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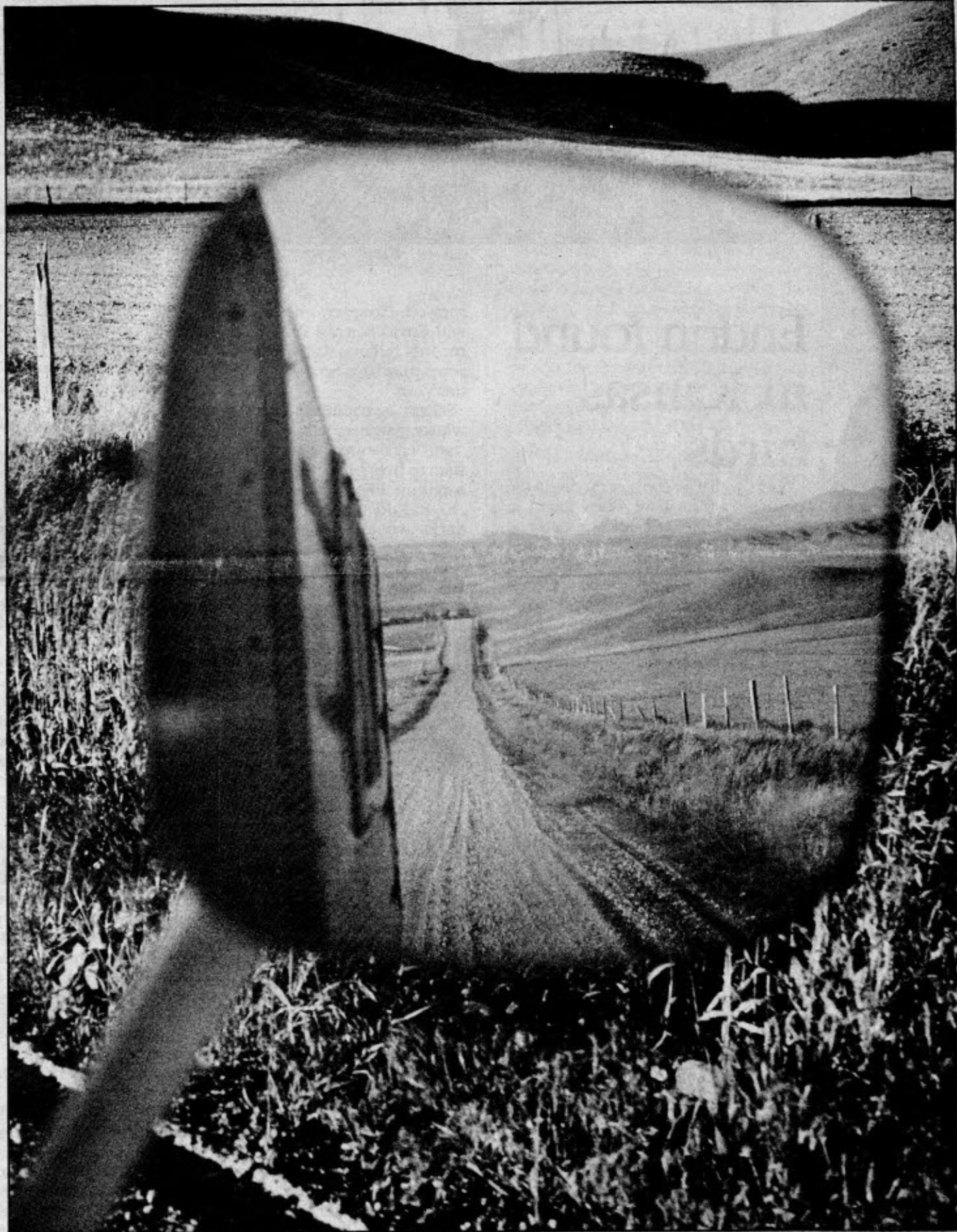
High Country

news

Friday, October 30, 1981

Vol. 13 No. 21

75¢



David Spurr

MONTANA

"Nearly every Montanan, east or west, gives thought to the land because, late and soon, it is so much with him — in its beauty, its impersonal malevolence, and its productivity or the lack of it."

— K. Ross Toole

WESTERN ROUNDUP



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Endrin found in Kansas birds

Ducks with high concentrations of the pesticide endrin have been found in western Kansas. The Kansas Fish and Game Commission tested 48 birds and found three contaminated. One bird showed only traces of the chemical, but two had relatively high levels in the fat — 1.995 parts per million and 2.77 ppm. Marvin Kraft, Water Fowl Project leader for the Kansas Fish and Game Commission, said, "We began the testing to ease the minds of the hunters after they had the problem in Montana." Endrin contamination was found in a large number of Montana waterfowl last month. The pesticide is used to control army and pale western cutworms in winter wheat. Kansas is located along the central flyway, along which the Montana fowl migrate.

There is some confusion, however, about where the Kansas contamination came from. It could have resulted from poisoning in Montana, but endrin has also been sprayed in Kansas. Officials originally believed that only about 4,500 acres in the state had been

sprayed. However, a newspaper report said Environmental Protection Agency records indicate that as many as 60,000 acres may have been sprayed in Kansas this year.

Endrin is registered for use only on winter wheat in Kansas. However, the state legislature this year directed the state to petition for the use of endrin on sorghum. EPA denied that petition.

Kraft said that no further testing of ducks would be done and the Kansas waterfowl season would not be curtailed. The state Department of Health and Environment has determined there is not a significant hazard to human health. However, they do plan to test the water and sediment in the area the ducks were killed.

Grayrocks dam fails flood safety

The Grayrocks Dam near Wheatland, Wyo., which stores the cooling water for the 1,500 megawatt Laramie River Station, does not meet accepted Corps of Engineers safety standards for "large size dams with high hazard potential,"

according to an independent safety inspection report. However, the report says, the situation "should not be considered serious, though it is somewhat less than desirable."

Under Corps guidelines, the Grayrocks spillway structure should have been designed to withstand a "probable maximum flood" in the drainage area. Instead, the dam was designed to meet the "probable maximum thunderstorm" standard, and meets only 78 percent of the tougher "flood" standard.

Grayrocks is 96 feet high with a storage capacity of 146,768 acre-feet of water. Under federal guidelines, it is classified as a "large dam." It is listed as a "high hazard" structure because of the "high potential for damage or loss of life in the event of failure." There are at least 12 ranches and the Fort Laramie National Monument located below the dam. Its floodplain holds the towns of Lingle and Torrington, Wyo., as well as a dozen Nebraska communities.

Stephen Nickel, an engineer with Hoskins-Western-Sonderregger, Inc., of Lincoln, Neb., conducted the safety inspection. He said, "The warning and evacuation plan does not take into consideration the possibility that a probable maximum flood could occur which would exceed the capacity of the spillways in the subsequent overtopping and failure of the dam. Such a failure would create a flood wave in the downstream floodplains significantly higher than the level caused by runoff from the storm."

"Property and lives would be threatened by this flood...It is recommended that boundaries of the flood zone also be established based on the breaching of the dam."

Nickel also said it is "unusual" for a dam as large as Grayrocks not to meet the "probable maximum flood" standard.

John Balog, dam safety engineer for the Wyoming State Engineers office, said that cost was the reason for not requiring the tougher standard. He said, "The spillway they put on there is a terrifically big spillway and adding to it would have been to no avail." Balog said that to reach maximum possible flood conditions, 18 inches of rain would have to fall in 24 hours. "You don't see that much rain in Wyoming," he said. Nickel said, however, the standards are set because they represent actual rainfall in the area, though levels as high as 18 inches could have occurred at any time from recently to thousands of years ago. There is no indication of when that much precipitation could re-occur.

Robert Curry, a geology professor at the University of California at Santa Cruz and a consultant for a conservation group on the Grayrocks dam, said, "The eastern side of the Rockies gets much more intense rainstorms than we previously thought. Once every 300 years or so there are very large floods. Dams



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Geoffrey O'Gara
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Dan Whipple
Carol Jones
Associate Editors

Michael Moss
Staff Writer

Kathy Bogan
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Peter Wild
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Dear friends,

This fall, we decided *HCN* would begin publishing "special" issues on selected topics. We figured we could still give readers our broad regional coverage in Western Roundup while we steered the features and opinion pieces toward a narrower subject. The September wildlife issue was our first effort.

With this issue we take our first shot at a special "state" issue, in which we look closely at one of the region's states. We chose Montana because we had some stories we wanted to do up there, and because the deaths of two of the state's intellectual lights — scientist Clancy Gordon and historian K. Ross Toole — had put Montana much in mind recently. We also figured that travel would get chancy up in that part of the world very soon — sure enough, Geoff caught a snowstorm as soon as he crossed the state line.

Throughout the coming year we intend to give the same special attention

to the other Rocky Mountain states, one at a time.

We have relied on some of our favorite Big Sky country writers and photographers for material in this issue — Don Snow, Jim Robbins and David Spear — but we are also introducing a new pen: Ellen Ditzler, who wrote most of the material about the southwest corner of the state. Ditzler is the former editor of the Montana Environmental Information Center's *Down to Earth*, as well as being an accomplished artist. We expect to show you more of her work in the future. She wrote us that she is right-brained, has a pickup, can't sing and hates creamed corn — all thoroughly amiable characteristics, which she will probably sue us for revealing.

In the mail this week, we received a copy of a paper about *HCN* by Susan Harlow of the University of Wyoming's

Department of Journalism and Telecommunications. Actually, calling it a paper considerably understates the case. It is a 67-page epic with 117 footnotes. She talked to *HCN* founder and guiding light Tom Bell and spent time this summer here in Lander interviewing present and past *HCN* staff members. It's more history than we knew we had — competing scholars beware.

HCN subscribers should be receiving this week — the post office willing — our annual pitch for money to support the *HCN* Research Fund. As most longtime subscribers know, this is the fund from which we draw for research and writing on the burning issues of the day. With it, we pay for both staff-written and freelance articles. It is not putting too fine an edge on it to say that without you fine an edge on it to say that without your continued support of the *HCNRF* the paper can't continue to do its job. We hope you will respond generously to our request. Thanks. — the staff

up and down the Rockies have less than satisfactory safety standards.

