

# High Country News

75¢

Friday, June 26, 1981

Lander, Wyoming

Vol. 13 No. 13

## In the News

### ROUNDUP 2

Mont. sprayed for pests...Water reforms gain speed...Solar funds slip again...Uranium tailings unkept, pricing unfair...Black Hills occupied...Yellowstone griz under pressure...and more.

### INDIAN JUSTICE 6

Indians tried self-government centuries before Europeans settled America. But now they are struggling to meld traditional tribal justice with the white man's legal system.

### LITTLE AMERICA 8

Imagine, if you will, a shepherds' sheller with live penguins in the empty Wyoming desert. That was S.M. Covey's dream, and, thanks to Interstate 80, you might say it worked.



### WHAT A GAS 11

Energy companies drilling for poisonous "sour" gas insisted that it was perfectly safe — until this week, when a sour gas well showed that human error and mechanical failure make accidents possible.

### CONSERVATIVES CONSERVE 14

Malcolm Forbes Baldwin thinks environmentalists are wrong to assume environmental issues are the exclusive turf of liberals.

- Dear Friends.....2
- Hotline.....4
- Barbed Wire.....5
- Classifieds .....11
- Bulletin Board.....13
- Opinion.....14
- Books.....16

## The Overthrust moneybelt: Difficult dispersal of impact dollars

by Geoffrey O'Gara

EVANSTON, Wyo. — Untreated sewage is overflowing into the Bear River. A once sizable herd of mule deer has all but disappeared from nearby Whitney Canyon. And the blow-out of a "sour" natural gas well north of here raises questions about exploratory drilling in Evanston itself, where deep gas deposits are likely to be laced with poisonous hydrogen sulfide.

This town, and Uinta and Lincoln counties, sit at the center of the most sought after oil and gas cache in the country: the Overthrust Belt. The problems of violent crime, homeless workers and job-seekers, hopeless traffic knots and the disintegration of a longstanding rural culture are catalogued regularly by wide-eyed visitors.

Yet when the Overthrust Industrial Association — a group formed by the region's energy producers to soften the impact of explosive growth — announced a controversial mitigation program this week, there was little public debate. Only 60 or so locals showed up for the program's unveiling.

The program presented by OIA Secretary-Treasurer Owen Murphy, a public relations official from Chevron USA, Inc. (one of the biggest sour gas producers), was vague on dollar amounts and omitted several critical issues altogether.

No mention was made of industry plans to protect what remains of wildlife populations in the vicinity of the drilling boom, though wildlife groups are threatening suit and negotiations continue. No specific plan for coping with the enormous housing shortage was presented — only a general pledge to "develop additional ways to stimulate the private housing market." Nor did the plan discuss protecting townfolk from possible blow-outs on rigs drilling for hydrogen sulfide-laced gas within or near city limits — despite reports that very morning that a sour gas rig near Big Piney, Wyo., had sprung a leak.

The OIA set a deadline: No more direct grants from the group after 20 months. From 1983 on, said Murphy, tax revenues paid to state and local governments by energy producers

would repay the community for the inconvenience of the boom.

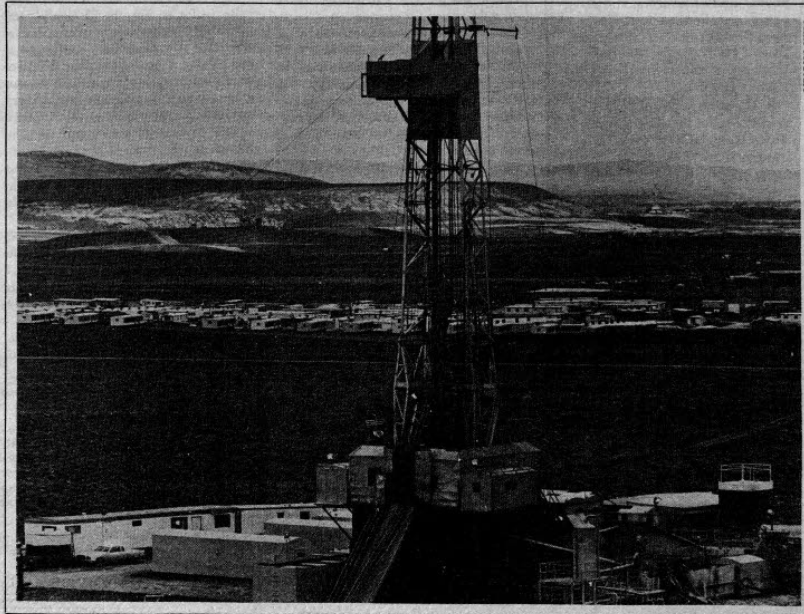
### FEW PROTESTS

Local government officials, law enforcement officers and others who are suffering the impact of the boom had been awaiting the OIA program with some impatience. Kevin Smith, an investigator with the Evanston Police Department, noted grumblings in the equipment-starved force that OIA's elaborate studies and committees were "a well-done stall." Uinta County Commissioner John Fanos said of an OIA "needs" study: "All it did was consume a lot of time."

That was and still is the chief fear of area residents: With today's huge influx of newcomers, and more every month, will the talking and studying further delay the aid that they feel they must have?

But despite lingering skepticism expressed by some officials and residents, few protests were heard at the meeting. The low turnout was blamed on sum-

(continued on page 10)



Mike McClure

2-High Country News — June 26, 1981

## Dear Friends,

For reasons unknown, the annual High Country News Footrace seems to draw more than its share of celestial attention. This year's mid-June event was again punctuated (and somewhat punctured) by an evening cold front that swept in over the Wind River range.

Dark clouds knocked out the sun; western winds blew everything and everybody. The shivers drove post-race celebrators from the cold beer to the hot beans and other crock-pot entrees. One bashful partier, draped in a blanket, was caught hoarding the still-warm brownies.

The tempest held off for the run, however, and that was good news for Walt White. He turned in a record-breaking 26 minute-46 second time to capture the first place trophy for the five-mile race.

The cool running weather was also good news for many of the other 120 starters, as personal best times for the race made many more unannounced winners. And it was good news for 78-year-old Bernice Anderson, who hoofed through the course with nine other walkers.

But the cool and calm, alas, did nothing for the leadfooted High Country News staffers, who stumbled to a mere third place in the new three-person team category. Our attempt to capitalize on our collective mediocrity by investigating the team award failed miserably — the local Bureau of Land Management team whipped us but good, and administrative appeals were denied.

Geoff, Kathy and Michael ran hip to hip, alternately boosting each other with quips like, "Look at all those colors...in front of us," and "It wouldn't really be fair...huff, puff...to win our own race."

Former HCN staffer, Ginger Tillemans persevered through the storm, crabby losers (see paragraph above), and a host of organizational pains to make the event a success. Her efforts earned her the honorary title of HCN Sports Editor and at least an eleven month rest until next year's race.

It wasn't the New York City marathon, but then High Country News isn't the New York Times. Our motto isn't "All the news that's fit to print," it's "The paper for people who care about the West." That's what's printed on our new T-shirts, replete with our mountain goat; all cotton, kelly green or navy blue, the usual sm., med., lrg., and xlg., adult sizes. For \$7.75 post-paid each, we'd be pleased to send you one.

— the staff

## Western Roundup

### Mont. pest spray raises toxic fear

The Montana Wildlife Federation has accused the Montana Department of Agriculture of negligence in informing Montanans about the widespread use of endrin and toxaphene, two extremely toxic pesticides, on over 200,000 acres of wheat, alfalfa, pasture and native range in eastern Montana.

MWF director Wilbur Rehmann said that the Department of Livestock did not adequately inform Montanans about "possible birth defects to humans, livestock and mammals; possible chromosome damage, the extreme toxicity or the persistence of endrin."

Department of Agriculture director Gordon McOmber said he felt that "there was no need to do that (notify the public)." He defended the pesticide, saying that "it got the job done." He said that the problem of birth defects was brought up with 2,4-D, a widely used herbicide, "and (opponents of the pesticides) couldn't prove it. They raise that flag every time they have the opportunity."

McOmber said that the endrin spraying should not be looked at from the point of view "of what it might do to a fish." He said that there were "30 to 40 cutworms per linear foot and each female lays 1000 eggs. If we hadn't sprayed it could have done serious damage to Montana's agricultural economy."

According to Dr. Jim Glosser, a Department of Livestock veterinarian, the state is monitoring cattle but not human health effects.

The National Audubon Society has also criticized the use of endrin on such a wide scale, particularly because part of the treated area is on the flyway of the endangered whooping crane, which stops in eastern Montana on its seasonal migration from Texas to northern Saskatchewan. There are an estimated 85 wild whooping cranes left alive in the world and they are protected by the federal Endangered Species Act.

"This spraying was done just as the cranes were migrating north," Bob Turner, western regional representative of the Audubon Society, said. "They feed on small animals and mice, which are extremely affected by endrin. To be spraying with something so toxic is unnecessary."

However, McOmber said that he doesn't think the whooping cranes were affected because "the whooping cranes missed Montana this year."

The Miles City Office of the Department of Fish, Wildlife and Parks however, received several reports of whooping crane sightings near Miles City earlier this year.



Soudier Productions

The spray also resulted in a fish kill in Sunday Creek, which empties into the Yellowstone River several miles north of Miles City, and endrin has been found in "small quantities" in fish in the Yellowstone, according to the Department of Agriculture.

Endrin is an extremely toxic chlorinated hydrocarbon, related to DDT, but more toxic. According to *Silent Spring*, a book on herbicides and pesticides by Rachel Carson, endrin is 15 times as poisonous to mammals as DDT, 30 times as poisonous to fish and 300 times as poisonous to birds. Endrin remains in the soil for anywhere from 12 to 14 years.

Toxaphene is also extremely poisonous and, according to a "situation statement" released by the Department

**"They are poisoning everything under the sun down there."**

Lowell McEwen, USFWS

In a report on ambient water quality criteria for endrin, the EPA said that pregnant rodents dosed with sublethal amounts of endrin had a high rate of birth defects. According to the EPA endrin also produces tumors and causes chromosome damage in laboratory animals.

The "situation statement" by the Montana Department of Agriculture said that "a 170 lb. man ingesting a quarter ounce of endrin (by mouth, in eyes, cuts or abrasions) would probably die."

The statement said that since 1967 endrin has been involved in 52 wildlife and fish kills, with an estimated loss of over 31 million fish of various species. It has also been involved in 80 episodes of domestic animals poisoning.

"This issue is probably as serious and

life threatening as the PCB scandal which hit Montana," the MWF's Rehmann said, referring to PCB leakage into animal feed which was fed to livestock around the state last year. "Both Montanans and people from out of state who want to hunt and fish and even eat Montana beef may very well be exposing themselves to a highly toxic chemical."

McOmber said that Rehmann's charge was "purely speculative." He said that they are monitoring both wildlife and domestic animals, though not in great numbers. According to McOmber nine antelope have been shot and tested and toxic levels of endrin were found in only one. Two others had below-toxic levels.

Dr. Jim Glosser of the Department of Livestock said that there has been some testing of cattle for endrin. He said that they have tested cattle in seven different areas in the "epicenter" of the sprayed area in Custer and Powder River counties and that none of the fat biopsies done revealed any toxic levels of endrin.

Dr. Lowell McEwen, a Fish and Wildlife Service biologist in Fort Collins, Colorado, an authority on endrin, was quoted in the *Great Falls Tribune*: "The idea of releasing endrin into the environment over large areas is something entomologists call Stone Age pest control. There are alternative materials that are not nearly as hazardous and are more selective. They are poisoning everything under the sun down there."

The EPA has banned endrin in the eastern United States, but in the West it is relatively easy to obtain. Once it has been registered in a state anyone with a Department of Agriculture certificate may apply it. Certificates are obtained by taking an examination. McOmber said he has lifted the certificates of some applicators, and is "catching hell for doing that. You can't win."

— Jim Robbins

## High Country News

The independent  
natural resources biweekly  
of the Rockies

Subscriptions \$15.00 per year.  
Single copies 75 cents.

Published biweekly at 331 Main, Lander, Wyo. 82520. Telephone 307-332-4877. Second class postage paid at Lander. (USPS No. 087480). All rights to publication of articles herein are reserved.

Publisher  
Editor  
Staff Writer  
Associate Editor  
Contributing Editor  
Correspondents

Thomas A. Bell  
Geoffrey O'Gara  
Michael Moss  
Dan Whipple  
Peter Wild  
Philip White  
Jim Robbins

Production Manager  
Production Assistant  
Circulation  
Typesetter  
Photography  
Office Manager  
Intern

Kathy Bogan  
Cyndy Simer  
Betsy Schimelpfenig  
Debbie East  
Mike McClure  
Beverly Feuz  
Dale Roberts

Call for permission to reprint any articles or illustrations. Contributions (manuscripts, photos, artwork) will be welcomed with the understanding that the editors cannot be held responsible for loss or damage. Articles and letters will be published and edited at the discretion of the editors.

To have a sample copy sent to a friend send us his or her address. Write to Box K, Lander, Wyo., 82520. ISSN: 0191-5657.



## Colo. waste law gives Lowry bye

Calling it "90 percent good," Colorado Gov. Dick Lamm (D) has signed into law a new hazardous waste management program that sets stringent criteria for locating and operating new disposal sites.

But the legislation also automatically approves the state's only operating facility, run by Chemical Waste Management near Denver's old Lowry landfill, and facility critics fear the new law may circumvent their efforts to close the dump.

The law authorizes the state Department of Health to set up a waste management program under federal guidelines by 1983. Meanwhile, county commissioners will be given criteria to review proposed new hazardous waste sites, with an option of turning such proposals over to the state agency for review.

Under the new law, however, counties will retain the final say, no longer bound by Health Department recommendations.

The new law also grants an automatic license to the controversial Lowry facility, which local residents and the Arapahoe county commission fear is unsafe.

