices, can mean varied responses to fee waiver requests.

"This is the first case ever brought

against the Forest Service to obtain a waiver of fees under the Freedom of Information Act," said the group's counsel, John Bonine of the Pacific Northwest Resources Clinic in Eugene, Ore. Bonine is optimistic that the case will prompt a new set of more liberal fee waiver rules in the Forest Service.

This development comes at a time of increasing political and legal pressure to restrict the act's use. Legislation before Congress, for example, would seal consumer information held by the Federal Trade Commission. Other agencies, including the Department of Defense, are reportedly seeking similar exemptions from the act.

Additional pressures are coming from the FBI and CIA, and from private industries, which say the act is being used to disclose information about their internal practices and policies.

Industry, in fact, is the biggest user of the act, looking for information on government internal purchasing policies or information about their competitors. Journalists have made less than one percent of the requests and public interest groups less than that.



SNOWMOBILE RIDERS, 10 of them, took a trip through a Wyoming wilderness area last month. Federal officials plan to take them to court — if they can find them.

Montana

Snowmobilers ignore wild boundary

The U.S. Forest Service is looking for the owners of ten snowmobiles who allegedly drove their machines through the recently-expanded Absaroka-Bearfoot Wilderness in Southwestern Montana.

The agency says it has the license numbers of several suspected machines and is putting together a case for prosecution.

Violators of the 1964 Wilderness Act provision banning the use of motor veh-

icles in a wilderness area are subject to fines and jail sentences.

The trespassed area, known as the Slough Creek Corridor, is the subject of considerable controversy. Local snowmobile and four-wheel drive enthusiasts have opposed inclusion of the corridor in the wilderness area, arguing that it would deprive them of their accustomed recreation. Two local counties are backing them up by suing the federal government for ownership of the corridor.

Utah

Study slows Logan Canyon highway

The Federal Highway Administration has ruled that the Utah State Department of Transportation must prepare an environmental impact statement on a proposal to widen a highway through scenic Logan Canyon in northeastern Utah.

The state agency had evaded previous efforts by environmentalists to require an impact statement.

A lobbying campaign by local environmentalists which included meet-

ings with federal officials, newspaper editorials, a congressional inquiry, and petitions, was largely responsible for the FHA decision.

The issue is far from over, however, according to project opponent Brian Beard. He fears Utah state officials may attempt to camouflage the overall impact by proposing the widening project in small units, with separate assessments of each piece.

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Bulletin Board



LOONEY LIMERICKS

by Zane E. Cology

The issue is certainly clear
That some states do terribly fear
If they tax old man coal
It will take a big toll
On the industry's wish to come near

NUCLEAR WEAPONS

The Department of Energy has issued an environmental impact statement on the Los Alamos Scientific Laboratory in New Mexico, which, together with its sister lab in Livermore, Calif., accounts for much of the world's research and development of nuclear weapons. The 600-page report may be reviewed at the National Atomic Museum in Albuquerque (probably worth a trip in itself, or ordered from: Gordon Facer, DOE, Office of Military Applications, Mail Station A-362, Washington, D.C. 20545.

BLACK HILLS GATHERING

With uranium, oil, natural gas, coal and iron ore deposits, the Black Hills of South Dakota — the physical center of North America, and, as James Schlesinger put it, "America's energy see-in-the-hole," — will be the site for a conference on "survival" next summer. From July 18 through 27, the 1980 Black Hills International Survival Gathering will have workshops on appropriate technology, self efficiency, Indian genocide, and family farming. For more information contact the sponsors, The Black Hills Alliance, P.O. Box 2508, Rapid City, S.D. 57701.

"SOLAR ROOF"-RAISING SOON

A solar cell firm in California says that new roofing that would convert sunlight directly into electricity is only three years away from being on the market. Arco Solar told the *Los Angeles Times* it will soon test market its roofing material, and president Bill Yerkes predicted the roofing will sell at competitive prices by 1984.

TEACHING IN THE TETONS

The spring series of the Teton Science School lecture-seminars on the Humanities and the Environment begins May 9th with Buckminster Fuller. On May 16-18 you can catch landscape architect and planner Ian McHarg, best known for his 1969 book *Design with Nature*. On May 23-25, A. Starker Leopold will talk on preserving ecological and cultural values in national parks. Full seminars, costing \$85, or evening public lectures, are offered for each. Write: Teton Science School, Box 68, Kelly, Wyo. 83001.