"In my opinion, it is a serious thing at Grayrocks, because you have a less than adequate dam upstream."

If a dam can meet 50 percent of the probable maximum flood, the Corps does not consider it unsafe. Grayrocks is downstream from the Wheatland No. 2 dam, a structure that only meets 40 percent of the standard and is "unsafe" in Corps parlance. If Wheatland No. 2 failed, it would roughly double the amount of water arriving at the Grayrocks structure and, everyone agrees, "would cause problems at Grayrocks."

The safety inspection recommended a hydrologic study of the effects on Grayrocks if the Wheatland No. 2 dam failed. Grayrocks is owned by the Basin Electric Power Cooperative.

Cost hikes send BuRec scrambling

Caught between fixed contracts and flooding costs, the Bureau of Reclamation is scrambling to update the agreements it has with water users for the repayment of construction costs for federal projects. Caught unaware, the public is being taken for a boat ride, critics charge.

Municipal and industrial (M&I) water users must by law repay BuRec for nearly three-quarters of their share of construction costs for new supply systems. Irrigators are more heavily subsidized, obligated for less than one-fifth the cost of their water.

They settle with BuRec by negotiating water purchase deals when projects are first proposed. But those contracts have remained fixed while inflation has drastically hiked construction costs, taking

with them the proportional cost-share water users face.

Two innovative schemes BuRec officials are now using to resolve those discrepancies are bypassing the voter approval mechanism that created the original contract. Without a say, those voters will now face water bills of double and triple the amounts they originally agreed to, critics charge.

The first case involves the Dallas Creek project, which would dam the Uncompahgre River on Colorado's Western Slope to feed several thousand acre-feet of new water to irrigators and M&I users from Montrose to Delta.

Although authorized in 1968, the project is still being designed. Yet the estimated costs have nearly doubled, with the M&I obligation rising from \$38 million to about \$70 million, said Phillip Sharpe, assistant director of the BuRec's Lower Colorado River region.

The solution here may be simple: Get Congress to waive the extra \$30 million M&I obligation. Rep. Ray Kogovsek (D), whose southern Colorado district includes the Dallas dam site, has introduced legislation to do just that.

Spokeswoman Christine Mulick said Kogovsek continues to support water policy reforms that include a higher cost sharing for states and water users. "At the least," she said, "those reforms should encourage Congress to fund more western projects."

"But Dallas Creek is a special case," Mulick said. "It's like a contract between two people and we don't think it's fair for the BuRec to go back and ask for more money after a deal has been made."

Sharpe, declining any responsibility for initiating the bill, said it would be the first time an obligation was voided simply because costs had escalated due to inflation. Previous exemptions were given when costs increased due to new safety standards, he said.

The second case involves the giant Central Utah Project, specifically its Bonneville Unit, which would bring water from the Wasatch Mountain wilds

to the Salt Lake City suburbs. It too has exceeded expected costs, nearly quintupling to \$400 million today.

The solution here to close the gap for M&I user obligation is more complicated. In short, the local water district contracting for Bonneville water has dredged up a provision of the 1958 Water Supply Act that allows users to defer up to one-third of their obligation for ten years.

The use of the act may be illegal, said Sheldon Eppich, an engineer and head of the Utah Wildlife Federation, since the Bonneville project was authorized before the act became law. The group's lawyers are also questioning the legal firmness of assurances that the district in fact will eventually follow through with its original obligation to buy project water.

Sharpe said a "letter of intent," which he recently received from the district, along with the historical pattern of the agency "never having had water to sell no one wanted," gave him such an assurance. But he acknowledged the procedure has not yet been tested in court.

Legalities aside, Eppich said the move is unethical and poor water policy. "They're going to have to get a vote of the public eventually," he said. "This is just delaying the inevitable."

Sharpe agreed that another vote — expected to be highly controversial and likely rejected by voters rebuffing the higher water bills — would probably be needed by 1983.

No construction is scheduled on the project for the interim. But Eppich said continued engineering studies would just "waste public money" should the project be killed by the 1983 vote.

Other solutions BuRec officials are dreaming up to resolve the obligation problems include factoring in revenues gained by associated hydroelectric projects, as well as reshuffling allocation schemes. The next project to need a fix, Sharpe predicted, would be the Dolores Dam near Cortez, in southwestern Colorado.



Glen Canyon Dam

No extra juice from Glen Canyon

The Bureau of Reclamation has scrapped plans to generate more electricity from Glen Canyon Dam, a proposal that stirred strong opposition from environmentalists and downstream users of the Colorado River (See HCN, 7/24/81).

But other changes in peaking power generation at the dam, precipitated by shifting market patterns in seasonal demand for electricity, continue to threaten river flows, said Robert Lippman, head of Friends of the River in Flagstaff, Ariz.

The Oct. 21 BuRec decision to drop the expansion plan was due to administration budget cuts and public opposition, said BuRec Commissioner Robert Broadbent. Claiming credit for much of the latter, Lippman called the decision a "victory" and evidence of the agency's "lack of credibility regarding its facts and figures."

Much of the debate centered on changes in the river flow, which project critics calculated would seasonally fluctuate wildly from 1,000 to 40,000 cubic feet per second, damaging river habitat and at times drying up recreational uses.

But daily fluctuations of 1,000 to 34,000 cfs would result if the agency decides to alter its peaking operations to meet new electricity demands, Lippman charges. Such a change, he said, would not reflect a multiple-use of the dam that adequately weighed recreational benefits, such as boating and fishing.

New angles sought to sell bonds

The use of industrial revenue bonds to spur development in the Rocky Mountain region took four chaotic turns this month, lending credence to criticism that the financial tools are out of control. The state of Wyoming and three Colorado counties each sought to market large bonds, some entangled by politics and all suffering a tight financial market.

Rio Blanco County broke a record by approving a \$650 million bond for the Cathedral Bluffs Shale Oil Company to purchase air pollution control equipment. If it can market the bonds — believed to be the largest ever — the firm could save \$350 million through lower interest payments.

But marketing bonds is not always easy, Wyoming officials have discovered. Unable to find a buyer, the state

(continued on page 4)

Oil and gas searchers try for wilds

Peter Kirby, working for The Wilderness Society in Washington, D.C., has compiled a list of wilderness, recommended wilderness, wilderness study areas and further planning areas in which applications have been

filed for oil and gas leases. Broken down by state, here are the places energy developers have their eyes on in the Rocky Mountain region:

	MONTANA	UTAH	WYOMING	COLORADO	IDAHO	NEW MEXICO
Wilderness	Great Bear Bob Marshall Sagegoat Mission Mountains Gates of the Mountains Rattlesnake Selway/Bitterroot Welcome Creek Anaconda/Pintlar Absaroka/Beartooth	Lone Peak	Washakie North Absaroka Fitzpatrick Teton Bridger	Flattops Mt. Zirkel Raggeds West Elk Mt. Sneffels Lizard Head Maroon Bells/Snowmass Eagles Nest South San Juan	Lone Peak Selway/Bitterroot	Capitan Mountain
Recommended wilderness	Tongue River Big Log Deep Creek East Pioneer Selway/Bitterroot Canyon Renshaw Silver King/Falls Creek	High Uinta Leidy Pine Valley Mountain Ashdown Gorge Fishlake Mountain Wellsville Mountain Stansbury Olympus Dark/Woodenshoe Canyon Red Canyon South	Platte River Glacier Primitive Area DuNoir Washakie additions Gros Ventre		Borah Peak Lemhi	Guadalupe Escarpment
Wilderness study areas	Snowies Elkhorns Ten Lakes Sapphires Hyalite Madison Taylor/Hilgard West Pioneers			Piedra South San Juan Spanish Peaks Sangre de Cristo		
Further planning areas	Madison - north and south Mt. Jefferson Bullock Hill Casey Peak Dolus Lake Madison/Jack Creek Italian Peak	Mt. Naomi Box Death Hollow	Cloud Peak contiguous Palisades		Palisades Mt. Naomi Italian Peak	Whitmire Canyon Bank Robinson

WESTERN ROUNDUP

(continued from page 3)

Farm Loan Board has turned in desperation to a Denver broker to help it sell \$30 million worth of revenue bonds for community college construction.

The state will probably have to settle for interest rates that will amount to 63 percent of the bond, said Gov. Ed Herschler (D), telling the *Casper Star-Tribune*. "If this is the way to run a railroad, then I'm about to get off."

The Wyoming bonds, furthermore, would be backed with security from future mineral royalty returns from the federal government, said Herschler, calling it a "bad situation." The Denver broker paid \$5,000 for the chance to market the bonds by an Oct. 30 deadline.

It was business as usual in Grand Junction, Colo., which approved a series of bonds totalling \$26.5 million for a shopping center, industrial park and energy projects.

But nearby Garfield County officials delayed action on a request from Union Oil Co. for a \$35 million tax-free bond for its oil shale project near Parachute. Holding the firm hostage, the county commissioners said approval would depend on how much Union was willing to kick into the county for impact aid.

Rule change could spur new dams

A Reagan administration proposal to scrap the rules used by federal agencies to analyze water projects will spur a new wave of "economic clunkers," say environmentalists who helped design the targeted rules. The changes could smooth the way for dozens of new western dams.

The regulations, known as the principles and standards (P&S), were adopted by the Carter administration in 1979 to help implement its water policy reforms. That a project should have more benefits than costs has been a federal maxim since the 1936 Flood Control Act. But the criteria for determining those statistics, as well as the willingness of some agencies to do so, have defied consistency.

P&S rules charged federal agencies with reviewing the economic, social and environmental effects of new water projects. Using uniform criteria, the Bureau of Reclamation, Army Corps of Engineers and the Soil Conservation Service have completed some 27 project reports to date — up to two inches thick — with dozens more in the works.

To the Reagan administration, the P&S are an excessive burden. Interior Secretary James Watt, who is heading the new

Cabinet Council on Natural Resources and the Environment, proposed to replace the existing Water Resources Council, has tagged the P&S as "too complicated, too rigid, and too cumbersome as legally binding formal rules."