Meeting with Lamm before he signed the bill, Bonnie Exner, spokeswoman for Citizens Against the Lowry Landfill, said the governor convinced her the bill was necessary, and that the exemption clause would not take effect if a pending lawsuit is settled before July 1. In that suit, CALL and the Arapahoe county commissioners are asking a Denver district court judge to close the facility.

Exner also criticized the legislation for failing to address hazardous waste recycling and other waste reduction techniques.

## Herbicide critique backs Id. suit

The U.S. Forest Service has not adequately considered a plan to spray some 60,000 acres of northern Idaho forests with herbicides, a local environmental group has charged, and the program may actually damage trees the agency wants to grow.

Citizens for Alternatives to Toxic Herbicides, based in Clarkston, has filed suit in Boise federal district court, challenging the environmental impact statement the agency prepared for the spraying.

The challenge alleges a lack of adequate data to evaluate such spray programs. The suit follows closely on the heels of a new General Accounting Office study that also found serious informational flaws on herbicide spraying.

Noting that both the Bureau of Land Management and the Forest Service have new policies encouraging non-chemical alternative controls, the GAO nonetheless concluded that field-level decisions would still favor the status quo, chemical means. More data is needed, the GAO said, to weigh the value of chemical or nonchemical methods.

Meanwhile, in order to avoid the controversy enveloping herbicide spraying, the GAO is recommending that the agencies switch to nonherbicide methods wherever possible.



THE OIL SHALE industry's plans for developing Colorado's Piceance Basin are getting new scrutiny from Congress. Loosened federal leasing rules on waste dumping appear likely.

## Congress squeezes oil shale rules

Responding to industry concerns that the rules are too restrictive, six western Congressmen have introduced bills to reform the federal laws governing oil shale development. They range in perspective from Rep. Dan Marriott's (R-Utah) H.R. 2844, which would ease several current rules, to legislation being advanced by Colorado Democrats Rep. Tim Wirth and Sen. Gary Hart. The latter claim to seek "more orderly development," and Hart's plan would ban new leases on federal lands until a regional plan can be developed.

Industry wants several new options, including the right to own several of the single 5,120 acre leasing tracts now allowed under the Mineral Leasing Act. Also being considered are rules on mining several minerals at a time (called multi-mineral leasing) and setting fair market values for the public resources being developed.

Most of the debate, however, is over the recurring issue of off-tract waste disposal. Since 1972, Rio Blanco Oil Shale (Gulf and Amoco) has wanted to lease more federal lands near its oil shale leases in order to develop a large open pit mining and dumping operation — roughly double the 500,000 barrels of oil per day other developers are considering.

Legislation advanced last year by Sen. Bill Armstrong (R-Colo.) to allow off-tract dumping for both present and future lease holders was approved by the full House and the Senate Energy Committee before being blocked on the floor by Hart.

Hart also wants to apply many of the 1977 surface coal mining act provisions to the oil shale operations, including environmental safeguards. The Armstrong-Hart debate was renewed again this week in testimony before the Senate Energy and Minerals Subcommittee.

Hart is worried that expanding the off-tract dumping will encourage the development of "huge strip mines" in northwestern Colorado.

"We prefer to encourage the testing of new, unique technologies which will reduce waste disposal problems, Kevin Markey, Colorado representative of Friends of the Earth told the House Subcommittee on Mines and Mining last month at a public hearing in Vernal, Utah. Proponents of multiple mineral extraction, he said, "claim it will significantly reduce waste volume by recovering additional minerals."

Hart's bill would require one experimental multi-mineral operation to be leased.

Markey and other environmentalists are also concerned that the Department of Energy is speeding oil shale leasing without waiting for regional resource plans. A Utah state-wide plan is just now being revised, while in Colorado, the Bureau of Land Management hopes to finish a plan by 1987.

"At the very least," Markey testified, "permanent commercial leasing should await completion of an adequate plan."

In announcing his new bill, which would ban new leases until regional plans can be developed, Hart said that "despite all the attention that has been paid to oil shale, the Department of Interior does not now have adequate, current, land management plans for oil shale regions ... plans that address other regional land uses, such as recreation, and how those uses would be reconciled with oil shale development."

The political scene in Washington, notes the *Denver Post*, may lend Armstrong the upper hand in this summer's debate, with the Republican senator enjoying both a party majority and strong Reagan administration support for off-tract dumping and an accelerated oil shale program.

## Wyo. wilds worth: 60 days of oil

All of the wilderness areas proposed in Wyoming by wilderness advocates — known as "Alternative W" — contain enough oil and natural gas to meet U.S. petroleum demand for only about 60 days. Bruce Hamilton, Northern Plains representative for the Sierra Club, took calculator in hand and, using petroleum industry estimates of recoverable oil resources, determined the Overthrust Belt beneath Wyoming wilderness could make a negligible contribution to "energy independence."

Hamilton said the calculations are "riddled with conditions." In a memo outlining his conclusions, he said, "Should one bother to calculate the natural gas potential... Natural gas is more demand than supply limited... we (could) ignore the gas potential because there are so many other domestic sources." If the potential for natural gas is eliminated, Alternative W lands would contain 29.6 days' supply of oil.

The figures from which the estimates were derived were prepared in 1978 by the Denver-based Rocky Mountain Oil and Gas Association. RMOGA provided high and low estimates of recoverable reserves. Hamilton used the mean estimate for his calculations. The total Alternative W lands contain an estimated 1.1 billion barrels of oil and 6.4 trillion cubic feet of gas.

The Alternative W lands atop the Overthrust Belt and nominated for wilderness designation by conservationists in Wyoming are: Grayback Ridge, 225,000 acres; Salt River Range, 100,000 acres; Commissary Ridge, 90,000 acres; Palisades, 120,000 acres; West Slope of the Tetons, 170,000 acres; Gros Ventre, 370,000 acres; and additions to the Bridger Wilderness, 27,000 acres.

## Indians claim Black Hills home

Claiming a spiritual link to the Black Hills of South Dakota, the Lakota (Sioux) tribe has filed a claim with the U.S. Forest Service for 800 acres in the Black Hills National Forest to establish a "model community of self-sufficiency."

The tribe has based its claim on the 1868 Fort Laramie Treaty, the 1978 Indian Freedom of Religion Act, and an 1897 federal law authorizing the Forest Service to give up small amounts of public land for the establishment of schools and churches for people living near forest land.

The Lakota are also asking the federal government to provide the materials necessary for building 83 buildings, which would include a school, religious center, and 80 buried, passive solar homes, lighted by two wind-driven generators.

The U.S. Supreme Court recently recognized the Lakota's land claims in the Black Hills, ruling the tribe was entitled to a monetary settlement for the land — an offer tribal officials say they've rejected because the Black Hills "are not for sale."

The proposed community, called Yellow Thunder Camp, has received support from several local activist groups and U.S. Rep. Don Edwards (D-Calif.), chairman of the House panel on civil and constitutional rights.

# Western Roundup

## Cleanup delay spurs tailings suit

Frustrated by federal agencies' inaction, the Sierra Club, the Natural Resources Defense Council and two individuals filed a lawsuit this month to force cleanup of tailings from inactive uranium mills.

In 1978 Congress passed the Uranium Mill Tailings Radiation Control Act, which established federal control over tailings from either active or inactive uranium mills. By then most of the country's 25 inactive mills had already been closed down for 15 years, but their radioactive tailings were not permanently stabilized.

The act set several deadlines for action by the Environmental Protection Agency and the Department of Energy, which have not been met. According to the plaintiffs, "The tailings pose a continuing health hazard to nearby communities in themselves and have been dispersed throughout these areas by wind and water erosion and through their use in construction."

The two environmental organizations say they want the EPA and DOE to comply with the act because they are concerned about protecting their members and the public from increased risks of cancer and genetic mutations.

EPA has proposed cleanup and disposal standards but has not adopted them; under the law, they were due by November 1979. DOE has identified the 25 sites but not the contaminated areas away from the mill sites. According to the plaintiffs, buildings on five of the sites are being used for housing, warehousing and schools. While families have been evacuated from homes built with tailings in Edgemont, S.D., and on the Navajo Reservation, other possibly contaminated homes have not been thoroughly checked.

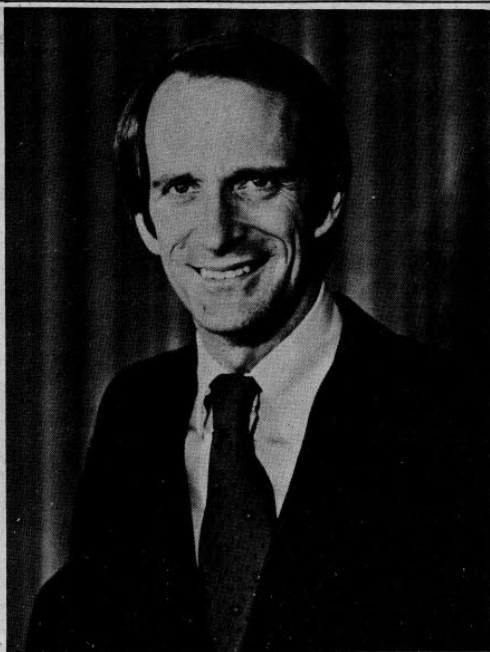
DOE Secretary James B. Edwards has argued that the offsite areas cannot be publicly identified without the consent of property owners whose properties are contaminated.

Joining the two organizations as plaintiffs are Jean Slattery of Riverton, Wyo., and Steve Marks of Durango, Colo. This suit was filed June 16 in the U.S. District Court in the District of Columbia.

—Marjane Ambler



VITRO TAILINGS' "no dumping" sign: an unintentional irony.



Denis Hayes, ex-SERI director

## Feds abandon the solar short-run

Falling victim to a new federal energy policy that virtually eliminates federal efforts to commercialize solar energy, Denis Hayes was fired this week as director of the Colorado-based Solar Energy Research Institute.

Under a tentative agreement between the Department of Energy and SERI's parent contractor, the Midwest Research Institute, SERI's budget would drop from \$120 million in Fiscal Year 1982 to \$50 million. All SERI programs not involved in high-technology, long-term research would be abandoned.

"There'll be a whole new focus on high-risk, high-payoff technologies," said SERI spokeswoman Judith Morison.

The mood among employees at the institute this week "depends on where you are," Morison said. In the laboratories, where researchers are developing new photovoltaic, thermal and solar technologies, workers are optimistic about future paychecks.

But in the SERI offices where 300 of the institute's 950 employees are working to promote immediate commercialization of existing solar technology, the mood is depressed. All 300 are slated to lose their jobs under the new DOE plan.

Eliminated from SERI's agenda would be all non-technical activities — social and economic programs such as demonstrations, information services, and other activities the institute now has to encourage public use of solar energy.

Ironically, solar energy promoters have criticized SERI for insufficient work on commercialization. Hayes in the past has defended SERI's research-oriented goals, stressing that commercialization activities are better done by the four regional solar centers DOE

operates.

Funding for those centers now looks equally bleak, however, and Hayes now says DOE has gone too far.

"We've put together a first rate program here to bring information to potential solar users, including builders, homeowners, and farmers," he said. "I regret that they will now find themselves in an informational vacuum."

Dick Munson, head of the Washington, D.C.-based Solar Lobby, called the new SERI budget and Hayes' dismissal "the latest blow to a logical energy policy."

"If we truly had a free market place, then the solar industry would do fine," he said. "But the primary impediments to developing solar are still capital — for going into business — and information."

The SERI budget cut was also assailed by Colorado Sen. Gary Hart (D), who called it "shortsighted" and founded on the erroneous belief that "solar energy is a technology for our future, not for the present."

But an aide to Sen. Bill Armstrong (R-Colo.) said the senator felt the budget cuts are entirely justified until SERI's goals and direction can be more accurately defined.

Numerous observers, including solar advocates and the General Accounting Office, have criticized SERI for lacking a clear mission. Armstrong's preference for SERI's focus, the aide said, probably leans towards technological research, rather than commercialization of existing systems. Once SERI's direction is better defined, the aide said, the senator would reconsider more funds for the institute.

Hayes said he considered the SERI directorship the pinnacle of his career and had not yet planned his next step.

## Up yellowcake take, says fed

Despite the depressed uranium market, the General Accounting Office is again asking Congress and the administration to adopt a new, higher pricing system for the Department of Energy's uranium enrichment services.

It's not the first such appeal from the congressional investigative agency. But the latest recommendation is couched in strong economic terms — \$1.3 billion in revenues would be gained by 1985, the GAO claims.

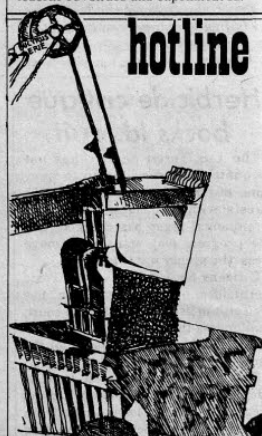
Uranium enrichment — processing uranium for use as a nuclear reactor fuel — is currently done solely by DOE.

DOE currently charges for the enriched uranium only enough to recover processing expenses. But by switching to a fair market value, the GAO claims, DOE would not only eliminate a subsidy to the nuclear industry, but would also generate substantial revenues, including some \$500 million from foreign customers by 1985.

The cost to consumers, said the GAO report, would be less than a one percent electricity bill increase by 1983. And fears that the higher cost for U.S.-enriched uranium would hinder nuclear weapons non-proliferation efforts are unfounded, the agency said.

Previous efforts to amend the 1954 Atomic Energy Act to adopt a fair market value pricing system have been alternately proposed by the Carter administration and Congress.

Noting a lack of current initiatives on this issue at DOE, the GAO recommended new reform efforts "in view of the administration's efforts to balance federal revenues and expenditures."