CROP RESIDUE REPORT

A research report on the potential of crop residue utilization and its uses for energy production has been published by the Department of Energy's Solar Energy Research Institute. A copy of the report is available from the National Technical Information Service, 5285 Port Royal Road, Springfield, Va. 22161. A printed copy is \$4.50, microfiche \$3.00.

OIL AND CHEMICAL SPILLS

A new book, *Proceedings of the 1979 U.S. Fish and Wildlife Service Pollution Response Workshop*, discusses the latest scientific research about the biological and physical impacts of oil and chemical spills. Other aspects of pollution response are also included. Limited copies are available from the U.S. Fish and Wildlife Service, Public Affairs, 1101 E. Tudor Rd., Anchorage, Alaska 99503.

UTAH ENVIRONMENT CENTER

After operating for some time at a low profile, the Utah Environment Center is up and running with a new series of monthly calendars of events. The latest lists hearings on the MX, water policy making, wilderness meetings, and comment deadlines for a variety of subjects. The Center can be reached at P.O. Box 8653, Salt Lake City, Utah 84108.

NEW MEX PIPELINE

A final environmental impact statement on a proposed carbon dioxide pipeline across New Mexico is out. CO₂ from 140 wells in southwestern Colorado would be piped 478 miles to Texas oil fields to help recover recalcitrant crude oil not otherwise recoverable. The EIS can be reviewed in Santa Fe, Roswell, Albuquerque and Farmington, or copies may be obtained by mail from BLM, Box 1449, Santa Fe, New Mexico 87501.

CANCER TESTING

To counter the widespread belief that anything in sufficient amounts will cause cancer in laboratory animals, the Environmental Protection Agency has reprinted a *Washington Post* article by Judith Randall on animal tests. The article points out that of 7,000 substances tested, only 500, or seven percent, proved cancer causing. It further concludes, "Animal tests are to function as an early warning system, and their biggest drawback is that people fail to take them seriously. With one in five Americans dying of cancer, the public's scorn of animal tests should be seen for what it is: playing with fire." For copies of "This Rat Died in a Cancer Lab To Save Lives," write: U.S. Environmental Protection Agency, Washington, D.C. 20460.

AIR POLLUTION INFORMATION

Graduate students in the Environmental Studies Program at the University of Montana have published a 12-page tabloid newspaper discussing proposed air pollution standards for Montana. While the publication is designed primarily for Montana readers, it includes information, complete with footnotes, on topics of interest to others, such as sulphur dioxide's effects on human health, agriculture, and forests; particulates; trace metals; and ozone. Write to the Environmental Studies Program, University of Montana, Missoula, Mont. 59812 and ask for "Montana Air Quality Standards: a Critique."

ETHYL ALCOHOL

The Center for Renewable Resources is soliciting consumer advice on a plan to produce ethyl alcohol. A copy of the draft citizen implementation plan to produce 500 million gallons by the end of 1980 is available for comment and review. Contact: Harold Leibovitz or Dick Mason at the Center for Renewable Resources, 1001 Connecticut Ave. NW, 5th floor, Washington, D.C. 20036 or call (202) 466-6880.

HUNT THE DUMP

Citizens trying to force government and industry to clean up unsafe hazardous waste sites will be interested in the Sierra Club's recently-published activist's guide entitled "Hunt the Dump." Only eight pages long, the guide gives step-by-step instructions for locating and inspecting dump sites, grilling company and local officials, and provoking citizen protest over unsafe sites. To hunt your local dump, write: Blake Early, Sierra Club, 330 Pennsylvania Ave., S.E., Washington, D.C. 20003.

A GEOTHERMAL IDAHO

For a complete rundown on geothermal development activity in Idaho, three books are now available: the *Geothermal Handbook*, the *Geothermal Map*, and an *Environmental Overview*, all available free from the Idaho Office of Energy, Statehouse, Boise, Idaho 83720.

WOOD HEAT SAFETY

A four-part training program in the installation, operation and maintenance of wood burning appliances, "Helping Make It Safe," is available in 35 mm slide-audio cassette format for both automatic and manual slide-sound systems. For more information, contact the Wood Energy Institute, Suite 700, 1101 Connecticut Ave. N.W., Washington, D.C. 20036 or call (202) 857-1181.