Watt wants to withdraw the P&S, and later replace them with streamlined voluntary guidelines that would encourage agencies only to evaluate the economic values of new projects. Independent court review of the project evaluations, possible with P&S, would be suspended.

Issuing the new guidelines could take as long as two months, said Ed Dickey, economic advisor to the Water Resources Council. That delay worries environmentalists.

"You've heard of the MX Missile's 'Window of Vulnerability.' Well, this will create a 'Window of Opportunity' for a hiatus of uneconomical projects," said Ed Osann, head of the Coalition for Water Project Review in Washington, D.C.

Watt, Osann charged, is trying to make good on his recent promises to Western governors for more new water projects. Not so, said Dickey. "There's no intent to have a gap there that will let agencies do what they want," he said.

Dickey said the new guidelines won't necessarily lower the economic standards or environmental protection criteria used by federal project sponsors. "We're just trying to give the agencies more flexibility," he said.

Kathy Loveless, spokeswoman for the BuRec's Upper Colorado River region in Salt Lake City, said she expected a reduction in evaluation time. Under P&S, one third of the total review time was spent on evaluation, she said.

That extra scrutiny has riled BuRec officials. But according to Gary Lacy, head of the Colorado White Water Association in Denver, it has saved the federal government millions of dollars. In a letter to Watt protesting the rule changes, Lacy wrote, "Over \$400 million was saved when the BuRec, after analyzing the San Miguel and West Divide projects in Colorado, decided to halt them because they were not cost effective." Without P&S review, Lacy predicted the projects would pass economic muster.

Osann agrees. "We studied the O'Neill Unit in Nebraska," he said, "and only when you eliminate the P&S rules and use a low, 3/4 percent discount rate does it become cost-effective."

Although the O'Neill project was not evaluated under P&S, Roger Weideman of the BuRec's Lower Missouri region said it probably would not have met the rules' strict criteria. The proposed changes, he said, will hopefully lead to less-detailed analyses of new projects like the proposed pump storage project on Wyoming's Platte River.

Joe Marcotte, acting director of the Upper Missouri River region elaborated: If one of the dozen projects he was now

evaluating under P&S criteria came up with less than a one-to-one benefit-cost ratio, he said, "We should be able to factor in other benefits that P&S doesn't recognize — like livestock and specialty crop factors — that would boost the projects' benefits." Final approval would still be up to Congress, he said. "Our job will remain just to give the facts."

While Dickey predicted the National Environmental Protection Act would force agencies to continue considering environmental impacts, voiding the need for P&S environmental rules, BuRec official Weideman said he foresaw that new looser interpretations of NEPA would also lead to less analysis.

Several BuRec officials contacted denied that eliminating the court review of their evaluations would have any effect. But said Osann: "It's like the Russian Constitution. There are all these great statements down on paper but nothing to enforce them."

Rangely war: trading places with BLM

What started out as a simple land deal between the Bureau of Land Management and the town of Rangely in northwestern Colorado has flared into a range war, raising doubts about similar

federal land deals throughout the Rocky Mountain region. The skirmish is also spotlighting town growth policies.

The BLM agreed last month to sell Rangely some 106 acres of public land adjoining the town limits (see *HCN*, 9/18/81). Rangely is largely surrounded by public land, said town manager Don Peach, and the acreage is needed to build housing for new workers associated with the Western Fuels coal mine.

Not so, say a group of twelve residents who have filed suit in Denver U.S. District Court to block the deal. There are as many as 1,800 lots within town limits that can be developed, including two of his own, plaintiff Tim Ward told the *Denver Post*. Besides benefitting him personally, building on those lots first would save the city the cost of extending municipal services, as well as enhance the town's profile by eliminating the vacant lot eye-sores.

Building up town centers to avoid leapfrog development into open space and farmland is catching on in the Rocky Mountain region, said Rio Blanco County planner Glenn Payne. In-town development is preferable, he said, but county guidelines to Rangely do not differentiate between lands adjacent to or within town limits. Compared to scattered distant development, he said, building on the fringe BLM land would be just as effective as in-town development.

The plaintiffs are also claiming the BLM land is being sold at less than fair market value, undercutting competitive

HOTLINE



PRO-WATT OUT-DRIVES

Belittling the effort by environmentalists to gather one million signatures calling for the ouster of Interior Secretary James Watt, supporters of the controversial secretary say they've gathered some four million signatures backing him. Marlene Simons, a Wyoming state representative, told the *Casper Star-Tribune* that her group, Outdoors Unlimited Inc., had collected the names through its 35 affiliated groups, such as the National Mining Congress and the Wool Growers. The names, gathered on petitions as well as postcards, letters and telegrams, have been sent to the administration, Simons said.

SYNFUEL POT OF GOLD

With a balanced budget looking more elusive than ever to the Reagan administration, dollar-slashers at the Office of Management and Budget are casting a covetous eye at the \$12.2 billion budget of the Synthetic Fuels Corp., appropriated last year by Congress. Rep. Hank Brown (R-Colo.), who represents a district rich in oil shale, is looking for support to rescind the synfuel subsidies.

WATER RIGHTS WRESTLING

More than the water: tables turned in Colorado's Roaring Fork Valley last week when the Basalt Water Conservancy District denied a new request for some of the district's water. The denial was not unusual, as water shortages have caused the refusal of other requests. The surprise surrounded the nature of the petition — to irrigate 30 acres of farmland — and the citing of impacts on nearby residential water users as a chief reason for the denial. Petitioner William Hignett's attorney said giving residential users priority in a district originally set up to provide irrigation water to farmers was a "flip-flop" in board policy. District officials said they're going to have to reassess just whom they now represented.

EYEING ENDRIN

Ducks Unlimited, concerned about high levels of endrin found in Montana waterfowl, has given the state Fish and Game Department \$25,000 to study the effects of further use of the pesticide. The group wants more data on endrin's environmental impacts.

DAKOTA DAY IN COURT

The U.S. Court of Appeals has overturned North Dakota laws designed to block federal acquisition of wetlands. The laws were passed by the North Dakota legislature in 1977; at the time, the U.S. Fish and Wildlife Service had acquired easements on 768,000 acres of "prairie pothole" habitat, hoping to protect it for waterfowl breeding and nesting. Some of the farmers who sold easements, later complained that the wetlands interfered with farming and land sales. The court, however, felt the FWS mandate to protect migratory waterfowl had greater weight than the state law. Even budget-conscious Interior Secretary James Watt has urged accelerated federal acquisition of fast-disappearing wetlands.

BARBED WIRE

Decisions, decisions. Secretary of Energy James B. Edwards issued this clarification of the results of a Cabinet Council meeting on the deregulation of natural gas: "The president did not indefinitely postpone a decision on the issue but simply chose not to make a decision at yesterday's meeting."

I'd like to order 100 MX missiles, 33 B-1 bombers and 635,476 arrows. Fort Hall, Idaho's *Sbo-Ban News* editorialized, "The fiscal mistake of Indians was not made during these recent budget cuts, however. It was made in 1824, when the Bureau of Indian Affairs was transferred from the War Department. If Indians had chosen to stay within the

War Department, now called the Defense Department, they might be included in the defense build-up."

...just when we thought peace was a good idea. *Smithsonian* magazine reports that the demilitarized zone between North and South Korea has become a haven for wildlife, including a number of endangered species.

Whoever said it was simple? The Holiday Inn is installing a solar hot water maker in its Denver hotel. Helioscience, Inc., will build the system, then sell it to a third party, who will lease it to Holiday Inn, which will contract back to Helioscience for maintenance and service.

private land sales. BLM state director George Francis denied the claim, saying "careful attention" was paid to determining the fair value of the acreage.

Francis also remained optimistic the suit would not blemish the agency's efforts to initiate similar land deals throughout the region. But Idaho BLM director Robert Buffington said recently that landowner opposition and conflicting interests were raising numerous complaints about similar proposals in Idaho, while U.S. Forest Service regional forester Charles Coston in Billings, Mont. said he too was seeing controversy flare.

Northern oil line set back

After investing \$55 million in applications, permits and studies over the past three years, the Northern Tier Pipeline Co. has come to a large boulder in their proposed Washington-to-Minnesota pipeline path. That obstacle is the state of Washington, specifically its Energy Facility Site Evaluation Council, that recently rejected Northern Tier's proposal.

Northern Tier already holds permits from Idaho, Montana, North Dakota and Minnesota, the other four states the 1,500 mile pipeline would cross. But the Washington council has decided the environmental risks of building a proposed 20 mile underwater pipeline span between Port Angeles and Sno-

homish County, Washington through Puget Sound are too great.

They also fear increased fire potential for the city of Port Angeles if it is turned into an oil port for the supertankers arriving with Alaskan oil. And they question the actual need for the pipeline, claiming the Alaskan oil fields will experience decreasing production by 1986.

Northern Tier and other parties have been given time to retaliate, but Washington's Gov. John Spellman (R) is expected to agree with the council.

However, John Etchart, spokesman for Northern Tier in Billings, Mont., said the firm is willing to wait. "The project will be built. It is too good an idea," he said, noting that Midwest markets can handle the Alaskan crude that is saturating West Coast refineries.

Northern Tier is not alone in its push for the pipeline. Montana's Gov. Ted Schwinden (D) recently wrote Gov. Spellman, urging him to support the proposed plan, according to Joe Elliott, coordinator of Montana's interagency Northern Tier pipeline task force.

And the Flathead Indian Reservation near Missoula, which originally refused Northern Tier's proposal to cross their land, reversed their decision this past July. Etchart said the reservation path is shorter, cheaper and imposes fewer environmental hazards than the controversial Siegel Creek route first proposed in the project's environmental impact statement.

The Tribal Council was swayed by Northern Tier's offer of almost \$1 million annually for the next 30 years in exchange for the right-of-way, Etchart said. Elliott said another impact statement would probably be needed for that route.

New road routs mine reclamation

Tourists will get a better view of the largest open pit uranium mine in the country when a state highway in New Mexico is rerouted. But the change will indirectly result in the temporary loss of hundreds of reclamation jobs.