## SAWTOOTH MINING

Two central Idaho mining groups, upset over federal restrictions to what they feel is "one of the most mineralized, productive and promising mining regions in Idaho," are circulating petitions asking Congress to shrink the size of the Sawtooth National Recreation Area and remove mining controls. Spokesmen for the groups, which include the Central Idaho Mining Association, said they particularly wanted to mine the Boulder Mountains and White Cloud areas, and that the first three days of their petition drive netted them 700 signatures.



## No Ut. coal swap

The U.S. Interior Department has rejected applications by the Utah Power and Light Co. to exchange eight preference right coal lease applications on the Kaiparowits Plateau in southern Utah for a lease of federal coal in central Utah. In rejecting UP&L's request, Interior followed an earlier recommendation by the U.S. General Accounting Office.

Interior's evaluation of the swap was done by the U.S. Geological Survey. USGS found that the preference right lease applications did not have a value of at least one-fourth of the value of the exchange lands in Emery County. The GAO went even further, saying that "there is an unanswered question as to whether Utah Power and Light Company has a valid right to be issued a preference right lease — thus whether an exchange is even appropriate."

The Emery County leases that UP&L wanted are considered highly competitive properties that would fetch top dollar in a federal lease auction. Interior said that if the preference right leases are issued for UP&L's Kaiparowits area, the agency may authorize coal lease bidding rights equal to the fair market value of the preference right leases. The only catch is that they may have very little value.

Said the GAO: "Reserve estimates... by USGS and Utah Power and Light differ by as much as 300 million tons. This data deficiency... complicate(s) any economic evaluation."

Under Secretary of the Interior Donald Hodel said Interior will be prepared to decide on UP&L's preference right leases by the end of the year.



David Sumner

## Motors in the Grand ride new plan

Nearly a decade after the National Park Service first considered limiting motor rafting on the Colorado River through the Grand Canyon, a new agency plan released this month comes no closer to drawing a compromise on the issue.

The agency, discouraged by a congressional move late last year to eliminate relevant parts of its budget, has dropped the five-year phase-out of outboard motors suggested in its 1979 plan. Rather, it is now proposing four scheduling schemes, all of which permit motorized rafting.

The alternatives for running the river include mixed oar and motor all year, and several time slots set aside for oars only, such as three two-week periods between April and October.

Jim Black, legislative aide to Sen. Orrin Hatch (R-Utah), said the senator was pleased with the new options, but wasn't ready to support one of the alternatives. Hatch led last year's legislative maneuvers that scrapped the agency's motor phase-out plans.

None of the agency's new alternatives are acceptable to Sierra Club Southwest representative Brant Calkin, who called the plan a "continued concession to the river concessionaires" who run motor trips.

"Hatch has written the script" for the new plan, Calkin charged, and said his group would press for congressional hearings on the issue.

Hatch's spokesman said the senator would consent to such hearings, but that he'd rather see them focus on the agency's general procedures for designing park management plans.

The spokesman said the senator is concerned that such plans are "purely subjective." He cited a section of the plan that indicated irreversible damage to beaches, "and all they had was a snapshot of footprints. There were no facts, including public sentiment, to back up a phase-out of motors," he said.

Five public meetings throughout the West will be held on the new alternatives beginning July 6 in Flagstaff, Ariz.

## barbed wire

**Volcanic Gardening.** They feared disaster. But for farmers in northern Idaho, the harvest following last year's eruption of Mt. St. Helens has proved a record-breaker. Barley, wheat, lentil and pea crops are all up as much as 146 percent over last year's yields. Is there a connection? "Depends on which expert you ask," meteorologist Dale Everson told the *Mountain Express*. "Some swear up and down that it is."



And you thought the freeways were to blame. A new study from the University of Texas of growth in nonmetropolitan counties (1950-1975) found that those crossed with interstates grew only slightly more than areas without them. More pertinent factors, the researchers say, included climate, jobs and income levels.



The friendly people who brought you imported oil now bring you... imported oil companies! Kuwait Petroleum Corp. has announced a joint venture with AZL Resources to look for oil and gas minerals within the United States.



"When they open a \$4 million shopping center in one of these (Overthrust Belt) towns it's the biggest thing in the world — you don't read as much about development wells at Whitney Canyon (an Overthrust Belt natural gas field), but they cost \$8-12 million apiece."

— John Fraher  
United States Geological Survey  
Rock Springs, Wyo.



**Kentucky Fried Oil Shale.** It was probably only a matter of time before the corporations that convinced you to eat un-nutritious, fattening fast foods tried their hand at synthetic fuels. Let's see if you can swallow this one. Western Corn Dog Factory of Salt Lake City is applying for a patent to go into the coal gasification business. Just around the corner, we suspect, are A & W Gasahol, and a MacDonald's "special sauce" that goes in your gas tank.

### LATEST LAYOFFS

About 400 workers at Anaconda Copper Co.'s Butte copper mining operations lost their jobs last week. The layoffs, blamed on sagging copper prices, lower the workforce at Anaconda's open pit mine and ore concentrator to about 1,250. Anaconda shocked Montana last year by closing its copper smelter in the nearby town of Anaconda.

### NOBLE GASSES GREAT PLAINS

Edward Noble, the new head of the federal Synthetic Fuels Corp., is not sure the country needs synthetic fuels plants to produce a natural gas substitute. Noble expressed his doubts to officials of the American Natural Resources Co., which began preliminary construction on a Great Plains Coal Gasification plant in North Dakota last year, and wants federal aid. Noble said he thought the gas might be too costly and, in light of recent gas finds, unnecessary.

### COMPETITIVE LEASING.

Oil and gas seekers have yet to find any sizeable deposits in Idaho. In fact, all of the 130 test wells drilled since 1903 have turned up dry. State officials nonetheless have decided to end a three year moratorium on new energy leases by adopting competitive bidding on state lands. The move, made by the Idaho Land Board last week, was prompted by new exploring in southeastern Idaho, including six wells being drilled by Phillips Petroleum, Amoco and Chevron.

### WETLANDS WRANGLING

The federal wetland protection program is getting mixed assessments these days. "We must move aggressively" to acquire more wetland areas, Secretary of Interior James Watt told the Migratory Bird Conservation Commission this month. "Unlike other land purchases the Interior Department is authorized to make, (wetlands) may not be available if we wait," he said. Meanwhile, however, the secretary has been criticized by the National Audubon Society for preparing a "hit list" of eight national wildlife refuges the agency allegedly wants to abolish or turn over to the states. Society President Russell Peterson said the list includes the Charles Russell, Mont., Deer Flat, Idaho, and Sevilleita, N.M. national refuges — several of which contain vast acreages of wetlands.

### ILL WINDS

Surveying some 150 electric utilities for their opinion of the Department of Energy's wind energy program, the General Accounting Office has found widespread dissatisfaction. In short, the utilities felt that DOE's emphasis on large scale machines was most helpful to them, but that the systems "will be too complicated and expensive for utility use, and will do little to convince the industry of wind energy's viability." The utilities called for more site specific wind surveys and better information. Neither the utilities nor GAO are encouraged by the proposed 1982 \$19.4 million budget for the program, down from \$80 million this fiscal year.



### OUSTED OFFICIAL SUES

Carl Johnson, forced to resign last month as director of the Jefferson County Department of Health near Denver, is suing to regain his job. The agency's board members cited poor administration as the reason for Johnson's dismissal. But Johnson and his supporters, including the newly formed Citizens Health Committee, claim it was a political decision based on his frequent criticisms of the Rocky Flats nuclear weapons plant.

### SMELTER SAFETY

New rules to protect smelter workers from high-level exposure to lead have been delayed at least until July, and industry officials are asking for a one-year extension. The Bunker Hill Co. at Kellogg, Idaho, would have been required to rotate about 100 of its 1,800 workers into lower exposure jobs until their blood levels dropped back down to normal lead levels, under rules proposed by the Occupational Safety and Health Administration. But the industry, said OSHA chief Thorne Aucher, is pleading economic hardship and made "major submissions amounting to hundreds of pages" to support the delay. Bunker Hill officials said a lack of zinc concentrates for processing the ore is just one of the factors that may force a smelter shutdown this summer.

6-High Country News — June 26, 1981

## "We don't have separation of powers here"— the testing of tribal courts

by Marjane Ambler

LAME DEER, Mont. — For years the Northern Cheyenne tribal members consistently supported their tribal government's energy-related policy decisions, many of them potentially controversial. While many live in poverty on their southern Montana reservation, they agreed when the tribal council voided all coal contracts on the reservation in 1973. And they backed up the council's efforts to limit pollution from energy development in the area by applying for federal clean air protection.

Then in 1980, the tribal council committed the entire half-million-acre reservation to oil exploration, including lands owned by individual Cheyenne, which overlie tribal oil. Several Cheyenne objected to the contract with Atlantic Richfield Co. (ARCO) and collected 400 signatures on a petition demanding a referendum vote.

The council ignored the petition. But when the protestors took the question to tribal court, Chief Judge Carol Redcherries ruled in their favor. The case was appealed to the appellate judge, Calvin Wilson, who was also the tribal attorney who had helped prepare the ARCO contract. He, as predicted, ruled against the protestors. Only after the Bureau of Indian Affairs insisted did the council schedule the referendum vote; the voters approved the council's contract with ARCO by a wide margin.

But the trouble was not over. Tribal chairman Allen Rowland fired Redcherries, saying a tribal judge has no authority in the tribal constitution to overrule the council. And when a tribal member, Gilbert Redneck, refused to allow oil exploration crews on his land, the council took him to court.

This battle illustrates the quandary of many tribal governments as they face energy development decisions. The tribe's financial needs must be weighed against the individual's rights. This balance is hard to achieve anywhere, but particularly on Indian reservations. The United States has a 200 year history of laws, legal precedents and administrative procedures that form a framework for settling disputes between individuals and the government. The states have at least a century.

Many tribal governments, on the other hand, are still in limbo between their old ways — unwritten codes of behavior and decisions by consensus — and the new. They are still writing law

and order codes and only starting to adopt codified environmental regulations.

While the tribes need time to develop their governmental institutions, energy conflicts on Western reservations demand immediate action. At this point, many tribal governments stand at the brink, still undecided on whether to exploit their vast resources of coal, uranium and oil shale. As more tribes plunge into exploiting these resources, confrontations between tribal members and their governments are becoming more frequent. As they do, they will exert overwhelming pressure on the tribes' weakest and least developed function — their judiciary system.

### EARLY SELF-GOVERNMENT

It wasn't always so. The Indian tribes practiced self-government long before the Europeans had tried it. "It took the white colonists about 170 years to rid themselves of the traditional pattern of the divine right of kings," legal scholar Felix Cohen said.

Each tribe had its own ways, with varying levels of sophistication. The Cheyenne, for example, had a system of jurisprudence tailored to the needs of a communal, nomadic society. While

States assigned tribes to reservations. There the federal government systematically undermined tribal governments through the Congress, the courts and other more subtle methods.

"Not until I was 15 years old was there any tribal government functioning," said La Donna Harris, a Comanche now in her 40s who heads the organization Americans for Indian Opportunity. "There was almost no government over my grandfather's lifetime." From 1850 to 1970, the people didn't feel their voices had any importance or their leaders any power.

The loss of faith started when medicine men couldn't cure their people of the Europeans' smallpox, Harris said. It grew as Congress divided up tribal lands amongst the members and non-Indian homesteaders and as the BIA used tribal courts to impose its own standards of behavior. Indian judges, chosen by the BIA, punished their tribesmen for practicing their religious customs, such as the sun dance and use of medicine men. In 1934 Congress passed the Indian Reorganization Act, which allowed tribes — on paper at least — to re-establish their governing powers. The act gave tribes the option of adopting written constitutions. Since most remembered little from tradi-

Congress passed the Indian Self-Determination Act of 1975, giving tribes the authority to contract for and fully administer federal funds. The shift has been gradual, however, partly because some tribes have not been ready to assume the responsibilities and partly because some BIA personnel have guarded their duties jealously.

Thus, tribal governments adopted their present structures less than 50 years ago, and many have actually been functioning for less than 10 years. They lack a financial base since they cannot depend upon income or property taxes as other governments do. The tribal budget must be stretched to pay the tribal chairman and the council members, who often receive only reimbursement for expenses. The judicial system goes begging, with little money from the federal or tribal government for salaries facilities or training.

So far the tribes have been lucky. With a few notorious exceptions, primarily on the Navajo Reservation, resource conflicts have not ended up in the courts.

However, the recent controversy on the Northern Cheyenne Reservation in Montana may be a harbinger of things to come.

### NO SEPARATE POWERS

Tribal governments have avoided exactly duplicating the U.S. form of government — three separate branches of government and strict written safeguards for individual liberties. Yet many of their people have been brought up to expect and demand this.

Separation of powers is rare. A recent study of 21 tribes with energy resources found that 14 appoint judges, who serve at the pleasure of elected leaders. Seven of the tribes have informal appellate courts or none at all, and three of the tribal councils serve as the appellate courts. Complaints of political interference with judges abound, according to the National American Indian Court Judges Association.

On the Navajo Reservation in the Southwest, where tribal courts were beginning to gain some autonomy, the tribal administration created a body known as the supreme judicial council. The council, which is separate from the tribal court system, can hear appeals and a tribal court invalidates a Navajo legislative decision. Since the

### Indian tribes practiced self-government long before the Europeans had tried it.

rules were not written down, they were known and accepted. Punishment was meted out to retain order, but the methods were chosen with an eye to minimizing disruptive resentments.

For example, two boys disobeyed orders and started after buffalo before the rest of the hunting party. When they caught the boys, the other hunters killed their horses, smashed their guns and beat them with riding whips. But then after lecturing the boys, the chiefs relented and said, "Look how these two boys are here in our midst without horses and weapons. What do you men want to do about it?" The other hunters then gave them horses and guns. Such behavior was typical, according to anthropologist E. Adamson Hoebel and legal scholar Karl N. Llewellyn, who wrote about this incident in their book, *The Cheyenne Way*.