FLOODPLAIN MANAGEMENT

The U.S. Water Resources Council has changed its approach to floodplain and wetlands protection since 1976, and it is reflected in its revised report, "Unified National Program for Floodplain Management." The document emphasizes cooperative efforts by all levels of government and the private sector when trying to minimize loss of life, property and environmental values within a floodplain. It is available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. The price is \$4 and the stock number is 052-045-00058-4.

HANDBOOK OF MINERAL LAW

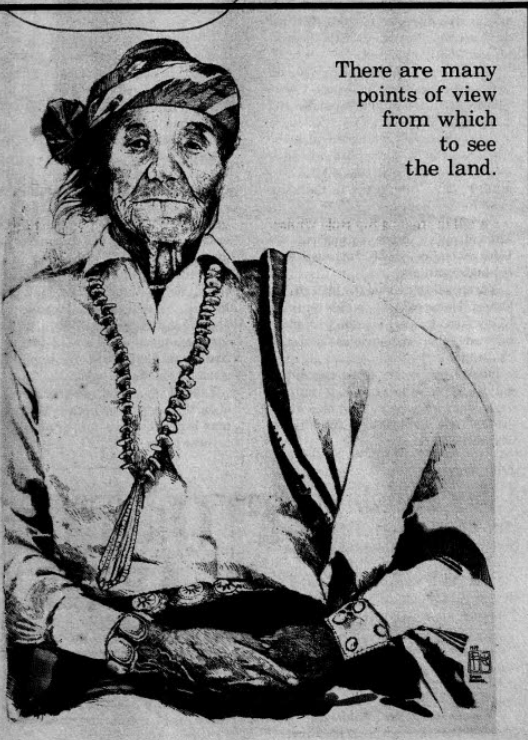
A revised edition of *Handbook of Mineral Law* by Terry Maley is now available for \$24. The book is a practical reference for attorneys, land managers, geologists and citizens interested in mineral resources and the laws governing development. It can be ordered from: MMRC Publications, P.O. Box 1186, Boise, Idaho 83701 or call (208) 343-9143.

CENSUS DATA

Census data that makes sense is now available in booklet form, "Census Data for Community Action." The manual explains the kind of information available from the Census Bureau and how to use the data when planning grant proposals, adult education programs, etc. Send 50 cents to Subscriber Services Section (Publications), Bureau of the Census, Washington, D.C. 20233.

COMMUNITY ENERGY PROGRAMS

James Ridgeway describes experimental energy programs initiated by small communities in the book, *Energy-Efficient Community Planning: A Guide to Saving Energy and Producing Power at the Local Level*. The book is available for \$9.95 from J G Press, Inc., Box 351, Emmaus, Penn. 18049.



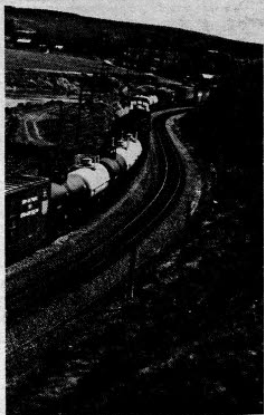
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MILWAUKEE ROAD trains will no longer snake across Montana on their way to the Pacific Coast.

Milwaukee Road

(see HCN 11-2-79 for previous story)

Like a train climbing a gradually-steepening grade, the Milwaukee Road keeps slowing down. It ground very

Trackings

followups on previous stories

nearly to a halt this week, as service was suspended on half of the beleaguered railroad's track system.

U.S. District Judge Thomas McMillen this week okayed suspension of the railroad's operations from Frenchtown, Mont., west. The move to drop western service was initiated by the railroad's bankruptcy trustee, former Illinois Gov. Richard Ogilvie, who wants to reorganize the line as a Midwest railroad.

Montana and Northwest politicians have repeatedly sought to stay the execution, arguing that a virtual monopoly in the region for Burlington-Northern Railroad could lead to poor service and high freight rates.

The Interstate Commerce Commission is considering at least three options, according to an aide to Sen. Max Baucus (D-Mont.): First, a proposal by an employee-shippers group to take over the railroad as New Milwaukee Lines; second, Ogilvie's proposed Midwest railroad system; and third, an abandonment of all Milwaukee's routes, in which case other railroads would be allowed to bid for the track.