Anaconda Copper Co., a subsidiary of Atlantic Richfield Co., submitted a reclamation plan for the Jackpile mine on the Laguna Pueblo Indian Reservation land near Grants, N.M., in September 1980. An environmental impact statement study team had been evaluating the plan for eight months when the state highway department announced that it was rerouting state highway 279 through the mine. The highway now skirts the mine.

Anaconda responded by withdrawing its reclamation plan. The highway department agreed to adjust its construction schedule to accommodate the reclamation work, but Anaconda refused to resubmit its plan, despite the pleas of the U.S. Geological Survey and the Laguna Pueblo. Environmental critics fear this means the company is using the situation as an excuse to lower the reclamation standards.

Curt Burton of Anaconda's Denver office said, however, that Anaconda officials are not trying to dodge the standards. He said the federal government did

not like the plan the company had submitted.

Marc Nelson of USGS in Albuquerque said the plan's form was accepted and a decision on its approval would not have been made until next summer.

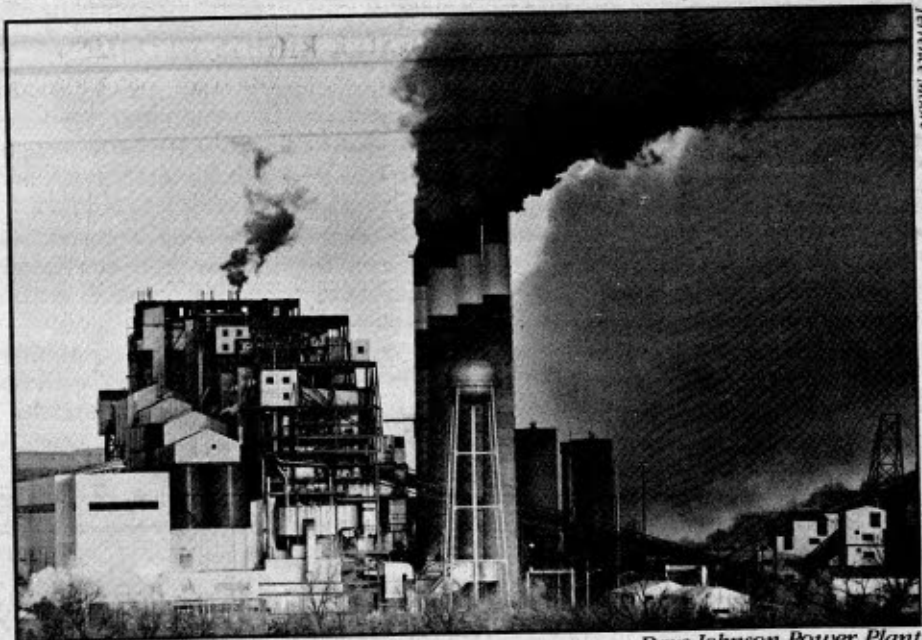
The conflict is important to the tribe. Three hundred Indians are employed at the Anaconda mines and mill, which are to be closed by next March. The Indians also would be prospective employees for the reclamation work. But because of Anaconda's decision, reclamation cannot begin until at least 18 months after the company submits its new plan, which is expected in June 1982. The environmental study team will have to re-evaluate the new plan.

The conflict could influence the USGS' regulation of uranium mines on Indian lands. The agency has broad discretionary authority over reclamation. However, it had been depending upon the federal Resource Conservation and Recovery Act of 1979 for specific regulations. Congress exempted uranium mines from the act until a study had been completed. The study would determine whether uranium mines should be covered by the hazardous waste regulations fostered by the act.

Now, because of Anaconda's delay and speculation that the current administration will decide to permanently exempt uranium mines, those regulations probably will not be used as a basis for the new Jackpile reclamation plan. USGS expects the Jackpile reclamation plan to set a precedent for other uranium mines on Indian lands.

— Marjane Ambler

HOTLINE



Dave Johnson Power Plant

UTILITY LOOKS FOR WATER

Turned back by the Wyoming State Board of Control on its bid to transfer its water rights, Pacific Power and Light Company says it is looking for alternative supplies for its Dave Johnson Power Plant near Glenrock, Wyo. The utility wanted to change from agricultural to industrial use the water rights it purchased with the Foot Ranch ten years ago. But the board, in the first major test of its powers to regulate water rights conversions in the state, said no this month, accepting arguments from nearby irrigators that the transfer would hurt their operations. PP&L said it might appeal the decision, and meanwhile is seeking other supplies.

URAVAN URANIUM REBOUNDS

Despite the continuing slump in uranium prices, the Union Carbide uranium mill at Uravan, Colo., is again operating full speed. Laid off for six months, the workers were rehired after the firm received a new license to operate using redesigned tailings ponds. Another mill closing might be factored into its 1982 budget, the firm said.

PREDATOR PREDICATES

Eagles have outworked coyotes in New Mexico for the title of top ewe killer, accounting for over one-third of the industry's average one percent annual loss to predators. This according to a new study by the New Mexico State University. Coyotes nabbed only one of five predator-killed ewes.

IDAHO TAPS HYDRO BOOM

Intent on not being left out of the hydroelectric boom in the West, the Idaho Land Board has decided to tax small hydropower plants four percent of their annual sales of electricity when they use state lands. The first receipts are expected to be gained from the Home State Development and Technology Company of Sandpoint, Id., which received easements from the state to build a series of small dams that could generate 1 million kilowatt hours of electricity a year. Depending on the price given the firm by utilities (under the federal Public Utilities Regulatory Policies Act and state rules), the state could gain up to \$21,000 from the hydro tax.

CO2 LINE CLOGGED

With buyers offering only 50 cents to its asking price of 90 cents per thousand cubic feet, the Shell Oil Company said it is delaying its proposed CO2 pipeline project. The proposal is to pipe carbon dioxide 495 miles from two fields in southwestern Colorado to Texas, where the gas could be used in oil recovery efforts. Federal permits are also pending on the project.

IDAHO SUIT SETTLED

The Bunker Hill Co. agreed this week to give nine former residents of Kellogg, Id., \$2 million to compensate for alleged brain damages they suffered from the firm's lead smelter. The settlement resolved an out-of-court suit brought by the residents — children ranging from age six to 21 — and a six week trial that dredged up a string of bitter and counter charges involving the firm's social responsibility.

BEAR LAKE BELLY UP

Bear Lake West, Inc., a land developer at Bear Lake on the Idaho-Utah border, has filed for bankruptcy. As many as 1,800 buyers on time-payment contracts are in danger of losing some \$6.6 million in investments. Bear Lake, less than a two-hour drive from Salt Lake City, has undergone a recreational boom recently that is stretching many of the area's services and traditional values, challenging local planners with a slew of growth problems.

FEDS PUSH FOR CONSERVATION

Stumping for his new bill to encourage industrial energy conservation with tax credits, Sen. Malcolm Wallop (R-Wyo.) said federal interference with free market economics was necessary to correct past government policies that encouraged energy waste. Wallop, chairman of the energy taxation subcommittee, also cited national security and the potential of saving 5.5 million barrels of imported oil a day by the year 2010 in industry use alone as justification for federal involvement in encouraging conservation. Noting the Harvard study *Energy Future*, Wallop said, "It's not a question of doing with less, but of producing more with less energy consumption." Wallop held hearings last week on his bill, S. 750.

DOLORES CULTURE DUG UP

Archeologists with the University of Colorado have been given \$1.7 million by the Bureau of Reclamation to continue digging up ancient Anasazi sites near the proposed Dolores water project in southwestern Colorado. The water project would flood many of the estimated 1,200 sites, dating from A.D. 650 to A.D. 9500. An Anasazi Heritage Center is planned to display the finds, the BuRec said.



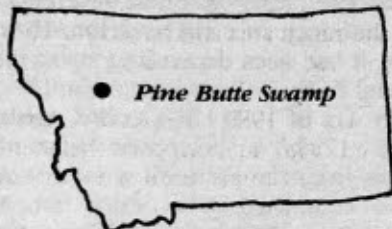
The Front:**Where prairies and mountains clash**

by Jim Robbins

Pine Butte Swamp, on the Rocky Mountain Front, just east of the Bob Marshall Wilderness, had a tropical climate similar to Florida's approximately 90 million years ago.

Dinosaurs roamed the swamp then, long before the Rocky Mountains had been born. Several years ago, paleontologists discovered a duckbill dinosaur's nest in the swamp, containing the fossils of 15 to 20 dinosaurs.

Pine Butte Swamp is the last place in the contiguous United States where



grizzly bears come down from the mountains to forage in the lowlands. They have done so for centuries, once in great numbers; now there are fewer than 20.

Recently another kind of forager has begun to show an interest in Pine Butte Swamp. What these searchers are looking for is oil — dinosaurs and their contemporaries in liquid form. The swamp is part of Montana's Rocky Mountain Front, and the Rocky Mountain Front is part of the Overthrust Belt running from Canada all the way to Mexico. Oil companies believe it is brimming with oil and natural gas.

The Rocky Mountain Front is where Montana's prairies and mountains clash. The result is like a wave crashing against a wall, the length of the front finds the prairie kinked into beautifully distorted shapes — buttes, canyons, ridges and valleys.

Behind the front, on its western side, lies the "string of pearls" — Montana's Glacier National Park and the Bob Marshall, Great Bear and Lincoln-Sagegoat Wilderness Areas. As a buffer to these officially protected wild areas, the front offers remarkable wildlife habitat. In the winter, it provides a home for the largest aboriginal elk and bighorn sheep herds in the lower 48 states, as well as whitetail deer, mule deer and mountain goats.