Then during the 1800s, the United

tional systems of two generations past, they usually chose constitutions based on a BIA model. A few, such as the Pueblos in New Mexico, retained their old systems.

The act reduced the power of the Secretary of Interior to interfere with internal tribal matters. For example, tribal consent was required before the federal government could sell or lease tribal land.

However, the federal government continued to try to assimilate the Indian people into the mainstream. Indian children were taken away to BIA boarding schools where they were taught English and absorbed the white man's ethic of competition and individuality. The traditional values of unselfishness and cooperation, upon which the old government systems depended, often were not passed on.

The situation began to change



majority of its members are also tribal council members, it has consistently ruled in favor of the tribal council and against the court judges.

The National American Indian Court Judges Association says political interference is becoming less frequent across the country. In fact the National Tribal Chairmen's Association went on record supporting the independence of Indian courts and acknowledging that the Indian judiciary has a status equal to other branches of tribal government.

But until recently, Indians have tended to see their judges as part of a political system, rather than as independent officers charged with applying and interpreting the law. The Northern Cheyenne situation exemplifies this: Allen Rowland defended firing Redcherries by saying, "We don't have separation of powers here."

Rowland sees the polling place as the forum for grievances. "The silent majority might not say a damn thing, but they'll vote you out if they want a change," he said. Indeed, his argument that the dissidents represent a small percentage of the Northern Cheyenne population seemed to be vindicated at the polls when the council's ARCO deal was approved and when he was re-elected by a landslide.

At the same time, the Cheyenne voters defeated a council member whom they perceived as being responsible for the more flagrant abuses of power in connection with the ARCO controversy. And when Gilbert Redneck came before Chief Justice Mark Elksoulder, who was appointed to replace Redcherries, he was treated fairly although he lost his case. While Elksoulder was expected to rule unilaterally for the council, he granted Redneck an injunction, keeping the oil exploration crews off the land while Redneck appeals his case. In addition, Calvin Wilson disqualified himself as appellate judge, and a lawyer from outside the reservation

community was chosen to hear the appeal.

**INTERNAL MATTERS**

If Redneck loses his appeal, however, few options are open to him, according to his attorney, Greg Todd. The Indian Civil Rights Act of 1968 provided safeguards for all Indians. But the U.S. Supreme Court ruled in 1978 that lawsuits involving violations of the act are internal matters. Most interpretations of this ruling say that civil rights suits brought by an individual against his tribal government must be settled in tribal — not federal — court.

If instead of filing a civil rights action Redneck had challenged the legality of

BIA director for the Billings, Mont., area, which includes the Northern Cheyenne Reservation. He said he believes strongly in separation of powers, and he will tell the Northern Cheyenne Tribal Council that — but only if the members ask. "I don't want to do things the way the BIA did it 40 years ago," he said.

The Billings area BIA has hired a judicial consultant to work with the tribes at their request. But generally, the level of federal funding for training and staff has not kept up with the greater responsibilities the tribal courts are facing.

The National American Indian Court Judges Association and other organizations are providing training, and the

tle who has represented the Northern Cheyenne Tribe for years, said rigid structures to protect rights might be more relevant in societies where the state is a "great and impersonal force" than in tribal communities.

In some cases rights that are critical to the rest of society are clearly inappropriate in certain tribes. Pueblo Indians, whose government is based on their religion, don't want their courts to guarantee freedom of religion.

**OUTSIDE HELP**

Internal pressures are building to make the tribal leaders accountable to someone, however. Resource development decisions are irreversible once the wells are drilled or the surface mine site stripped. And choosing to oust a chairman two years later at the polls won't keep the dragline from the door today.

Consequently some tribal members are turning to outside attorneys to help them challenge such decisions. Gerald Wilkenson (Cherokee) is executive director of the National Indian Youth Council, whose attorneys have represented individual Indians in several such situations. He said many tribal governments are glad when his organization steps in. "It offers a safety valve — some kind of mechanism for the people other than occupying the chairman's office," he said.

However, some tribal leaders see challenges of council decisions as attacks on the sovereignty of the tribe. Wilkenson objects to this attitude. Pointing out that his organization only represents tribal members, he said, "You can't hide behind tribal sovereignty to exploit your members....If a government perpetrates injustices, that society won't continue to exist."

Bill Parker, one of the Northern Cheyenne dissidents, said his tribal government has done more to weaken its own sovereignty than he. Unless the tribe provides legal redress within its own system, the pressure builds, and the people will be forced to turn to the BIA or Congress for help, he said.

If enough such cries of outrage were heard, Congress could decide to force its own judicial reforms upon the tribes, to provide for more intervention of federal courts, or to take more drastic action, such as terminating tribes' special relationship with the federal government. The BIA already threatened to withdraw federal recognition and federal funds from tribes that flagrantly abuse individual rights. However, Indian advocates objected strenuously, and the policy was rescinded.

Wilkenson believes the tribes will eventually solve the problem of accountability. "The more experience they have in the elective process, the more skill they'll develop in handling complaints," he said.

They cannot afford to err. Sam DeLoria, director of the American Indian Law Center, said, "City officials fear not getting re-elected if they make a mistake. Tribal officials know that every throw of the dice is risking the future of Indian government."

**"Tribal officials know that every throw of the dice is risking the future of tribal government."**

the ARCO contract as a whole, he could have turned to the federal courts, as dissidents on the Navajo Reservation have done on more than one occasion. Navajos have sued the federal government, saying the administration did not fulfill its responsibilities as "trustee" for the Indians or their resources. None of these Navajo resource suits have been successful, however.

Todd is not optimistic that administrative appeals would be successful for Redneck's complaint. The Interior Department has recently started to back off from what it considers internal matters. The BIA told the Cheyenne dissidents they had to submit their referendum petition to the tribe — not the federal government. The agency went out of its way to approve the tribal council's ARCO contract even though the department solicitor in Washington, D.C. said it did not meet federal requirements for Indian leases.

Anson Baker (Mandan-Hidatsa) is

quality of the judges' work is improving. The association has also prepared model standards to help tribes protect their judges from political manipulation.

"If the Indian judiciary incorporates more concepts of Indian traditional justice and locally held values, rather than automatically replicating non-Indian systems, it should increase overall respect for the Indian judiciary," according to the association.

**NON-INDIAN MODELS**

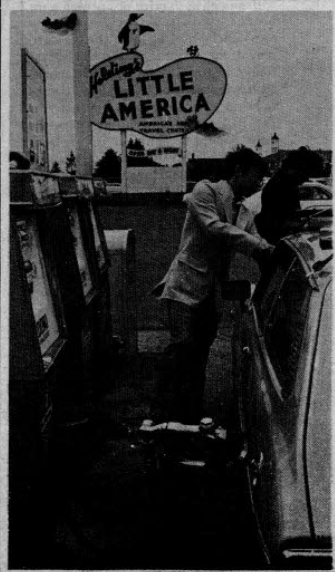
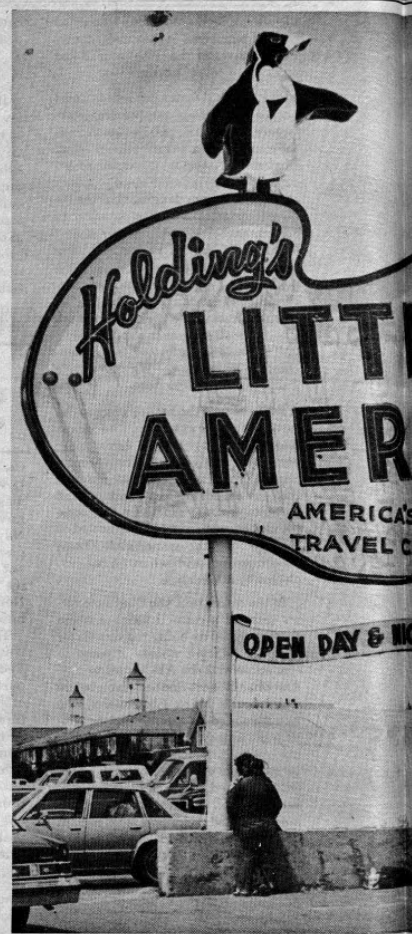
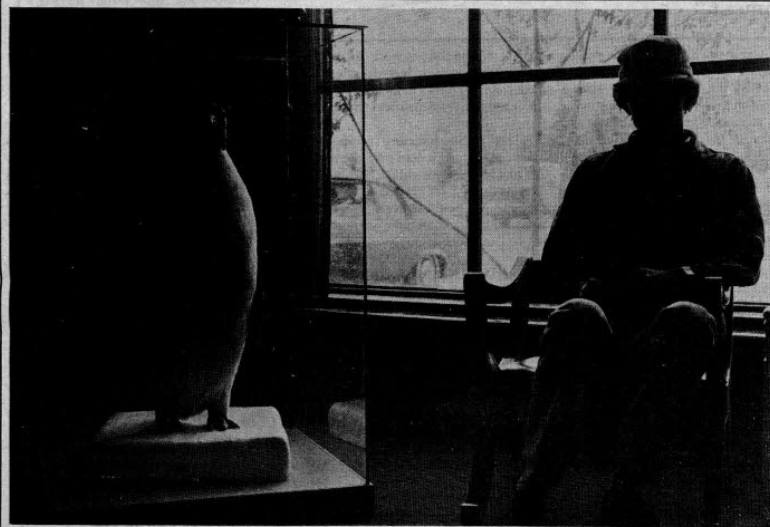
It is easy for outsiders to bring ethnocentric, missionary zeal to the question of tribal court reform. However, Indians are not likely to be impressed by arguments that non-Indian courts are a good model. Too often they have been subjected to judgements that they considered inequitable and inconsistent.

Al Ziontz, an attorney based in Seat-



Marjane Ambler, a former managing editor of High Country News, studied Indian energy development for a year under a fellowship from the Alicia Patterson Foundation. This article was paid for by the HCN Research Fund.

8-High Country News — June 26, 1981





## Welcome to Little America!

No need to wait for gas or a dinner plate —  
Tourists, truckers, roughnecks  
and stuffed penguins  
congregate by the Interstate

Photos by Sara Hunter-Wiles

by Geoffrey O'Gara

The lighting is tinged with yellow, draining the room of color. The counters swoop out from the walls like Formica horseshoes. A waitress hustles by, yelling, "You can get it yourself," over her shoulder, and two diners find themselves with sloshing cups of coffee they never requested. The customers — young, old, sunburned, greyfaced — look at each other without recognition.

It could be the counter at a Chock Full O'Nuts in the heart of the urban desert, New York City. But it's not. The counter sits in the more literal desert between Salt Lake City and Cheyenne, Wyo., along Interstate 80. Welcome to Little America. Sixty-five pumps. Two hundred rooms.

The "legend" of Little America has it that one S.M. Covey, a wealthy sheep rancher, decided in the 1930s that herders needed a refuge in the vast wastes east of Salt Lake City during the 30-degree-below, wind-chilled winters. He built a place and did his best to make it interesting — he got Admiral Byrd's South Pole expedition (hence the name) to send him some penguins, which he thought would thrive in those dreadful winters. The birds — showing perhaps more sense than some of tourists who now flock in the corridors here — decided it was more dignified to die in Boston, which they did. Today, one of their number stands stuffed in the comfortable, air-conditioned lobby. His name is "Emperor."

Eventually Little America passed to P.E. Holding, a Utah version of Horatio Alger who once mowed Covey's lawn. Holding turned it into a profit-making operation and opened other Little

Americas in Cheyenne and Salt Lake. He bought first a refinery in Casper, Wyo., then Sinclair Oil, and now supplies his 65 pumps (and that's just at the desert station) with his own oil products.

Holding is now one of the wealthiest men in the country, with property in Flagstaff, Ariz., San Diego, Calif., and Albuquerque, N.M., among other places. He is the largest individual landowner in Salt Lake, and Sun Valley is his, too.

When Interstate 80 was built, Little America moved to its present location, where it now serves the motorists on America's primary east-west artery. Its allure is difficult to explain. There are tourists, oil workers and truckers. Is it the 65 pumps? The oasis effect of its windblown pines in the desert? The unending roadside billboards heralding its approach? The security of so many strangers stopping at once?

"It's really the package," according to Ed Box, who sits in a converted-closet office, with **How Managers Make Things Happen** on the shelf behind him. "No package across the U.S. offers as much...souvenirs, food, beds, a garage..."

But the package is far from perfect. One patron last week was offered a choice of a room with a fold-out bed that didn't work, or a room with a TV that didn't work. Little America employees in the lavatory groused that the ice cream machines were busted and tourists were angry. And a maintenance man in the lobby was overheard: "Everything back in the kitchen that's supposed to be cold is hot and everything that's supposed to be hot is cold." Still, such disruptions have little ef-

fect. To many people, it seems the logical place to stop on the way. "Tourists don't want to spend the weekend here," said the front desk clerk. "They want to get where they're going and have Saturday and Sunday there." Hence, the place is inevitably full on weekdays; and sometimes on weekends too.

Box said that a survey once showed that 65 out of every 100 cars coming down the interstate stopped at Little America. Our own experts — in an unscientific survey — came up with 19 out of every 100. Never mind. The parking lot is full. The pumps — not all 65, but a good many — are busy. And the cash registers in the gift shop are clicking.

Little America, unique and isolated, is a world unto itself. Over 200 employees, half the workforce, live there. The rule for company housing is that both husband and wife must work...probably because boredom might affect the sanity of anyone not working. "Everybody gets along," said one employee. "You can't afford to have enemies when you're together 24 hours." She and her husband take off for other parts whenever they're not working.

The cars keep pulling in. A man from California, in his sixties, pouring a quart of oil into his old Dodge's crankcase, was asked why he had been stopping at Little America on his trips back to Minnesota every year for 16 years. "There ain't nothing here," he said with a grizzled smile. "People get started coming and they just keep coming back. Like sheep, I guess."