The U.S. Department of Transportation is backing Ogilvie's plan. DOT says



the New Milwaukee Lines proposal would suffer a financial shortfall of \$600 million between 1980 and 1986.

A railroad representative said that despite the latest suspension, trains would continue to run for a few weeks to complete shipments in transit, clean up, and collect equipment. Most of the Milwaukee freight will be transferred to Burlington Northern trains west of Montana. — GOG

PCB spill

(see HCN 12-14-79 for previous story)

Faced with a barrage of lawsuits stemming from PCB-contaminated chicken feed it produced, the Pierce Packing Co. of Billings, Mont., has turned around and filed its own suit against the General Electric Co.

Some 200 gallons of the toxic chemical escaped before the leak was discovered. Feed laced with PCBs was traced to 17 states and two foreign countries.

March 7, 1980 — High Country News-15

Hundreds of thousands of contaminated hens and eggs were destroyed.

A Pierce spokesman says that 350 of its customers lost stock worth \$7.5 million, a sum the company says it cannot pay. To add to Pierce's woes, the first victim to file suit is asking for almost one-third of that total, or \$2.5 million, in damages.

Pierce is suing the General Electric Co., the manufacturer of the electric transformer that leaked the PCBs, arguing that GE should pay for the damages. Also named in the suit are Monsanto Co., which made the chemical coolant used in the transformers and two other companies involved in their sale.

PCBs — poly-chlorinated biphenyls — are used in transformers and other machinery to, among other things, improve oils' resistance to heat.

In an unrelated incident, small amounts of PCBs have been discovered at the site of the Teton Dam Power Plant in eastern Idaho. Six electrical transformers at the plant containing PCBs were buried in mud during the Teton Dam flood in 1976.

The one transformer unearthed thus far had broken open, releasing its toxic contents, and officials fear that the other five may also have leaked.

The Environmental Defense Fund says that some 350 million pounds of PCBs are still in use in 148,000 electrical transformers throughout the country. — MM



Branching Out

by Myra Connell
THEY WRING MY HEART AND MY POCKETBOOK

Once upon a time my mailbox was often empty, except when accounts were due. Not so, since I've been writing this column. Various organizations have put me on their mailing lists, and now I'm overwhelmed by promotional literature.

For a while the letters were mainly from environmental organizations — Defenders of Wildlife, Wilderness Society, WHOA and others.

Lately, the appeals for the physical environment are being replaced by those for our social welfare.

I have a habit of posting clippings on the refrigerator. Among the current ones is the opening prayer of the Wyoming Senate, January 1975: "There's the people. Beyond our fiddlin' and fumblin' — show us the people. Beyond the balance sheet and the printed page — show us the people. Our people, your people — Help us, O God, help us not to lose sight of the people."

The groups that appeal for donations, usually of at least \$10, with the sky the limit, also keep reminding me of the people and the multiplicity of difficulties that beset them.

Some seek money for operating in the political arena. Common Cause wants changes in government because "government is the problem." The American Civil Liberties Union and NARAL fight for "women's right to choose." Handgun Control, backed by prestigious Sen. Edward M. Kennedy, would have strict federal handgun laws. Women's Campaign Fund, Inc., wants more women in decision-making positions.

In the area of race relations, the NAACP would appreciate a contribution to its

Legal Defense Fund in behalf of racial justice and Charlie Taite. The Push For Excellence, spurred on by Rev. Jesse Jackson, takes a refreshingly positive approach.

The Gray Panthers want to correct the national disgrace of abuses in nursing homes. ASH, Action on Smoking and Health, offers stickers, "I don't spit in your face. Please don't blow smoke in mine." The National Leukemia Association, Inc., shows an appealing photo of 8-year-old Kathleen, for whose survival there is now hope because of money donated for research.

UNICEF would sell me gift cards so that the world's children may have vitamins, and as a bribe I am offered a bronze medallion for a donation. St. Jude's Research Hospital and the Wyoming March of Dimes also need help.

Last of all, but most disturbing, come the calamity criers. Amnesty International fights for human rights and sends its emotional "Matchbox" publication. It has a twin — the International League for Human Rights. OXFAM (Oxford Committee for Famine Relief) concentrates on getting food to Cambodians. Cesar E. Chavez and the United Farm Workers strike out against greed and injustice. The Simon Wiesenthal Center for Holocaust Studies, a movement against tyranny, admonishes "We dare not forget."