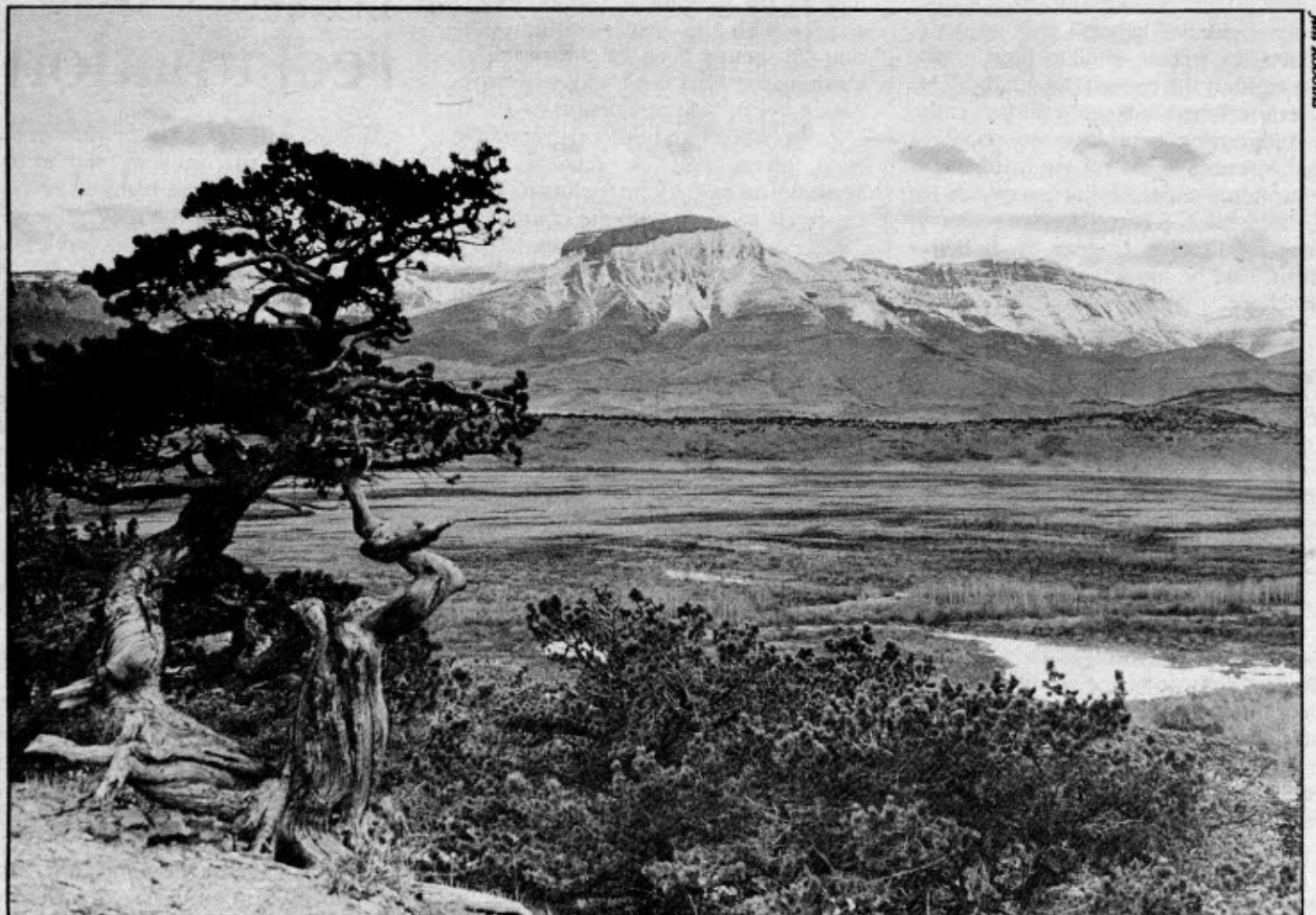
The estimated 12 to 18 grizzlies which leave the mountains in the spring to feed on rich vegetation in Pine Butte Swamp are only a small part of what makes the swamp unique. Nearly every large species of mammal native to the northern Rockies has been found at the swamp, as well as three species classified as endangered or threatened, in addition to the grizzly bear — the gray wolf, the whooping crane and the bald eagle. Some 110 species of birds have also been sighted.

The natural diversity of the swamp has made it a priority with the Arlington, Virginia-based Nature Conservancy, which has either purchased outright or procured easements on 13,000 acres and hopes eventually to protect 40,000.

"This is an incredible piece of real estate," said Bob Kiesling, The Nature Conservancy's Montana and Wyoming representative. "Because of the prairie to alpine ecosystem there are some incredible evolutionary changes taking place."

There is, however, one large catch in the preservation of Pine Butte Swamp. There is a broken ownership pattern of surface and subsurface rights, and the federal government and state government own most of the mineral (subsurface) rights. And, according to Kiesling, their tendency is "to lease, lease, lease."

Thus far there has been little exploration activity in the swamp, and no damage as yet to its natural values. Kiesling



Pine Butte Swamp at the foot of Ear Mountain

said there has been some seismic work done; and the Hunt Oil Company of Texas sank a hole that turned up dry, and was then capped.

But according to U.S. Forest Service Geologist Mark Weber, Montana's Rocky Mountain Front hasn't seen anything yet. "The level (of exploration) is increasing fairly rapidly," Weber said, "but the pace is modest in comparison with other areas, such as Utah, Wyoming and Canada."

The Overthrust Belt starts in the Canadian Rockies and runs south along the Rockies into Montana. It connects with the Rocky Mountain Front at the southern edge of Glacier National Park and runs with it until the southern edge of the Lincoln-Sagegoat Wilderness Area, where the front, in this case, ends. "The Rocky Mountain Front and the Bob Marshall are part of a single ecosystem," said Bill Cunningham, Northern Rockies representative for the Wilderness Society, "and have to be viewed as such. If the habitat of the front is destroyed, it could destroy wildlife in the Bob Marshall."

Conservationists had pushed for wilderness status for the front in the RARE II process because of its integral relationship with the Bob Marshall and other wilderness. The Forest Service, however, opted not to recommend for wilderness and instead decided to lease 92,000 of the front's 450,000 acres for oil and gas development.

Two members of Montana's congressional delegation think the Rocky Mountain Front should be considered again for wilderness. Sen. Max Baucus (D) and Rep. Pat Williams (D), along with two other members of the House Interior Committee, toured the area in August.

Williams said he would consider either designating the front as wilderness or writing guidelines for the Forest Service so the area will be protected.

The rush for oil and gas and its effect on wildlife have been of some concern to industry, although apparently not all companies feel the same. Both Williams Resources Co. and Sun Oil have promised \$110,000 towards wildlife research in the Rocky Mountain Front area over the next five years.

But the Montana Petroleum Association, after learning that the Montana Division of Fish, Wildlife and Parks had gone to individual companies for

another \$300,000, convinced the oil companies to put a hold on the funds. Don Allen, director of the Montana Petroleum Association, told the Lee Newspapers that he wanted to be sure the money wasn't used on slanted studies to halt oil and gas development. Allen said some companies saw the request for funds as a kind of extortion payment in order to get started.

Allen said he would prefer that the state agency work through the trade association.

Cunningham along with the Bob Marshall Alliance, Defenders of Wildlife, the Montana Wilderness Association and other groups, has been pushing for a more orderly and planned development of the front than has been taking place.

Cunningham argues that the Forest Service should prepare a programmatic environmental impact statement, which would look at the entire process of oil exploration and development on Forest Service land.

He said the Forest Service is looking at impacts from oil and gas development in a piecemeal manner, when they should be looking at what the exploration will lead to.

"The exploration requires blasting and helicopters and in some cases roads," Cunningham said. If oil or gas is suspected, he said, it requires a drilling rig. "If it's discovered it means a pump unit. And because the gas is sour — that is, it contains hydrogen sulfide — they need a 'sweetening plant' at the site to scrub out the gas so it won't blow up in the pipeline."

But the Forest Service doesn't think EISs of any type are necessary for oil and gas development in Montana. Each of the four forests involved in the front have prepared environmental assessments which determine whether EISs are necessary — and in each case they've determined that they are not.

Nancy Kidd, a geologist who has worked on the environmental assessment for the Lewis and Clark National Forest, said she thinks an assessment is all that is needed. "I feel we handled things well. I think the stipulations in the (oil and gas) lease agreements will handle environmental impacts." The five-year forest plan under preparation, said Kidd, will address many of the future impacts.

Kidd said that from her personal observations wildlife and oil development seemed compatible. "We had seismic

crews that had grizzly bears sleeping on their seismic lines," she said. "They had to chase them off to start work, and then they stayed nearby and watched the whole process."

One front area that has received a great deal of attention from energy developers is the Blackleaf Game Range, not far from Pine Butte Swamp.

The subsurface mineral rights here were leased before the State of Montana purchased the surface, and those rights include all of the Blackleaf Game Range as well as areas outside of it.

Williams Exploration Company has discovered gas here in commercial quantities and plans to develop it, as well as explore for more.