S.M. Covey would probably be pleased with the metaphor.



10-High Country News — June 26, 1981



Mike McClure

## Overthrust...

(continued from page 1)  
mer and softball; while City Manager Steve Snyder said he heard a few grumblings from people who stayed away because they did not think OIA would deliver.

Snyder, like many other officials, expressed support for the general outline delivered by the OIA, though he said he would have to wait and see what sort of



## Larsen's Bicycles

255 E. 2nd St., Powell, WY 82435  
(307) 754-5451

Schwinn—Raleigh



## A non-polluting toilet that works. Naturally.

Civus Multum composting toilet is waterless, chemical-free and odor-free. The process is aerobic, the end product reliable and useful. Our system converts toilet and kitchen waste to organic fertilizer with no contribution to groundwater or air pollution. Civus Multum: a handsome and sensible solution. May we send you a complete description and installation requirements?

Teton Tinkers and Traders  
Box 91, Victor, ID 83455  
(208) 787-2495

## MOVING?

The Post Office will not forward second class mail. So you don't miss an issue of High Country News, please notify us at least four weeks in advance of your change of address.

Send us a card (you can pick one up at your local P.O.) or fill out the blank below:

Please put your  
old address label here

&

Your new address below:



**DON'T LEAVE  
US BEHIND!**

funding backed it up. So also said Julie Lehman, head of the Human Services Confederation. John Fanos, a past OIA critic, said he would give the companies a chance, but he added that the generalities would have to produce results "in the next few months."

## STRIKING IT SOUR

The Overthrust Belt is a mountainous geological snake formed by colliding plates of the earth's crust. Petroleum geologists now believe it contains up to 7.5 billion barrels of oil and 30 trillion cubic feet of gas in Wyoming, Utah, and Idaho alone.

Two big discoveries north of Evanston last year — Amoco's at Whitney Canyon and Chevron's at Carter Creek — seemed to confirm high hopes for the Overthrust. The two strikes were made at depths of over 10,000 feet, extracting natural gas laced with hydrogen sulfide.

This in turn led to plans for two sour gas "sweetening" plants — facilities to remove hydrogen sulfide, which is extremely corrosive and dangerous to transport. Construction of those plants, now underway, has brought thousands of workers to the Evanston area, where they join others from the various drilling and exploration companies that are swarming over the landscape.

Had the plants come under Wyoming's industrial siting law, they might still be in the planning stages, say both company officials and siting council staff. That law was changed this year so that future sweetening facilities will have to get permits from the council, which assesses industry plans to soften local impacts. As it is, though, there is no legal requirement that the companies take mitigation steps for the Evanston plants.

Nevertheless, the OIA energy companies chose an approach that is increasingly popular among energy developers: They voluntarily went to work to win favor in the community they were affecting.

Amoco and Chevron hired the Denver Research Group, a political consulting firm, to handle community relations and run the OIA. The two companies each donated \$500,000 last year to aid local governments. The OIA has now expanded to 25 members, including drilling companies, equipment suppliers and other exploration and production firms.

The 11 months since the OIA was formed have seen a fat socio-economic study published, numerous public meetings and the creation of committees to study problems such as housing, environmental quality and law enforcement. OIA Director Chuck McLean has spent so much time with various local officials that many now describe him as a good friend.

But problems and skepticism have also increased over the past year.

The police department's Smith lays out harrowing statistics that show Evanston and Uinta County leading the state in crime increases for the second straight year. With Evanston's population rocketing to nearly 10,000 this spring, an analysis of jail bookings showed that nearly 80 percent of the arrests county-wide were oil-field related. Many of those arrested had arrived in Wyoming with previous crimi-

being ignored in favor of Evanston. "The big huge impact — like the sweetening plants — does not scare me like all these little things," she said. Asked by Lincoln County residents if the OIA could do anything to alleviate the housing and squatting problems this summer, McLean answered a flat "No."

## WHAT'S OFFERED

But there were some specific and immediate promises in the OIA proposal. Dollar figures were not available, but the OIA has promised to help pay for building inspectors, street repair equipment, classrooms, traffic control officers, and an Alcohol Detoxification Center, among other things. In most other areas, OIA has pledged to give "technical assistance" and "help arrange financing."

OIA Secretary-Treasurer Murphy

**"The (OIA) program could bring benefits to the impact areas that could total more than \$100 million."**

—Owen Murphy, Chevron USA, Inc.

**"We will not write a check for \$100 million...Most of it is taxes."**

—George Ross, AMOCO

nal records.

The Evanston law force now numbers 20, up from six in a decade ago. But officers still work in overcrowded offices and lack such basic equipment as portable radios.

"They put two to three million dollars just to get a road in (to a rig site) then just one million for all the problems they've caused here," said another police officer, an Evanston native. And grants from companies are sometimes diverted from their target by squabbling among local agencies.

Like many others, Smith wonders if the energy companies are simply delaying until tax revenues catch up with development and they can tell local governments to use those monies to finance growth.

"It's the story of the boom," said Smith. "It's hard to take a preventative step when it's all catch-up."

Nancy Peternal, a commissioner in next-door Lincoln County, said the needs of towns like Kemmerer are

said: "The program could bring benefits to the impact area that could total more than \$100 million." But he was unwilling to clarify how much of that would be simply property taxes and severance taxes, which the company has no choice but to pay. "We will not write a check for \$100 million," said Amoco's George Ross. "Most of it is taxes."

In the key area of housing, Murphy and Ross said they had so far been unable to develop a scheme that would provide a variety of reasonably priced housing. They said they were considering providing the land, subsidizing employees, or setting up a low-cost mortgage fund. That will not come in time to alleviate the problem this summer.

Nor did they have a specific plan for the many workers and job-seekers now camped on public and private land in Uinta and Lincoln counties. McLean said the money was available, but Murphy added that for "political" reasons, no approach to spending it had been agreed upon.



## A sour gas blowout that "ain't supposed to happen"

"It's a-whistling Dixie, you can hear it whistling," said John Fraher, a U.S. Geological Survey petroleum geologist who flew over a sour gas well near Big Piney, Wyo., that suffered a blow-out this week.

Some 50 nearby people were evacuated, roads were closed and a Texas company called Boots and Coots was brought in to plug the leak. No one was killed or seriously injured, but for several days, this remote area gave the region a demonstration of what can happen when a sour gas well blows.

Initially, the lesson seems to be lost on Evanston, where sour gas drilling is going on next to well-populated areas. Energy officials have assured the town that with modern drilling technology and safety precautions there will be no poisonous leaks in town. Just in case,

though, the town passed an ordinance requiring inspections and certain equipment.

"We're not sure we've done enough," said City Manager Steve Snyder.

The well that blew belonged to American Quasar, a Fort Worth, Texas, drilling company, and Quasar officials say it was using the same safety equipment as the wells in Evanston.

Bill Bogert, a Quasar vice-president, said that material blocking the rig's drill stem blew out through the protective casing of the pipe that lines the drill hole. Attempts to close a valve at the rotary table floor were unsuccessful.

The Quasar well, located on Riley Ridge in a popular drilling area, had gone over 15,000 feet deep and was scheduled to go to 17,000 — an unheard

of depth a few years ago that is now becoming common in the Overthrust Belt. Its level of hydrogen sulfide — roughly two to three percent — was low, but still enough to kill anyone caught in a pocket of gas. The drillers near Evanston expect gas with hydrogen sulfide content of up to 15 percent.

Bogert pointed out at this was not a dangerous area for blow-outs: The gas pressure, he said, was low enough that water will "hold" a leaky well if injected on top of the gas.

"There are all sorts of precautions taken," he said. "There is the same kind of danger you face getting into your car and going home. The chances are very slim."

"You can't say it won't happen, though."

And although the crowd at the Overthrust Industrial Association's public

meeting was oddly silent on the subject of such dangers this week, officials were not happy to see their "fail-safe" system refuted.

"It ain't supposed to happen," said Chevron's Owen Murphy.

Since not all OIA corporate members are drilling in the city's vicinity, safety is handled by individual companies. But the emphasis has been on equipment safety and public relations; there is no detailed Evanston evacuation plan.

"Our only plan right now is to notify the police and the local media (in case of a leak)," said George Ross of Amoco, which has four exploratory rigs right near Evanston. Ross said they are also at work on an informational brochure for local citizens — "trying to lessen their fear."

As for the immediate problem of the overflowing Evanston waste treatment plant, the OIA "will assist in arranging financing" for expansion. City Manager Snyder said federal loans are being explored, and a plan developed; McLean said that if other funds couldn't be found "we will go in and finance it."

The fine detail of all these mitigation efforts will be worked out by an Impact Coordinating Committee. The members include two OIA officers, the Evanston mayor, three county commissioners, Snyder, and a representative of the Wyoming governor. Commissioner Fanos, a member of the committee, said, "I don't intend to just sit back on my haunches and let the companies call the shots."

### WILDLIFE PROBLEMS

That was the attitude of the Wyoming Wildlife Federation, too, as it watched rigs and roughnecks proliferate in an area that is also home to deer, bald eagles and, possibly, black-footed ferrets. The WWF, backed by its national affiliate, pushed for an environmental impact statement on the Whitney Canyon-Carter Creek sweetening plants, claiming a briefer environmental assessment by the Bureau of Land Management was inadequate.

In an attempt to get the oil companies to fund a comprehensive wildlife study of the area, the National Wildlife Federation threatened to file suit. This prompted oil companies, the U.S. Bureau of Land Management and the state Game and Fish Department to begin negotiation. The suit threat has angered local leaders, who fear the delaying effect of such court action.

"We didn't want to see (the energy companies) shut down," said the city's Snyder, "because that would wreak havoc. It would be an enormous bust."

Ron Smith, a WWF spokesman from Green River, said the group wants a basic inventory of wildlife in the Wyoming Overthrust, improvement of winter ranges, a plan for future development that would limit the number of new roads dissecting habitat, and the restoration of some previously disturbed lands.

"We have talked exhaustively," said Chevron's Murphy. "We have talked and talked and talked..." Murphy said the state Game and Fish Department did not outline its proposed study in enough

detail to satisfy the oil companies. And a company-run study was considered and discarded because "it was horribly expensive," said Murphy.

In the meantime, the Bureau of Land Management went ahead and issued permits for the sweetening plants and their transportation routes — a move which the WWF had said earlier would trigger the lawsuit. So far it has not.

Those involved with the negotiations say the oil companies are now rethinking a Game and Fish study proposal and will have something ready in the next two weeks. Sen. Malcolm Wallop (R-Wyo.) also plans a meeting with Interior Secretary James Watt and BLM chief Bob Burford to discuss a major wildlife study that would cover the whole Overthrust Belt.

### THE LARGEST?

OIA officials trumpet their program as "the largest industry mitigation effort undertaken for an already existing community."

Skeptical, however, are officials at Wyoming's Industrial Siting Council, who did not have a role in reviewing impact caused by these sour gas plants, but will in future projects.

Richard Moore, council staff director said they would have required that housing, sewage and other problems be handled before the plants were built.

McLean said such delays would have cost the companies millions. Moore made it clear that many of the efforts made by the OIA — aid for law enforcement, school assistance and housing aid — were standard procedures for energy projects under the siting act.

Such regulation would be complicated, however, by the fact that many impacts are caused not just by the sweetening plants — which have their own "man camps" and recreational facilities — but by the numerous drilling operations and subcontractors which might not qualify for council review because of their small size.

Because the OIA plan includes no firm dollar figures, and because different projects require different buffering, it is hard to draw comparisons. But Basin Electric, for example, which is building the \$1 billion Laramie River Power Station in Wheatland, Wyo., has put about \$30 million into mitigation. Company and local officials say the advanced mitigation work has made life easier for both the company and the residents. More than half the money will come back to the company in the form of rent or resale.

McLean will not reveal the budget of OIA, which represents companies building about \$800 million worth of sweetening plants and incalculable investments in exploration and production. "This 'writing a check' thing is

wrong," he said, stressing technical assistance and planning as the keys to responsible mitigation. "We'll fund them tomorrow if they'll make the decision."

Lincoln County Commissioner Peterman responded: "I haven't seen anything (from the OIA), and I don't know if we ever will. We don't need six more months of study...The impact is here now, and we need help..." after months of waiting, most locals seem willing to wait a little longer.

## classifieds

Classified ads cost 10 cents a word. They must be prepaid.

ROCKY MOUNTAIN ACADEMY FOR SALE, 120 acre work-study-adventure North Idaho retreat. Lodge, farmhouse, duplex, sleep 46. Pasture, woods, creeks. \$450,000. Other North Idaho properties. The Rocky Mountain Co., Box 15471, Sandpoint, Idaho 83864. (208) 263-5201.

THE POWDER RIVER BASIN RESOURCE COUNCIL needs organizers. Staff people should be versatile, dedicated to the issues, and have simple tastes. Backgrounds in natural resource and agricultural issues are helpful. If you want challenging, rewarding work, submit a resume to PRBRC, 48 North Main, Sheridan, Wyoming 82801.



ANOTHER ROADSIDE ATTRACTION. More vehicles, more people...and more commerce. Evanston officials say that an end to the oil and gas boom would bring "an enormous bust" to their rapidly-growing city.

12-High Country News — June 26, 1981

## STATE OF WYOMING

Financial Statements of Insurance Companies which are Authorized to do business in Wyoming. Published in High Country News May 15, 29; June 12, 26; July 10, 24, 1981.