Holy Land Christian Mission, HOPE and CARE request a share of my budget.

To give, or not to give; to all, or none? Which causes are worthy? Honest? A dilemma for one whose mailbox is seldom empty. The round object known as File 13 sorely tempts me.

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Raleigh



...A bill to create a **Big Hole** Wilderness area on the Montana-Idaho border has been introduced by Rep. Pat Williams (D-Mont.), and a public hearing is set for March 21 in Dillon, Mont. Forest Service timber sale plans in the area have caused alarm among conservationists. In its present form, Williams' bill, H.R. 5344, would set a ceiling of 86,000 acres of wilderness on the Montana side of the roadless area.

...Rep. Tom Foley (D-Wash.) has introduced a new version of his controversial **nonwilderness release** bill, which would open to development those roadless areas tagged for nonwilderness by RARE II, the forest service's lands evaluation. Numbered H.R. 6607, it laces the administration's RARE-II recommendations with modified release language. Conservationists, who

Wilderness briefs

are strongly opposed to release, are nevertheless calling it a retreat from Foley's earlier hard-line stand.

...The U.S. House Interior Committee has approved a **River-of-No-Return** Wilderness bill, but with several weakening amendments. Two areas totaling 51,000 acres, including bighorn sheep habitat in West Panther Creek, were taken out to speed mining development, and some nonwilderness release language is included in the committee report.

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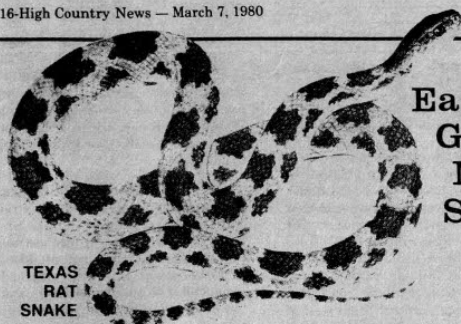
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16-High Country News — March 7, 1980

TEXAS
RAT
SNAKE

Easy Identification Guide to North American Snakes

by Hilda Simon, Dodd Mead, New York, 1979. \$8.95, paper, 128 pages. Illustrations.

Review by Peter Wild

If the bird you're trying to identify doesn't hold still, it's likely to give itself away with a distinctive chirp or trill.

Similarly, mammals, though often evasive, grunt, bark, howl, claw trees, and leave scat and tracks — all clues to their kind.

Snakes are rarely so accommodating. However, Helen Simon's pocket field guide should make identification of the 110 snake species in North America far easier for the inexperienced observer

than it was in the past. Most of us, nature lovers though we be, leap back at the first sight of whatever suddenly slithers off into the bushes. For us the scientifically arranged reptilian Baedekers are not much help. Fortunately, Simon realizes this and bases her book on that first glance — perhaps the only one we curious but gingerly amateurs will get.

Thus the book classifies snakes into four basic groups: solid-colored, striped, spotted and ringed. That's simple enough. In addition, each entry contains a range map and a few dozen descriptive words. The author has sacrificed a more extensive text for the gain of large illustrations. The choice was a wise one, given the purpose of identification by immediate visual impression.

And her drawings, by the way, are rare things in their own right. The writer of the Book of Proverbs said that one of the four things that amazed him was "the way of a serpent upon a rock." While remaining true to scientific detail, Simon's full-color drawings reflect a similar appreciation for delicacy and strength in motion. Identification aside, this guide should give hours of pleasure in gazing alone.

The final pages furnish a list of snakes by state, a list of scientific as well as common names and an index. All comes wrapped in sturdy but flexible covers in a size convenient for the pack.

DESERT IMAGES

by Edward Abbey, Harcourt Brace Jovanovich, New York, 1979. \$125, cloth, 239 pages. Photographs by David Muench.

Review by Peter Wild

"Heavy," she called back when I asked a friend how the book was going.

While she finished reading, I lounged in Arizona's winter sunshine, musing over her one-word synopsis. Was Edward Abbey returning to the mode of his earlier writings about romance, dignity and death? Finally the back door slammed, and she came stumbling across the patio, face contorted with exertion. She was lugging something about the size of a chicken coop wall.

Edward Abbey's latest is not a lap book. It is a veritable Saint Bernard. And one feels as uneasy with it as one would sharing a small apartment with one of that breed. Measuring 3 feet by 5, weighing 48 pounds, costing \$125, it out-coffee-tables all coffee-table books.