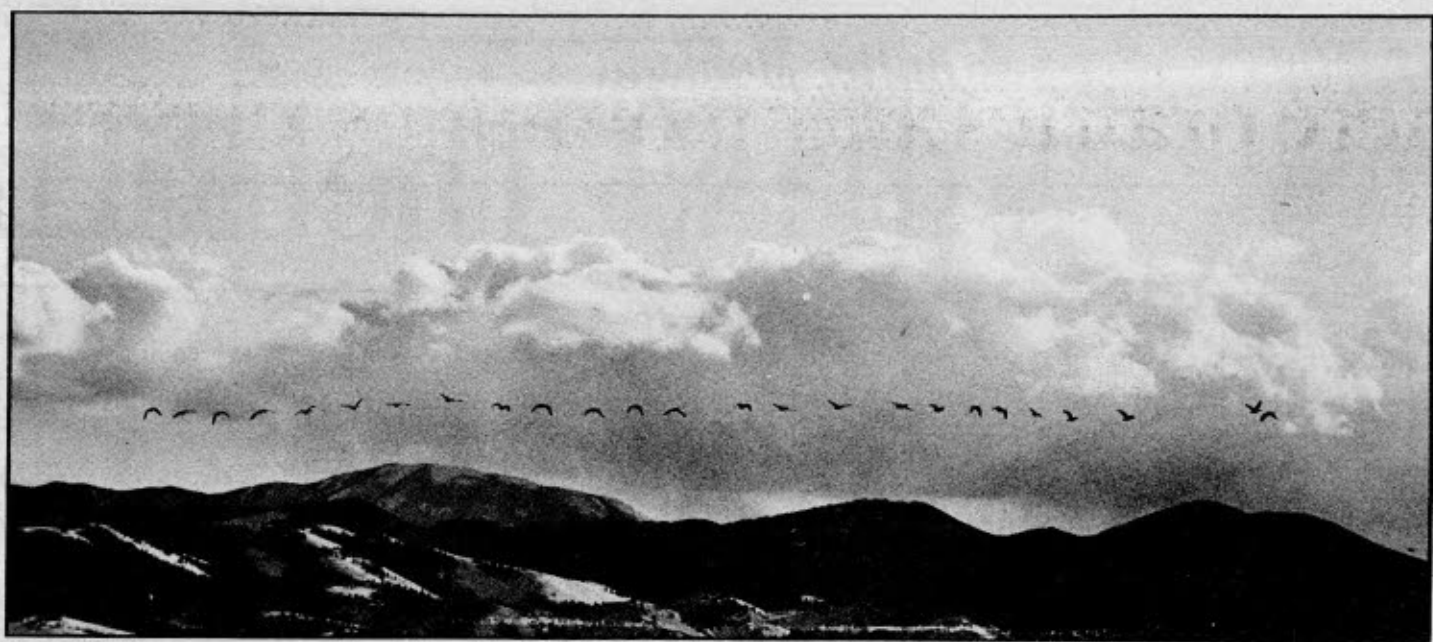
The problem, according to Montana Division of Fish, Wildlife and Parks Ecological Services director Jim Posewitz, is that the company has been generally uncooperative in helping the department manage for wildlife and wilderness values. Posewitz said that the company bulldozed a road across the game range while division employees were studying where the best site for the road was. He said this type of problem is common.

The grizzly bear is of particular concern to wildlife researchers. Charles Jonkel of the University of Montana, a grizzly researcher, said that Overthrust Belt fever has been particularly hard on the big bear, and that the change in administrations in Washington is making it difficult to make decisions based on wildlife values. "Protection of the grizzly has taken a real bad turn," Jonkel said. "Seismic oil exploration along the front is exploding and no one cares how it is affecting the grizzly."

But Jim Short, a ramrod who drills for Williams Exploration, is upset by environmentalists' complaints about drilling along the front. "I just can't see what all the controversy is about," he said. "After the well is in we'll have one, maybe two men up here working the gas plant, and there won't be anybody working the wells for months at a time." He stresses the nation's need to find more oil and gas.

Because of the secretive nature of oil exploration, it is difficult to assess the success ratio of wells drilled on the front. Out of the twenty-three firms doing exploration work, Williams Exploration seems to be most successful.

(continued on page 12)



Canada geese over the Elkborns

Ellen Ditzler

Logs, mines, wires...or wilds

by Ellen Ditzler

In southwestern Montana there are over a dozen isolated mountain clusters — "island ranges" — varying from small uplifts to great alpine crests rising from a sea of valleys. Together they comprise the northernmost extension of Nevada's basin-and-range province and form the headwaters of the Missouri River.

The bulk of human settlement in the region is confined to the valleys between the mountains. While grazing, timber and mineral activities have left



their mark, for the most part the inner and upper portions of the island ranges remain roadless and undeveloped.

When the U.S. Forest Service made its RARE II — second Roadless Area Review and Evaluation — inventory of roadless lands for possible inclusion in the National Wilderness Preservation System, it found substantial wild acreage in southwestern Montana. Added to that were tracts from the Bureau of Land Management's own inventory, plus four of the nine roadless units marked for study by the 1977 Montana Wilderness Study Act.

The proposals are in various phases of study or administrative recommendation. None have yet reached Congress for approval. Few of them have failed to generate controversy over the future management of public lands.

Last year, in one of the more heated public hearings on wilderness held in the state, Reps. Pat Williams (D-Mont.) and Morris Udall (D-Ariz.), chairman of the House Interior Committee, heard comments on the future of the West Big Hole roadless area northwest of Dillon, Montana. Conservationists offered statistics on the area's marginal timber resources and called for the protection of watershed, wildlife, scenic and recreational assets. Loggers, miners and Dillon business people voiced concerns about jobs, resource lock-ups, threatened national security, and the control of their lives by eastern bureaucrats, special interest groups and Communist infiltrators.

"We don't want wilderness in the West Big Hole," said one logger, "We want it left just the way it is." Several times during the hearing Udall pounded his gavel to call the excited crowd to order. A few wilderness advocates wondered if they would get out of town alive.

When the hearing was over, Udall and Williams emerged unruffled. The Arizona congressman quickly searched his pockets as if he'd left something behind. When asked if he had forgotten anything, Udall responded: No, he was actu-

ally leaving with something he hadn't come with — "their teeth in my ass."

The intensity of opinion on wilderness was apparently sufficient to inspire Williams to delay action on a West Big Hole Wilderness bill in order to get the facts clear and make a calmer assessment of local sentiment. He has not introduced his bill to Congress yet.

The local debates on wilderness have raised issues common to southwestern Montana as a whole — problems of land ownership, access, and the management of roadless areas "on hold" for wilderness consideration.

In the Madisons and Gallatins, two roughly parallel mountain ranges south of Bozeman, government land grants to railroads in the last century have left a checkerboard of private and public lands. Most of the privately-owned sections are now the property of Burlington Northern, Inc., which runs not only a railroad, but timber operations as well (see HCN 9/4/81). Because checkerboard ownership poses management problems for both, BN and the Forest Service have entered negotiations for land trades on several occasions, but without results. However, recent developments on the national level may have resolved the land ownership question and made a lasting mark on wilderness decisions.

A rider attached to the 1980 Alaska Lands bill by Montana's Sen. John Melcher (D) guarantees private inholders access to their property within federal lands and virtually stymies the Wilderness Act's authority for land swaps in wilderness areas. Quoting Melcher's amendment, the Forest Service recently granted BN road access to log its lands in the Taylor-Hilgard, a roadless unit in the Madisons being reviewed under the Montana Wilderness Study Act.

In the Jack Creek drainage, which separates the Spanish Peaks Primitive Area from the main stem of the Madisons, BN and the Montana Power Company want access across federal lands for logging roads and a transmission line to the Big Sky ski resort. Melcher's amendment and a Forest Service recommendation for non-wilderness in Jack Creek may leave the way open for these developments.

Concerned about the integrity of the wild lands in the Madison-Gallatin, last year the Madison-Gallatin Alliance, a Bozeman-based conservation group, proposed that non-contiguous portions of the two ranges be preserved in a 536,000-acre wilderness. Named in honor of the late senator, a long-time advocate of wilderness in southwestern Montana, the Lee Metcalf Wilderness would include most of the BLM and Forest Service roadless units in the ranges. The group recently conceded the controversial Jack Creek area in exchange for what it considers a "reasonable and defensible" Lee Metcalf Wil-

derness bill, but not without strong opposition to Jack Creek's use as a developed corridor.

Bill Cunningham, regional representative for The Wilderness Society, believes the Metcalf Wilderness bill looked better a year ago than it does now. "The Melcher amendment and Burlington Northern's road plans have had an impact on the proposal," he said. "With the exclusion of vital components such as Jack Creek, we're basically back to the Forest Service's rock-and-ice wilderness boundaries that follow those suggested by Senator Melcher and Burlington Northern. At the same time, we are cautiously optimistic that Senator Melcher will introduce a bill for a wilderness worthy of the name Lee Metcalf."

The access problems in the Madison-Gallatin highlight what may ultimately be a paradox in wilderness policy itself. While the Forest Service may have no legal authority to deny "reasonable access" to private inholders, it also has a mandate to protect roadless areas from developments that would "significantly impair" wilderness characteristics. In practice, the balance of accommodation and preservation usually boils down to an administrative perception of what constitutes "reasonable" access.

Southwestern Montana has traditionally been the heart of the state's hardrock mining industry, with small operations throughout the region and pressure for more looming in the future. Operating under 1872 mining laws that give legal weight to accommodation, the Forest Service feels it must grant access to miners with valid claims. They can also place stipulations on access to protect wilderness values. In some cases, miners are asked to reach their claims by foot or pack stock. But for the most part, 19th century mining laws do not necessarily mean 19th century methods.

In the East Pioneers, a RARE II area near Dillon which the Forest Service has recommended for wilderness, Cypress-AMOCO has been actively exploring for molybdenum by helicopter. Wishing to expand their operations, the company applied for and recently received a permit for road access into the wilderness study area.

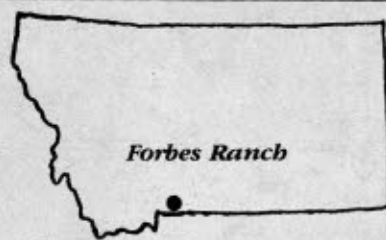
Wilderness proponents contend that Cypress-AMOCO has already shown that helicopter access is reasonable and compatible with wilderness protection. However, the Forest Service feels that by requiring the company to reclaim its road, wilderness values will be only temporarily impaired and the miners' right to access will be met.

Stress on interim management in roadless areas makes some wilderness advocates uneasy. Noted Ed Madej of the Montana Wilderness Association, "By the time one of these proposals for wilderness gets to Congress — if it gets that far — there may be few wilderness attributes left."

Triumphant Church buys Forbes land; wants more

Last spring, the U.S. Forest Service made an unsuccessful attempt to purchase the 12,000-acre Forbes Ranch near Gardiner, Mont., just north of Yellowstone National Park. Now, over a year later, it finds itself on the other side of the fence. The ranch's new owners want 5,651 acres of national forest land in the ranch area and have offered the the Forest Service a land exchange for them.

In March, 1980, the Forest Service offered \$5.6 million for the ranch, owned at that time by publisher/finan-



cier Malcolm Forbes. It planned to buy the ranch with federal Land and Water Conservation Funds in order to extend and improve recreational and wildlife amenities near Yellowstone Park.

The ranch contains essential grizzly bear habitat and winter range for elk. Forbes' development of properties elsewhere in the West caused local concern that the Montana property would be managed to the detriment of wildlife.