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
World Life and Health Ins. Co. of Penna.  
550 W. Dekalb Pike, King of Prussia, Penna. 19406  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$1,181
Gross Premiums Received	1,181
Direct Benefits and Losses Paid	-0-
Direct Benefits and Losses Incurred	-0-
Total Admitted Assets	1,745,708
Liabilities	1,732,079
Capital Stock Paid Up	-0-
Surplus	13,629
Income during year ending December 31, 1980	3,255,753
Expenditures for year ending December 31, 1980	3,191,996

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
World Book Life Insurance Company  
P.O. Box 3476, Chicago, Illinois 60654  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$214,000
Gross Premiums Received	8,849
Direct Benefits and Losses Paid	165
Direct Benefits and Losses Incurred	147
Total Admitted Assets	60,983,128
Liabilities	55,285,401
Capital Stock Paid Up	1,540,000
Surplus	4,157,727
Income during year ending December 31, 1980	10,394,935
Expenditures for year ending December 31, 1980	9,756,472

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Zurich American Life Insurance Company  
231 North Martingale Road, Schaumburg, Illinois 60196  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$None
Gross Premiums Received	4,040
Direct Benefits and Losses Paid	1,668
Direct Benefits and Losses Incurred	1,800
Total Admitted Assets	22,209,980
Liabilities	16,543,297
Capital Stock Paid Up	1,100,000
Surplus	4,456,683
Income during year ending December 31, 1980	9,775,501
Expenditures for year ending December 31, 1980	9,060,562

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
World Insurance Company  
203 South 18 Street, Omaha, Nebraska 68102  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$45,344
Gross Premiums Received	77,200
Direct Benefits and Losses Paid	53,409
Direct Benefits and Losses Incurred	97,892,414
Total Admitted Assets	88,442,044
Liabilities	8,470,369
Capital Stock Paid Up	30,696,234
Surplus	25,862,095
Income during year ending December 31, 1980	29,662,095
Expenditures for year ending December 31, 1980	25,862,095

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Yosemite Insurance Company  
717 Market Street, San Francisco, California 94103  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Gross Premiums Received	\$17,499
Losses Paid Deducting Salvage	-0-
Losses Incurred	3,432
Total Admitted Assets	44,264,144
Liabilities	31,569,545
Capital Stock Paid Up	2,100,000
Surplus	10,549,599
Income during year ending December 31, 1980	9,168,457
Expenditures for year ending December 31, 1980	6,996,648

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
York Insurance Company  
209 North York Street, Elmhurst, Illinois 60126  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Gross Premiums Received	\$-0-
Losses Paid Deducting Salvage	-0-
Losses Incurred	-0-
Total Admitted Assets	6,423,787
Liabilities	1,902,784
Capital Stock Paid Up	1,250,000
Surplus	3,271,003
Income during year ending December 31, 1980	2,017,710
Expenditures for year ending December 31, 1980	1,524,326

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Zurich Insurance Company  
231 North Martingale Road, Schaumburg, Illinois 60196  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Gross Premiums Received	\$121,555
Losses Paid Deducting Salvage	54,608
Losses Incurred	87,606
Total Admitted Assets	797,683,621
Liabilities	635,792,124
Statutory Deposit	600,000
Surplus	121,291,496
Income during year ending December 31, 1980	372,602,999
Expenditures for year ending December 31, 1980	359,978,367

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
World Service Life Insurance Company  
Home Office: 7346-A South Alton Way, Suite 129, Englewood, CO 80112  
Mailing: Post Office Box 1876, Fort Worth, Texas 76101  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$29,198,762
Gross Premiums Received	756,609
Direct Benefits and Losses Paid	259,234
Direct Benefits and Losses Incurred	251,182
Total Admitted Assets	283,077,499
Liabilities	275,545,354
Capital Stock Paid Up	1,250,000
Surplus	6,279,145
Income during year ending December 31, 1980	85,126,330
Expenditures for year ending December 31, 1980	79,567,950

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Western National Life Insurance Company  
P.O. Box 871, Amarillo, Texas 79167  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$6,568,364
Gross Premiums Received	397,830.60
Direct Benefits and Losses Paid	140,090.66
Direct Benefits and Losses Incurred	None
Total Admitted Assets	279,887,671.58
Liabilities	268,606,790.99
Capital Stock Paid Up	1,500,000.00
Surplus	9,878,880.59
Income during year ending December 31, 1980	112,298,523.20
Expenditures for year ending December 31, 1980	112,069,241.69

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Western Reserve Life Assurance Co. of Ohio  
201 Highland, Box 5068, Clearwater, Florida 33518  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$-0-
Gross Premiums Received	3,717
Direct Benefits and Losses Paid	4,905
Direct Benefits and Losses Incurred	-0-
Total Admitted Assets	89,466,991
Liabilities	82,613,996
Capital Stock Paid Up	1,200,000
Surplus	5,652,995
Income during year ending December 31, 1980	32,757,656
Expenditures for year ending December 31, 1980	32,351,942

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Western States Life Insurance Company  
Box 2907, Fargo, North Dakota 58108  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$1,063,672
Gross Premiums Received	1,147,465
Direct Benefits and Losses Paid	71,063
Direct Benefits and Losses Incurred	22,053
Total Admitted Assets	118,084,440
Liabilities	106,711,500
Capital Stock Paid Up	1,790,484
Surplus	9,582,455
Income during year ending December 31, 1980	33,328,899
Expenditures for year ending December 31, 1980	31,404,401

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Western Surety Company  
908 West Avenue North, Sioux Falls, SD 57192  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Gross Premiums Received	\$256,007
Losses Paid Deducting Salvage	(4,664)
Losses Incurred	7,160
Total Admitted Assets	42,754,765
Liabilities	22,968,805
Capital Stock Paid Up	4,000,000
Surplus	15,785,960
Income during year ending December 31, 1980	22,371,479
Expenditures for year ending December 31, 1980	18,874,606

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Westfield Insurance Company  
Westfield Center, Ohio 44251  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Gross Premiums Received	\$-0-
Losses Paid Deducting Salvage	-0-
Losses Incurred	-0-
Total Admitted Assets	125,956,727
Liabilities	82,991,689
Capital Stock Paid Up	1,500,000
Surplus	41,465,038
Income during year ending December 31, 1980	87,985,868
Expenditures for year ending December 31, 1980	82,139,427

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Westfield Life Insurance Company  
Westfield Center, Ohio 44251  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$50,000
Gross Premiums Received	612
Direct Benefits and Losses Paid	-0-
Direct Benefits and Losses Incurred	-0-
Total Admitted Assets	35,335,350
Liabilities	23,902,373
Capital Stock Paid Up	1,500,000
Surplus	9,930,977
Income during year ending December 31, 1980	11,069,834
Expenditures for year ending December 31, 1980	9,843,312

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
The Wisconsin Life Insurance Company  
709 North Segoe Road, P.O. Box 5099, Madison, WI 53705  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$296,000
Gross Premiums Received	33,698
Direct Benefits and Losses Paid	28,105
Direct Benefits and Losses Incurred	27,167
Total Admitted Assets	122,356,818
Liabilities	102,938,025
Capital Stock Paid Up	-0-
Surplus	19,418,793
Income during year ending December 31, 1980	67,947,557
Expenditures for year ending December 31, 1980	68,706,415

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner

**DEPARTMENT OF INSURANCE**  
**STATE OF WYOMING**  
Woodmen Accident and Life Company  
P.O. Box 82288, Lincoln, Nebraska 68601  
**BUSINESS IN WYOMING FOR THE YEAR ENDING DECEMBER 31, 1980**

Insurance Written	\$1,601,402
Gross Premiums Received	468,056
Direct Benefits and Losses Paid	232,208
Direct Benefits and Losses Incurred	90,974
Total Admitted Assets	227,774,504
Liabilities	207,901,365
Capital Stock Paid Up	-0-
Surplus	18,873,138
Income during year ending December 31, 1980	70,262,670
Expenditures for year ending December 31, 1980	70,108,336

Pursuant to Section 26-3-129 (b), Wyoming Insurance Code, I certify that to the best of my knowledge and belief, the insurer above named is in all respects in compliance with the laws of this State relating to insurance, and it is duly authorized to transact the business of insurance in the State of Wyoming.  
Dated May 12, 1981  
s. John T. Langdon  
Insurance Commissioner



# Bulletin Board

## MEDIATING THE ENVIRONMENT

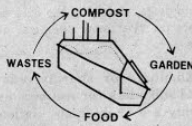
Environmental issues on 16mm film and videotape are the result of the University of Michigan Media Resources Center's work, and over 400 films are listed in the center's 1981 Environmental Media Catalog. For a copy, contact Michigan Media, University of Michigan, 416 Fourth St., Ann Arbor, Mich. 48109. Rental fees average \$10 to \$20 and subjects include forestry, nutrition, the prairie, food production, corporations, and special films for young people.

## GRAND PLAN

Four alternatives for river running on the Colorado River in the Grand Canyon National Park will be discussed July 6 at the Little America Hotel, Flagstaff, Ariz.; July 7, Maricopa County Board of Supervisors Auditorium, Phoenix, Ariz.; July 9, Bear Creek Senior High School, Lakewood Colo.; July 10, Salt Palace, Salt Lake City, Utah; and July 13, Golden Gate National Recreation Area, San Francisco, Calif. The four alternatives include mixed motor and oar use all year, oar use only during winter, oar use in fall and early winter, and three two-week periods set aside for the exclusive launching of oar trips. Copies of the draft plan are available from Western Regional Director, NPS, 450 Golden Gate Ave., San Francisco, Calif. 94120.

## Clivus Multrum

An environmentally sound, waterless waste treatment system for homes, cabins and campgrounds. Composts toilet wastes and organic garbage into a rich fertilizer, conserving nutrients, water and energy.



FOR INFORMATION AND NAME OF NEAREST DISTRIBUTOR CONTACT: Clivus Multrum Northern Rockies, 205 Meadows Rd. Whitefish, MT 59937 (406) 862-3854

## TETON TIMBER CUTS

Three million board feet of over-mature old growth timber from 250 acres of the Bridger-Teton National Forest will be for sale if the Klondike Hill Timber Sale is approved by the Forest Service. Officials say the cutting units, which will vary in size from 13 to 25 acres, will be designed to visually comply with natural openings found in the area. Copies of the environmental assessments are available from the Forest Supervisor's Office, 340 North Cache, Jackson, Wyo. 83001.

## PECOS PACKTRIP

New Mexico's Pecos wilderness will be the classroom for the "Environmental Education Packtrip", sponsored by the New Mexico Highlands University, July 10-17. Courses in vertebrates, geology, aquatic ecology, edible plants and wilderness survival will precede the four day packtrip. The cost of \$310 includes horse, tents and food. For more information: Joanne Sprenger, Health and P.E. Division, NMHU, Las Vegas, N.M. 87701.

## RAINBOW ADVENTURE

To promote peace on earth and demonstrate positive living, the Rainbow Family of Living Light is holding their annual Rainbow Adventure, July 1-7 near Spokane. Gatherers are advised to bring bedding, a bowl, medical supplies, and other necessities, plus energy to volunteer in maintaining and cleaning the village. Write Box 5577, Eugene, Ore. 97405, for a map or more information.

## TAKE THE NEXT STEP

You've earned your high school diploma. Now's the time to get the skills and experience you need to succeed. The Air Force offers the best technical training, good pay and other advantages. Take the next step. Contact an Air Force recruiter today.

Call S Sgt. John Marshall in Casper Collect 266-1053



## BACK TO SCHOOL

Need an edge on the mineral industry job market? The Colorado School of Mines says its fall program of environmental science courses can boost your career. Course titles include Engineering Ecology, Natural Resources Law, and Air Pollution Modelling. Contact Prof. Beatrice Willard, Environmental Sciences, Room 252, Green Center, Colorado School of Mines, Golden, Colo. 80401.

## LOSING RAILS

The nation's shrinking rail transport network does not yet threaten nonfuel mineral shipments, but accelerated abandonment of rail lines could disrupt the system, concludes the Bureau of Mines in its recent study, Information Circular 8834. It is available for \$1.75 from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.



## COLORADO CONTOURS

Colorado has the nation's first series of county topographical maps. The five-color maps, 202 sheets in all, illustrate all roads, habitable buildings, water features, national and state forests, military and Indian reservations, and more, in the state's 63 counties. The cost is \$2 per sheet from the Branch of Distribution, U.S. Geological Survey, P.O. Box 25286, Federal Center, Denver, 80225. For free copies of the index, write the State Cartographer, Colorado Dept. of Local Affairs, Room 520, 1313 Sherman St., Denver, 80203.

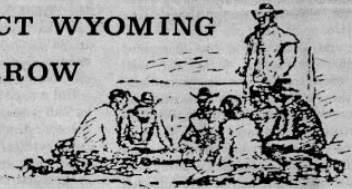
## LEGAL NOTICE

Pursuant to the New Institutional Health Service Act, W.S. 35-2-202 et seq., NOTICE IS HEREBY GIVEN that the Division of Health and Medical Services (Division) and the Certificate of Need Review Board (Board) of the State of Wyoming have received an application for a Certificate of Need review from Lander Valley Regional Medical Center, Inc., Lander, Wyoming.

1. The application proposes to construct a 150 bed facility in Lander, Wyoming. The facility will have 102 acute care beds, 24 psychiatric beds and 24 chemical dependency beds. Estimated cost of project is \$14,000,000.
2. The Division and the Board shall have no more than 90 days to conduct their review.
3. The application is on file with the Division and may be inspected by any interested person during regular business hours.
4. Any person desiring to file written comments concerning this application should address them to: Certificate of Need, Division of Health and Medical Services, Hathaway Building, Cheyenne, Wyoming 82002.
5. A public meeting concerning the application will be conducted by the Board during the 90 day review period. Notice of said public meeting will be published. All interested persons shall be afforded an opportunity to present oral testimony or have written comments read into the record.

Chris Cronberg  
Certificate of Need Review Board  
Department of Health and Social Services

## PROTECT WYOMING TOMORROW



Join the POWDER RIVER BASIN RESOURCE COUNCIL today!