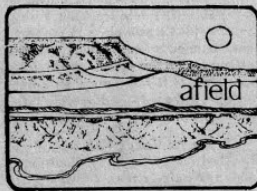
Never mind that few homes will have a piece of furniture sturdy enough to support it. Never mind that a reader, according to my calculations, would have to be nearly 27 feet tall to hold it with any comfort. The point is this: like most things monstrous, it exhibits the secondary qualities of gigantism — disproportion, simpleness, a propensity to be short-lived.

Desert Images contains 11 chapters with titles such as "Scarce Waters," "Desert Snow," "Saltscapes" — titles to catch the eyes of wealthy tourists yearning for the desert wonderlands they'll never see. Appropriately, each of the yucky headings is followed by a few hundred words of Abbey's yuckiest writing to date. We get cast-off stuff about rocks polished "as smooth as marble" by the elements and "the purple shadows" of sunrises. You get the idea.

To continue the sugar-sweet consistency, portfolios of David Muench's sugar-sweet photographs follow each section. The overblown drama, the

Walt-Disney, full-color vapidness perfectly matches Abbey's maudlin prose.

What was Abbey's fee: 20, 30, 50 thousand dollars? Well, every man has his price, especially when the roof is leaking and the grocery store in Wolf Hole has just cut off credit. Yet even in this shoddy, gilded job Abbey's genius breaks through in occasional passages, for example his wonder while trailing a fox over sand dunes. For the most part,



by Hannah Hinchman

This has been a time of unsettled clouds milling around in warm air. The snow in the low country has melted. Trucks covered with mud from rural lanes come into town, spread the mud around, then stir it up as dust. In the initial days of this thaw, Lander looked dusty and haggard — and so did all her citizens. Every kid and dog in town stayed out until dark, and great horned owls hooted in the cottonwoods. At sunset after a warm day, spears of ice appear suddenly on the melted puddles.

The ranches along Wind River southeast of Dubois have fields full of new calves. Lying down together they look like small boulder fields. They lie in the pale stubble of last year's hayfields which are now a comfortable dun, dried out, warm and clean like a favorite old flannel shirt.

I savor the colors that have reappeared in the landscape since the snow is gone. In the upper Wind River Valley there are places where one can look across winding riverbed cottonwoods to the receding steps of eroding bluffs that end in mountain foothills and peaks. In

though, he is Prometheus bound by dollar signs.

The Environmental Protection Agency would do us all a favor by channeling a few bucks from its millions to give Edward Abbey a sinecure. That way he could get back to the business of being the best environmental writer the generation has produced.

For folks who might wish to purchase a copy of *Desert Images* to compare

such a complex landscape, largely desert, the horizons of color look like the bands of a Navajo rug: gray-green, pale yellow, ochre, salmon, gray-blue.

My friend David Crosson, claimstaker in Idaho, writes about being outside all day long in the Salmon River Mountains:

"Thirty to forty degree slopes are the rule. Going up or down at altitude with or without snowshoes, is bone-wearying and treacherous. Still, there is nourishment here beyond the bucks. Through flickering willow thickets between road and river I see a crane holding perfectly still, with an alertness I admire. The cushioned snowshoe rhythm pleases me."

Something happens when you move along outdoors in a steady way — walking, skiing, running, snowshoeing. Thoughts flow with more ease, with

Books



these judgments with the real, though grotesque, McCoy, let me suggest that they wait for the forthcoming "environmentalist's" edition, priced at \$4.50 and rumored to be the largest paperback in the world.

fewer distractions. The rhythmic movement channels off nervous energy that afflicts sedentary thinkers. On a long hike or ski there will be stretches of soothing, uninterrupted thinking and daydreaming that come full circle and deliver you into the present again, to look at the landscape and feel the exertion of the activity.

Some images gathered in these days of lengthening light: At dusk, ravens pass high overhead flying west in large loose gangs. Crossing Togwotee Pass at night, full moon behind broken clouds. Moon spotlights isolating an individual knoll or precipice so dramatically that we expect to see the ghost of Jim Bridger illuminated, crossing the willow flats. My friend Becky's face in the wind and sun, by the roadside, distant cliffs behind her. "It's the sun-going-down wind," she says.