Although Forbes refused the Forest Service's offer, Forest Service officials were optimistic that negotiations would eventually succeed in placing the land under public management.

However, in September Forbes sold the ranch to Royal Teton Ltd., a holding company for the Los Angeles-based Church Universal Triumphant for \$4.5 million. The church plans to use the property for a working ranch, summer camp and religious retreat.

Royal Teton has since offered to exchange private lands in the Gallatin and Deer Lodge National Forests for 5,651 acres of public land near the ranch. The exchange would increase the church holdings by nearly 9 sections and extend the property eight to 12 miles north along the Yellowstone River.

The purchase of the Forbes Ranch by the Church Universal Triumphant has sparked both rumor and speculation. One story printed in the *Billings Gazette* said the church was a "cult" with large caches of guns and gold. At a recent meeting with Gardiner residents, church business secretary Edward Francis denied those charges. He also said the property would not be developed, responding to reports that the church subdivided and sold its property in western Montana.

Missoula County Assessor Doug Campbell had earlier warned his counterparts in Park County that the church had purchased a 220-acre ranch near Lolo in 1975 "to be used as a religious retreat." The church was granted tax-exempt status on the Missoula County land a year later. Since then, it had subdivided the land into 20-acre parcels and sold it, Campbell said, and no taxes were paid on it.

Francis assured those at the Gardiner meeting that church planned to pay the taxes as well as its "fair share" of taxes on the Forbes Ranch.

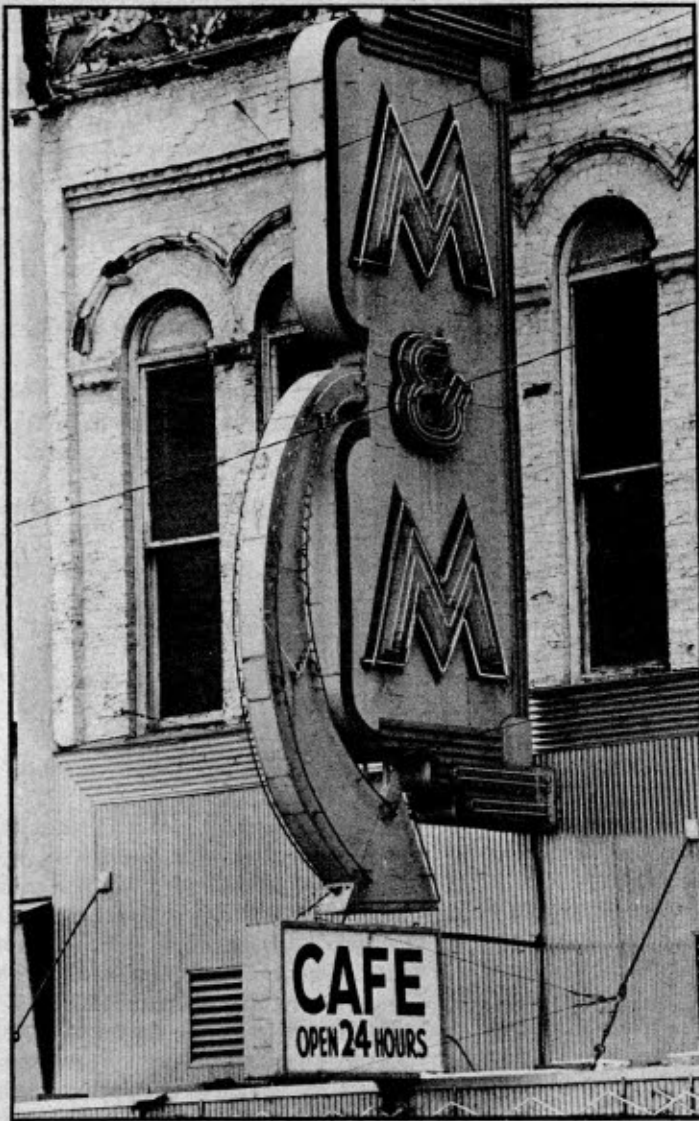
Apparently with no further option to purchase the Forbes Ranch, the Forest Service has not yet responded to the land exchange offer from the church.

— E.D.

Butte, Montana

The Richest

Photography by David Spear



Around 1901, Callahan the Bum spent the better part of an afternoon trying to hang himself from an awning rope on one of the main streets of the Butte business district. No heed was paid by the passing throng and he finally gave up in disgust, remarking that he would have succeeded but for the fact "the damn rope liked to choke him to death."

In its heyday, Butte had saloons named the Alley Cat, Bucket of Blood, Frozen Inn, The Cesspool, Graveyard, The Beer Can, Saturday Night and Pay Day, among others. Evangelist Billy Sunday once remarked, "The bottles consumed in Butte on a weekend, when empty, would build a stairway from the top of its highest peak to the utmost depths of hell."

When the first marathon dance was held in Butte in the early 1900s, about 20 couples danced continuously for more than 24 hours, until they were finally stopped by the police for breaking the cruelty-to-animals ordinance.

Dominic Foresco advertised in one of the local papers for a wife, explaining that he would be present at the main intersection of the city — corner of Park and Main Streets — for three hours a day, wearing a white carnation in his lapel. So many people gathered to watch the show, the prospective bridegroom was arrested for obstructing traffic.

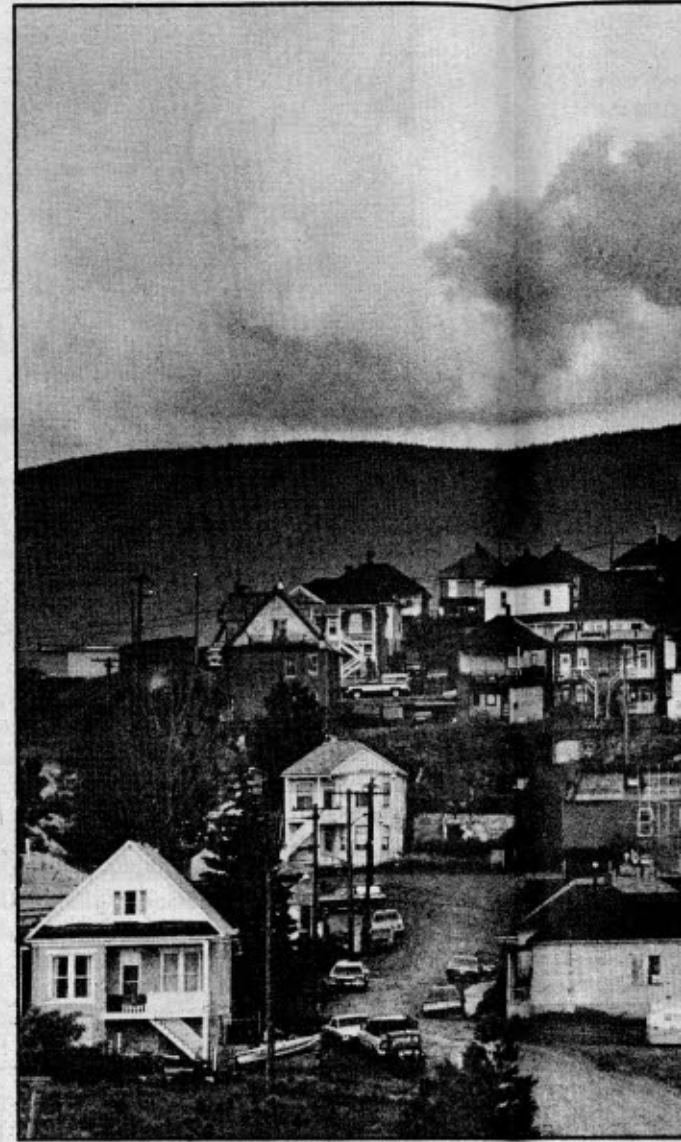
In 1900, Butte boasted that its copper mines had yielded almost two billion dollars. It also boasted the distinction of being the only Western city whose cemetery population exceeded that of its living residents.

Butte's reputation for violence is unsurpassed. One night in 1895, a hardware store burned down. Blasting powder illegally stored inside exploded. In three separate explosions, fifty-seven people — including all but three members of the city fire department — were blown to pieces. Hundreds of people stood around the Butte morgues and watched as gunny sacks filled with pieces of human beings were emptied and the parts — arms, legs, heads, bones and chunks of skin — were assembled in an attempt at identification. The job was finally given up as hopeless.

Mohammed Akara, a Butte rug peddler, had his name changed in court to Mohammed Murphy — "for business reasons."

A man named Bylo, who made ice cream confections known as "hokey-pokeys," proudly admitted that he saved money by obtaining his ice from the undertaking parlors of the city — "putting it to good use instead of letting it melt in the hot sun on the sidewalks."

This article is adapted from material in the book *Copper Camp*, published in the 1940s by the Montana Writers Project, an effort of the Works Project Administration in Montana.



BIG SKY COUNTRY.

BUTTE: 20x MONT.

SOUTH MAIN STREET.