\$25 Individual; \$100 Corporate; \$250 plus Sustaining

Name \_\_\_\_\_ Send to: Powder River Basin Resource Council  
Address \_\_\_\_\_ 48 N. Main (Upstairs)  
City \_\_\_\_\_ Sheridan, WY 82801  
State & Zip \_\_\_\_\_

## State of Wyoming Public Notice

### PURPOSE OF PUBLIC NOTICE

THE PURPOSE OF THIS PUBLIC NOTICE IS TO STATE THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS UNDER THE FEDERAL WATER POLLUTION CONTROL ACT AMENDMENTS OF 1972 (FWPCA), P.L. 92-500 AND THE WYOMING ENVIRONMENTAL QUALITY ACT (35-11-101 et. seq., WYOMING STATUTES 1957, CUMULATIVE SUPPLEMENT 1973).

IT IS THE STATE OF WYOMING'S INTENTION TO ISSUE WASTEWATER DISCHARGE PERMITS TO (2) INDUSTRIAL FACILITIES, (1) COMMERCIAL FACILITY, AND (4) OIL TREATER FACILITIES, AND TO RENEW (1) SWIMMING POOL PERMIT.

### APPLICANT INFORMATION

(1) APPLICANT NAME: Becor, Inc.  
MAILING ADDRESS: 1901 West 47th Avenue, Denver, CO 80211  
FACILITY LOCATION: Approximately ten miles north of Thermopolis, Hot Springs County, Wyoming  
PERMIT NUMBER: Wy-0030655

Becor, Inc. is the operator of an underground coal mine known as the Ronco Mine located approximately ten miles north of the Town of Thermopolis, Hot Springs County, Wyoming. The only wastewaters associated with the mine will be runoff from disturbed areas and these waters will be held in ponds which are designed to completely contain the 10 year-24 hour precipitation event. Therefore, no specific discharge points are identified in the permit, but the proposed permit does contain requirements concerning the operation and maintenance of the runoff control ponds. All discharges which

do occur will be in the Coal Draw (Class IV Water) drainage. Self-monitoring of effluent quality and quantity is required whenever a discharge occurs with reporting of results within thirty days of the event. The permit is scheduled to expire June 30, 1986.

(2) APPLICANT NAME: The Sinclair Oil Corporation  
MAILING ADDRESS: P.O. Box 277, Sinclair, WY 82334  
FACILITY LOCATION: East of the Town of Sinclair, Carbon County, Wyoming  
PERMIT NUMBER: Wy-0030601

The Sinclair Oil Corporation operates a standard water treatment plant which is located on the North Platte River east of the Town of Sinclair, Wyoming. The plant supplies industrial grade water to the Sinclair Oil Refinery and potable grade water to the Town of Sinclair. Plant wastewaters are routed to the complete containment settling ponds. However, in case of failure of the clarifier sludge pump, it would be necessary to discharge to the North Platte River (Class II Water).

The proposed permit allow a discharge only in the case of emergency conditions. When a discharge does occur, the permittee is required to immediately contact DEQ by telephone and to follow with a written explanation within five days. The written response must address actions which will be taken to prevent future discharges. The permit is scheduled to expire June 30, 1986.

(3) APPLICANT NAME: The Amoco Production Company  
MAILING ADDRESS: P.O. Box 396, Evanston, WY 82930  
FACILITY LOCATION: Section 12, T17N, R18W, Uinta County, Wyoming

(continued on page 14)

14-High Country News — June 26, 1981

## Opinion

by Malcolm Forbes Baldwin

In pursuing their cause over the past decade, many environmental activists have publicly allied themselves with a relatively narrow portion of the political

### August editorial

spectrum, even though demonstrated public support for environmental programs has been far more broadly and deeply based. As a result, many people still think of environmentalism as an ideology, while others turn away from it out of ideology.

The condition and future of the environment, however, are not proper subjects for ideology — or for what Edmund Burke, the father of conservatism, called "metaphysical sophistry." In fact, environmentalism transcends the programs and desires of any particular political, social, or economic group. It involves a powerful and complex view of the world, grounded both in science and in human experience, that has attracted all kinds of people and organizations.

The environmental perspective embraces not only the interests of the well-established environmental community, but many other interests as well. It especially includes the business sector — a sector that has shown that environmentalism can be good for society and profitable at the same time. Such businessmen, in fact, may well represent the "new environmentalists" of the 1980s. Moreover, because environmentalism is and ought to be non-partisan, it embraces people who hold starkly different views on other foreign and domestic policies. Certainly, environmentalism has always included conservatives. It is time for today's conservatives explicitly to embrace environmental concerns as well.

The fact that a number of conservative thinkers are now seeing how well the environmental outlook parallels their own is a promising sign; the natural links between environmental perspectives and conservative philosophy are indeed strong. They have also been unnecessarily obscure.

It was Edmund Burke who, in 1790, described the basic concept of society

and government as "a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born." The environmentalists' desire to conserve natural resources and the values associated with the natural world for future generations is intricately tied to Burke's social concept.

I believe that there are excellent but still unrealized opportunities to bring to light, and to exploit, the underlying ties between conservative thought and environmentalism. To explore that possibility, we must begin by examining the origins of environmentalism and its links with conservative philosophy.

Roughly speaking, two distinctly different tributaries have fed the mainstream of environmental thought today. One flow is concerned with maintaining human values drawn from nature; the other is concerned with the efficient, long-term, scientifically supported use of natural resources. These two sides of environmentalism are complementary, and they are, I would argue, especially compatible with conservative ideas.

George Will, another notable conservative, wrote recently about "the difficulty a commercial civilization comes to have in assigning values other than economic values — the difficulty it has doing justice to important intangibles." He warned that: "Today's turn toward more hard-edged economic calculation in public policy," although clearly needed, may produce "a cold climate for environmentalists."

But it need not. Indeed it is possible, as Will hopes, for environmentalists to "broaden the best impulses of today's conservatism." In the first place, Americans are idealists, as well as pragmatists. Our history shows that we are motivated as much by intangibles as by tangibles.

Today, environmentalists are very critical of the development excesses of those who shared the progressive conservationists' enthusiasm for development and exploitation of resources but ignored their scientific tenets. Massive public development of waterways and of dams, highways and later airports stimulated environmental concerns in the sixties and seventies about poor project planning, inadequate considera-

tion of "external" costs and technological "boomerangs." Environmentalists have strongly questioned the wisdom and rationale of a wide range of government public works expenditures because many federal projects have been totally unjustified economically and have not been based on scientific information.

Looking ahead, America's environmental programs of the eighties and nineties must not lose sight of their most basic conservative concerns for the human environment — the welfare of which depends on the protection of natural systems and on the intelligent and efficient use of our resources. These are goals expressed for the nation by the National Environmental Policy Act. Indeed, there can be no more fundamental conservative concern than the protection of the globe itself.

But mindful as we are of the practical, strategic, and moral reasons for America to help prevent the unprecedented loss of tropical forests, agricultural lands, and other global resources that is projected for the next two decades, we must also confront many emerging long-term environmental problems right here at home. These are concerns that should be of special importance to conservatives concerned about enriching and strengthening traditional American social and cultural values, and about the need to reduce waste, increase productivity, and enhance American economic strength. Among them are:

— Conservation of our most productive agricultural soils from wind and water erosion;

— Wise management of our water, forest, agricultural, energy, mineral, and wildlife resources to avoid irrevocable losses in the name of short-term needs, thereby preserving long-term national productivity;

— Preservation of our productive arid lands and control of desertification resulting from poor farming practices, improperly managed irrigation, and ground water mining;

— Protection of productive estuaries and coastal systems on which so many marine species depend;

— Development of new technology to conserve, and reduce our dependence on, certain critical and limited mineral resources (such as chromium and cobalt), to conserve energy, and to help reduce dependence on foreign oil;

— Control of acid rain, which respects no political boundaries;

— Protection of our critical ground water supplies from toxic contamination.

Accordingly, the conservative's program for the environment has four basic policies that environmentalists should pursue:

**1. Make the marketplace work for environmental goals.** The deregulation of energy prices will stimulate energy conservation — still the most economically efficient means of satisfying U.S. energy demand. It will also stimulate the development of technological innovation in energy supply. In many arid regions, more expensive natural gas will foster more efficient use of groundwater pumped for irrigation. It will also make fertilizers more expensive, which will encourage less wasteful application and reduce fertilizer runoff, which now threatens to harm our surface and groundwater supplies. Perhaps the market mechanism can also work imaginatively in other areas to foster new technology and make resource conservation pay. Integrated pest management, for example, can be used to curb the present losses of agricultural products to pests, reducing the excessive reliance on synthetic chemical pesticides.

**2. Eliminate or sharply reduce federal subsidies for resource use.** Not only are there many national economic benefits to be gained from the reduction of federal subsidies, but the potential environmental gains are immense. For example:

— When the federal government spends more than \$3 billion a year on flood control and disaster assistance, yet dollar losses from flood damage rise steadily every year, the government is encouraging unwise development at the taxpayer's expense by protecting —

(continued from page 13)

PERMIT NUMBER:

Wy-0030619

The Amoco Production Company intends to construct a recreational vehicle campsite to serve personnel associated with natural gas production in the overthrust belt of southwestern Wyoming. The campsite will have 129 sewer connections and the wastewater treatment facilities will consist of a three cell aerated lagoon system. The discharge will be to an unnamed tributary of Shurdoff Creek (Class IV Water). The proposed permit requires compliance with National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards effective immediately. Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire June 30, 1986.

(4) APPLICANT NAME:

Burlington Northern Inc.

MAILING ADDRESS:

P.O. Box 1855  
Billings, MT 59103

FACILITY LOCATION:

JAG Lease Battery, NE¼, NE¼,  
Section 8, T37N, R63W, Niobrara  
County, Wyoming

PERMIT NUMBER:

Wy-0030627

(5) APPLICANT NAME:

Enserch Exploration Inc.

MAILING ADDRESS:

475 17th Street, Suite 1322  
Denver, CO 80202

FACILITY LOCATION:

Lamont Federal No. 1-1, Lease  
No. W-60678, SW¼, SE¼, Section 1,  
T26N, R38W, Carbon County, Wyoming

PERMIT NUMBER:

Wy-0030697

(6) APPLICANT NAME:

Nova Petroleum Corporation

MAILING ADDRESS:

680 Lincoln Court Building  
1580 Lincoln Street  
Denver, CO 80203

FACILITY LOCATION:

No. 1 Federal Wasserberger, Tank

Numbers 1383, 1384, 1385, NE¼,  
NW¼, Section 1, T37N, R63W,  
Niobrara County, Wyoming

PERMIT NUMBER:

Wy-0030465

(7) APPLICANT NAME:

Schiff and Jackson Oil Producers

MAILING ADDRESS:

1001 Capital Bank Building  
Dallas, TX 75206

FACILITY LOCATION:

Harvey - Atwood No. 6-11, NE¼,  
Section 11, T57N, R96W, Park  
County, Wyoming

PERMIT NUMBER:

Wy-0030589

Facilities are typical oil treaters located in Niobrara, Carbon and Park Counties, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharges are to Crazy Woman Creek, Sand Springs Creek, Spring Creek (All Class IV Waters) and



## should share an ethical agenda

and even rewarding — people who have the bad judgement to build in floodplains, including our fragile and valuable barrier islands. This is the worst kind of federal interference in local government responsibilities.

— When the government fails to charge users the full costs of federally supplied water in the arid West, it is causing a tremendous waste of our precious water resources.

— When the government subsidizes the development of synthetic fuels even as energy costs continue to rise — especially with deregulation — it threatens to distort rational economic investment in energy resources while causing unnecessary environmental abuse in the process. A similar distortion would result if the federal government were to try to subsidize the breeder reactor into existence at this time.

**3. Provide comprehensive technical assistance for state and local governments, foreign governments, and the private sector.** When equipped with the necessary technical assistance and information services, local and state governments are best suited to grapple with a wide range of land and water resource management issues such as the protection of our vast agricultural areas. A recent joint Council on Environmental Quality — Department of Agriculture study projects that demand for U.S. agricultural exports, as well as product demands at home, will require that the entire U.S. base of 540 million acres of cropland (currently used and potential) be under cultivation by the year 2000. The report notes that irrevocable conversion of farmland to other uses threatens that supply, but it concludes that local and state governments can themselves protect agricultural land if the federal government avoids encouragement of such conversions through public works projects and other development programs, and provides the necessary technical aid through extension programs and other services. If similar information and expertise were developed and maintained for use by local and state governments and the private sector in other resource fields — including ways to protect natural systems and scenic areas — the federal government would

be providing needed environmental services without the high costs and heavy hand of direct federal management. Such an approach should be equally valuable to countries seeking assistance from the United States.

**4. Conduct comprehensive advance analysis of federal proposals and alternatives with an opportunity for broad public participation and decisionmaking.** This policy, of course, is the essence of the National Environmental Policy Act's impact statement requirement. The practical implementation of this requirement has received support from the business community and environmental organizations alike. The EIS process has not been a target of Presidential campaign rhetoric or the recent budgetary scalpel. In fact, it was constructively noted in the Heritage Foundation report — because the impact statement has worked. Still, it could work even better.

A 1979 report by the American Enterprise Institute, **To Empower People**, described the need for local structures like neighborhoods and voluntary associations to mediate between individuals and what it called the "megastructures" of our modern life — big government, business, and labor.

The ways that citizen groups and neighborhoods have used impact statements over the past decade points to NEPA's valuable (if unanticipated) support for these small local organizations that are, as the AEI report states, essential to give meaning and authority to individual lives today.

These four basic methods for pursuing environmental goals in the eighties and nineties — more effective use of the marketplace, reduced federal subsidies, federal technical assistance, and advance public analysis of federal proposals and alternatives — leave one important policy matter unaddressed.

Our existing environmental regulations were devised to respond to what economists called externalities — the costs of pollution and environmental degradation that the public bears because the producer and user do not.

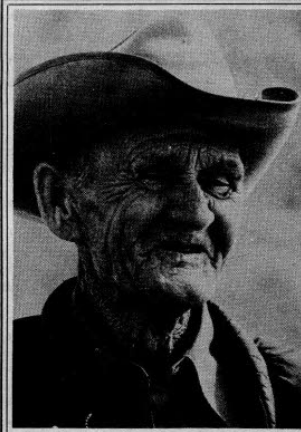
The practical task before us now is to reexamine carefully the social goals of our environmental regulations and then, if we find that they remain valid, to determine how best to pursue them.

We must recognize that where the marketplace cannot quickly and easily internalize important costs now borne the public at large, we will continue to need regulation which, in President Reagan's words, is "necessary to protect

the environment and ensure the public health and safety." Such regulations, far from interfering with our free enterprise system, will complement it — by protecting the profitability of companies that produce goods and services in an environmentally sound manner from those who would rob the public inheritance by polluting the air and water and degrading the landscape. The real cost of regulations is likely to be far less than the hidden public subsidy to polluters — a subsidy which distorts the marketplace, and which regulations should be designed to remove.

New efforts to pursue our environmental goals, for us and for generations to come, lie not only with government but with enlightened business and citizen interests as well. The public interest in environmental quality is too important to be left to public servants — even the most enlightened.

Malcolm Forbes Baldwin was acting chairman of the Council on Environmental Quality until May, 1981. This article is reprinted from the **Natural Resources Law Newsletter** of the American Bar Association.



### High Country News

The paper that cares about the future of the West.

The West we know has many faces. Cattle moving to summer pasture through the streets of small towns. Clear spring water from the kitchen tap. Elk bugling in the high mountain meadows.

Will we recognize tomorrow's West? Energy development, subdivided rangeland and pressure on wildlife are increasing. The rest of the nation wants in: to our minerals, our land, our culture. In a time of great change, **High Country News** captures the many faces of the West.

Show your care. Subscribe to **High Country News**.  
Box K, Lander, Wyoming 82520

\$15 for one year (25 issues)      \$27 for two years (50 issues)

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

#### Sage Creek (Class II Water).

The discharges must meet Wyoming's Produced Water Criteria effective immediately. Chapter VII of the Wyoming Water Quality Rules and Regulations infers that as long as the Produced Water Criteria is met, the water is suitable for beneficial use. There is no evidence to indicate that limitations more stringent than the Produced Water Criteria are needed to meet Wyoming's Water Quality Standards. The Department will continue to evaluate the discharges and, if necessary, will modify the permit if evidence indicates that more stringent limitations are needed.

Semi-annual self-monitoring is required for all parameters with the exception of oil and grease, which must be monitored quarterly. The proposed expiration date for the Burlington Northern, Esmerch Exploration and Nova Petroleum facilities is December 31, 1982. The Schiff and Jackson facility is proposed to expire December 31, 1983.

(8) APPLICANT NAME: Chief Washakie Recreation Complex  
MAILING ADDRESS: The Shoshone and Arapahoe Joint Business Council  
Box 217  
Ft. Washakie, WY 82514  
FACILITY LOCATION: Approximately 2 miles east of Ft. Washakie, Fremont County, Wyoming

PERMIT NUMBER: Wy-0023108  
The Shoshone and Arapahoe Joint Business Council is the operator of the Chief Washakie Recreation Complex located approximately 2 miles east of the Town of Ft. Washakie. The facility consists of a pool and recreation complex. The pool is fed continuously by a natural hot spring and the effluent from the pool flows to the Little Wind River (Class II Water). The proposed permit does not set any effluent limitations or self-monitoring requirements but does require that the pool be operated in such a way as not to cause lowering of effluent quality.  
The wastewater treatment facility serving the complex consists of a three cell lagoon system in which the

first cell is aerated. Under current conditions, almost all waste is completely contained in the first cell and the possibility of discharge at any time in the near future appears to be remote. The proposed permit requires compliance with National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards effective immediately. If a discharge occurs, effluent quality and quantity must be monitored and reported on a quarterly basis. The permit is scheduled to expire September 30, 1986.

#### STATE-EPA TENTATIVE DETERMINATIONS

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

#### PUBLIC COMMENTS

Public comments are invited any time prior to July 27, 1981. Comments may be directed to the Wyoming Department of Environmental Quality, Water Quality Division, Permits Section, Hathaway Building, Cheyenne, Wyoming 82002, or the U.S. Environmental Protection Agency, Region VIII, Enforcement Division, Permits Administration and Compliance Branch, 1860 Lincoln Street, Denver, Colorado 80295. All comments received prior to July 27, 1981 will be considered in the formulation of final determinations to be imposed on the permits.

#### ADDITIONAL INFORMATION

Additional information may be obtained upon request by calling the State of Wyoming, (307) 777-7781, or EPA, (303) 327-3874, or by writing to the aforementioned addresses.

The complete applications, draft permits and related documents are available for review and reproduction at the aforementioned addresses.

Public Notice No: Wy-81-008

16-High Country News — June 26, 1981

## books

### A River No More: The Colorado River and the West

Philip L. Fradkin; 1981, \$15.95, hardcover; 384 pages, photos, maps. Alfred A. Knopf, New York.

Review by Bob Anderson

To attend a meeting of Hopi elders in the centuries-old village of Shungopovi, to hear the governor address the Utah legislature, to see a Navajo Indian on horseback herding sheep by a coal strip mine in northwestern New Mexico, to follow from the air the undulations of a coal-slurry line 274 miles from Black Mesa in northeastern Arizona to the Mohave power plant in southern Nevada, to watch the tankers pulling into Los Angeles and Long Beach harbors with crude oil from Alaska and more distant points, to trace on a map the natural-gas and crude-oil pipelines and high-voltage electrical transmission lines converging from all parts of the West on the Los Angeles Basin, like spaghetti being drawn into the mouth, and to know water was being sucked into that same vast, insatiable maw from as far away as the Wind River Range in Wyoming, the Feather River in northern California, and the streams falling into Mono Lake and the Owens Valley from the eastern side of the Sierra Nevada, was to know intuitively that something was drastically out of whack.

There are a growing number of people either living in or in other ways dependent upon the West — the arid, interior West — who know little about the scratchy essence of that land. It is the nature of our current society to shield the general populace from the reality of nature, both technologically and politically.

Until now, no one has succeeded in telling the story of the West's development — of how it came to be out-of-whack. This was Philip Fradkin's self-imposed task, and he has succeeded masterfully.

**A River No More: The Colorado River and the West**, is encyclopedic in scope. It covers everything from Knap-sack Col to the Salton Sea geographically, everything from John Wesley Powell to Jimmy Carter politically. Though the most recent droughts give added urgency to the work, they are part of an apparently unpredictable cycle which has determined the pattern of western hopes and failures. It is this climatic fickleness of the West, along with its yearly fluctuations, which Eastern-America-brought-West would not tolerate. The natural pulse of the river has been transformed to the human pulse, responding more to the periodicity of air conditioning and toilet flushing in Phoenix than to the snow-melt in the Wind Rivers.

Fascinated by this, Fradkin embarked on a decade-long quest for the political, geographical and historical roots of this river which waters the better part of the western U.S. What he found was tap roots, tenacious, yucca-like roots sunk deep in the American way.

The printed result of the quest is a personal tale and a travelogue as well. We are taken to the headwaters of the Green in the chapter titled "Beginnings: four streams in search of a river." We float the Grand Canyon by dory and

tour the guts of the Glen Canyon Dam in the chapter "Canyon Country: the ultimate ditch." We accompany a ditch irrigator through his day in the plumbing system which is the Imperial Valley in "Deserts: the politics of water." Interspersed are short courses in homestead law, mining history, salinity chemistry, Mormon religion and air conditioning. But the main and recurrent theme is the political nature of the present Colorado River — a political history fueled more by emotion than by rational processes.

Fradkin is not new to emotional and irrational issues. After graduating from Williams College, he eventually made his way to the staff of the *Los Angeles Times*. As a correspondent, he covered Vietnam, and won distinction for coverage of the Watts riots. He now works as western field editor for *Audubon* and has published, along with numerous articles, a book titled *California: the Golden Coast* (Viking Press, 1974). But all of these are mere exercises, practice sessions, in comparison to *A River No More*. He travelled over 75,000 miles, and talked to over 250 people in connection with the unravelling of this many-layered tale.

Fradkin makes it clear that the basic facts are simple: the water of the Colorado River Basin is already being called upon to do too much. The salinity problems are caused by man's overuse of the water and the land. It is made just as clear that the political system which created and perpetuates this folly is a tangled web of complexity, spun, however, according to the simple laws of the West.

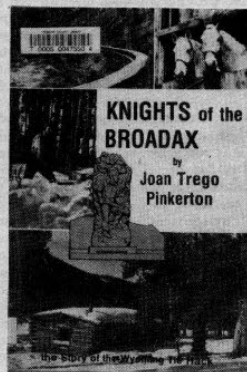
"The way of the West," as Fradkin calls it, seems to involve the momentum of Manifest Destiny which encouraged the settling of the West in the first place, a defiance of nature's barriers by technology. Now, the real danger lies in the parochialism of the system, the fragmentation of the politics, the lack of an overview, the failure to consider the Colorado River Basin — the interior West — as an organic whole. Through all this complexity, Fradkin has hacked and hewn a tolerably clear path.

While paddling the piddling leftovers of his Colorado River, Fradkin, in his last chapter entitled "Ends: death in the desert," comes most explicitly to the purpose of the book:

Actually very little remains to be built on the Colorado River, the primary projects already being in place, the remainder authorized, and only the cleanup chores left to be completed. But there is always the chance the final, big push will be made to import more water from elsewhere and, if this is done, it means another titanic struggle with all the traditional forces lined up as they have been in the past. Hopefully a wider public would be more aware of what was being proposed and less apathetic, as in the past, to the disposal of the West's most valuable natural resource.

Whether the policies that have governed the West as a separate province will ever be consciously reevaluated and another course embarked upon is doubtful, at least in the immediate future. It would mean a change in basic institutions, in basic ways of thinking that are endemic to the West and, above all, would mean limits in an area that has little tolerance for them, be they the 160-acre law or restrictions on grazing on public lands. There first has to be a realization that the West is at its ultimate limit — meaning there is no more water available — before anything different will happen. The fact that it is fast approaching this limit has meant very little, witness how quickly the lessons of the recent drought have been

forgotten. Nowhere else in my travels did I find an area more symbolic of what the West could become than the illusory wasteland of the delta.



### Knights of the Broadax

Joan Trego Pinkerton; 1981, \$6.95, 198 pages. The Caxton Printers, Ltd., Caldwell, Idaho.

Review by Myra Connell

The countries of Europe gave not only their "tired...poor...and wretched" to America, they also gave their skilled, rugged and honest. Among them were the Scandinavian woodsmen who worked in the Wyoming forests during the first half of the century. They come to life in Joan Trego Pinkerton's story of the tie harvest near Dubois, Wyoming.

**Knights of the Broadax** rings true because Joan was there. She examines life in the camps where railroad ties were hewn by hand and floated down the Wind River.

Joan was there to enjoy living conditions of the primitive timber camp on Warm Springs Creek in the Wind River Mountains. She laughs at the "three-holer" privy, the baths by the kitchen stove, and the reader who doesn't laugh with her is sober-mined indeed.

She was there on the mountain when winter blizzards raged and the only access to the rest of the world was by team and sled or by skis. She was there at the one-room log school where twenty pupils proved too much for four diffe-

rent teachers during one term.

She was present when the Christmastime revel at the cook-house lasted until sun-up with the inebriated accordion player "lying on his back, still playing, the accordion draped across his stomach."

Interwoven with insight into the delightful characters of the tie hacks and amusing incidents of life in the camp are descriptions of the craft of hand-hewing ties to precise dimensions.

Her chapter "The Magnificent Drives" is magnificent itself, especially the photos of the tie-jams, the river camps, the grueling labor, the flumes that carried the ties down the rugged canyon.

The women who strove to make homes, give birth and raise families in the tiny board shacks that served as dwellings are included. There are accounts of accidents, searches for persons lost in the forest, encounters with wild animals, many amusing and interesting incidents all related in a smooth, easy-to-read manner.

The photos, many of which were taken by A.B. Trego, father of the author, are as much a part of the book as the text. Trego was bookkeeper for Wyoming Tie and Timber Company from 1936 until the camp closed down in the 1940s.

Mechanization put an end to the era of hand-hewn ties by the time of World War II and trucks replaced the river drives. Notes of nostalgia creep into the account, with photos and information of the Tie-Hack Memorial near the site of the first camp, on the Wind River a few miles above Dubois.

Joan's story begins in 1936 when she came from New York to the Warm Springs Headquarters camp with her family. Thus, the earlier operations, one on Sheridan Creek, and another on Dunoir Creek, are not included, which may have disappointed some elderly residents of the Dubois area.

Environmental aspects of the tie harvest are lightly touched upon; however it is made clear that cutting was selective as opposed to clear-cutting or block cutting of a later time.

The impact of the river drives on the river itself that has been noted as detrimental by other observers is not mentioned.

A charming little book, **Knights of the Broadax** should interest westerners who seek the whole story of our country.

### Whatever Comes

In the fall, rain of the happy tears returns with its big step over the mountains. Gray sweeps here again, draping trees and buildings. Air floats up the cellar stairs with its fresh face turned toward the open.

The new season means it's all right — time is sure, those evil things happened in your life, but they're over. Here comes the rain to forgive, wide as outdoors and so welcoming it doesn't care whether it knows you.

I'm laughing at the person I was: who cares about how serious my face looks? Now, on the mayor's hat, on the poor woman at the corner, all over fashionable people, comes the wide gray, forgiving rain.

— William Stafford