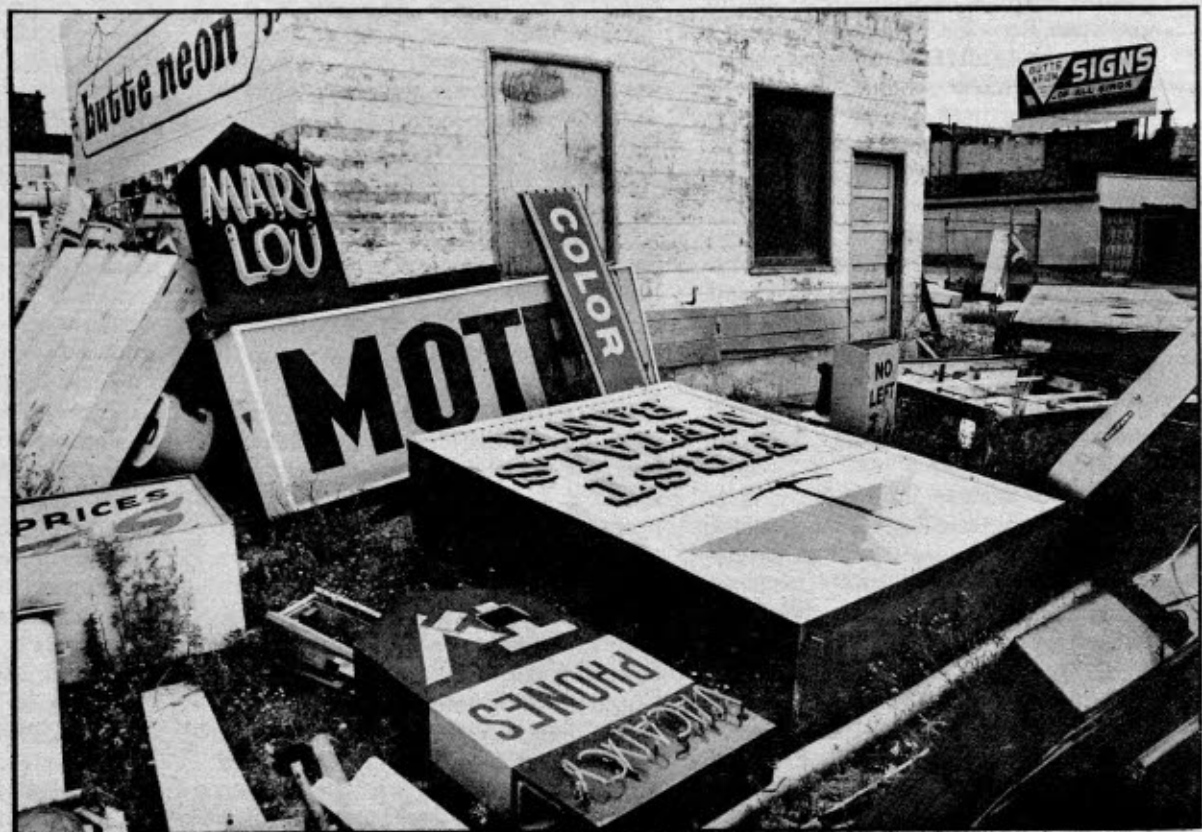
BUTTE.

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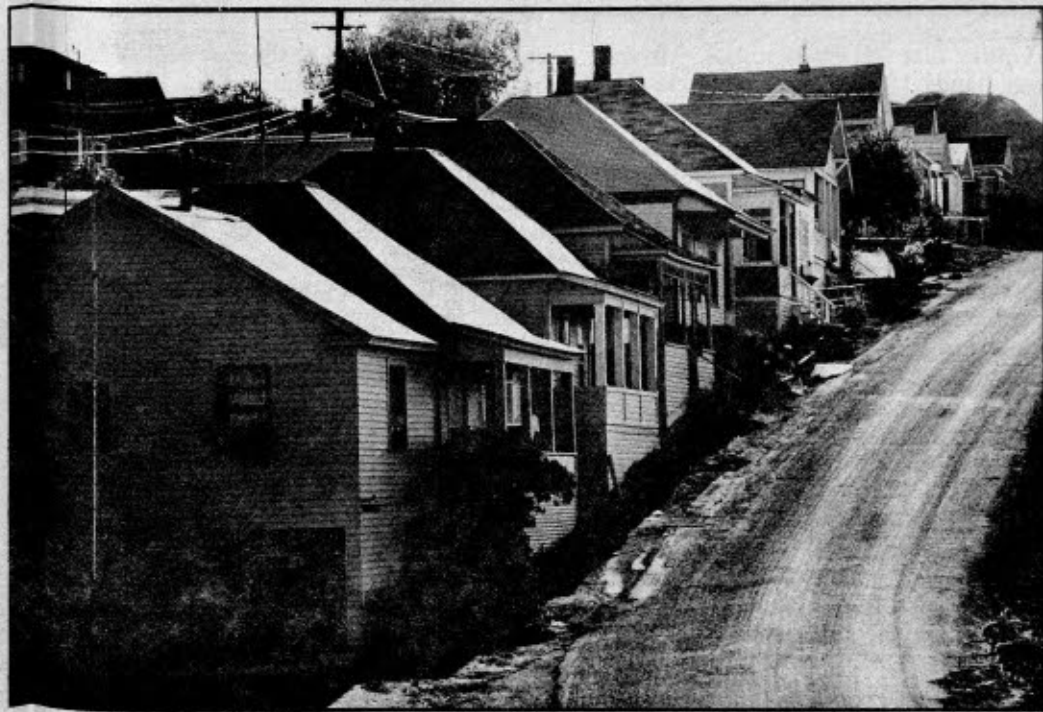
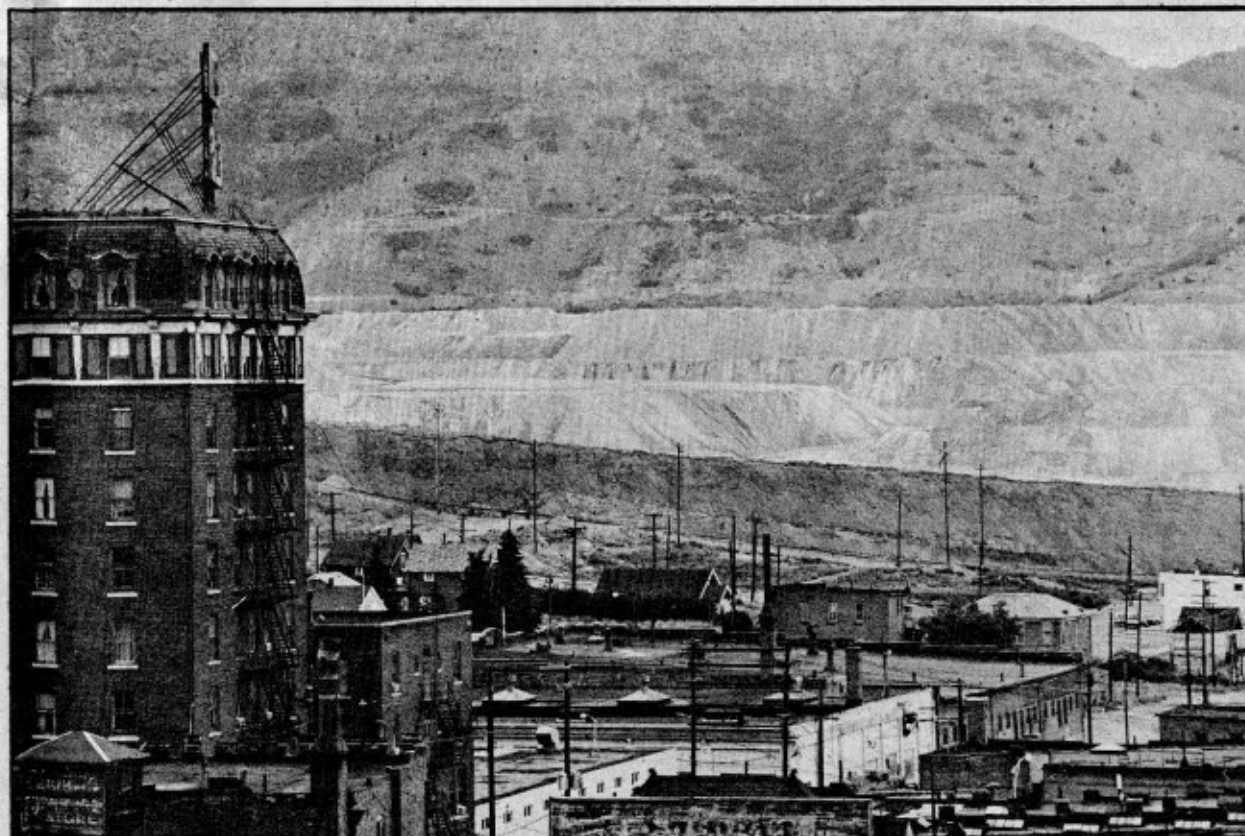
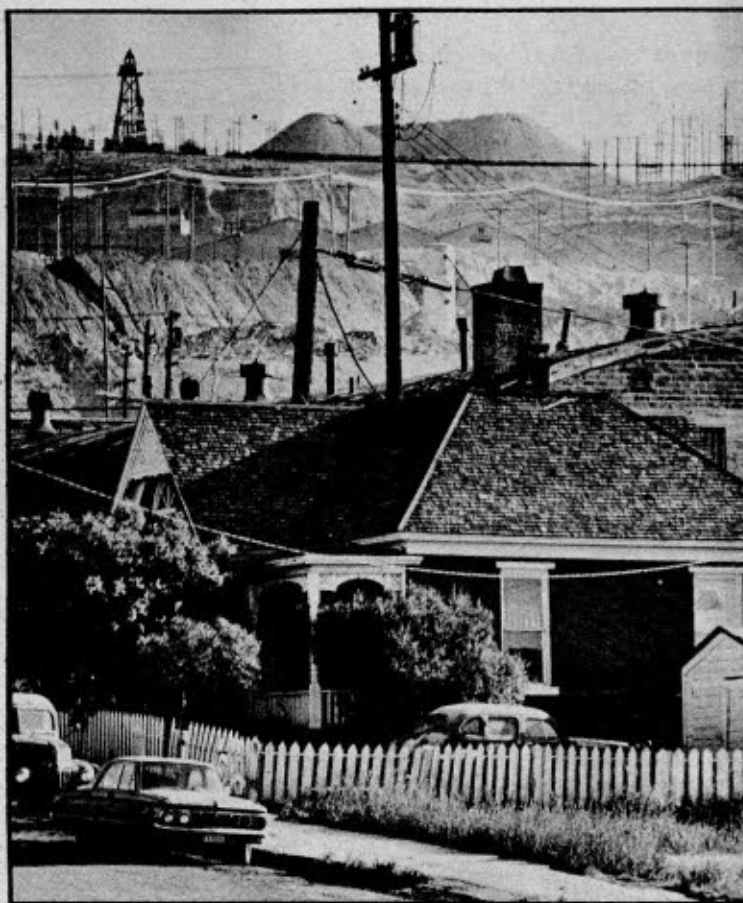
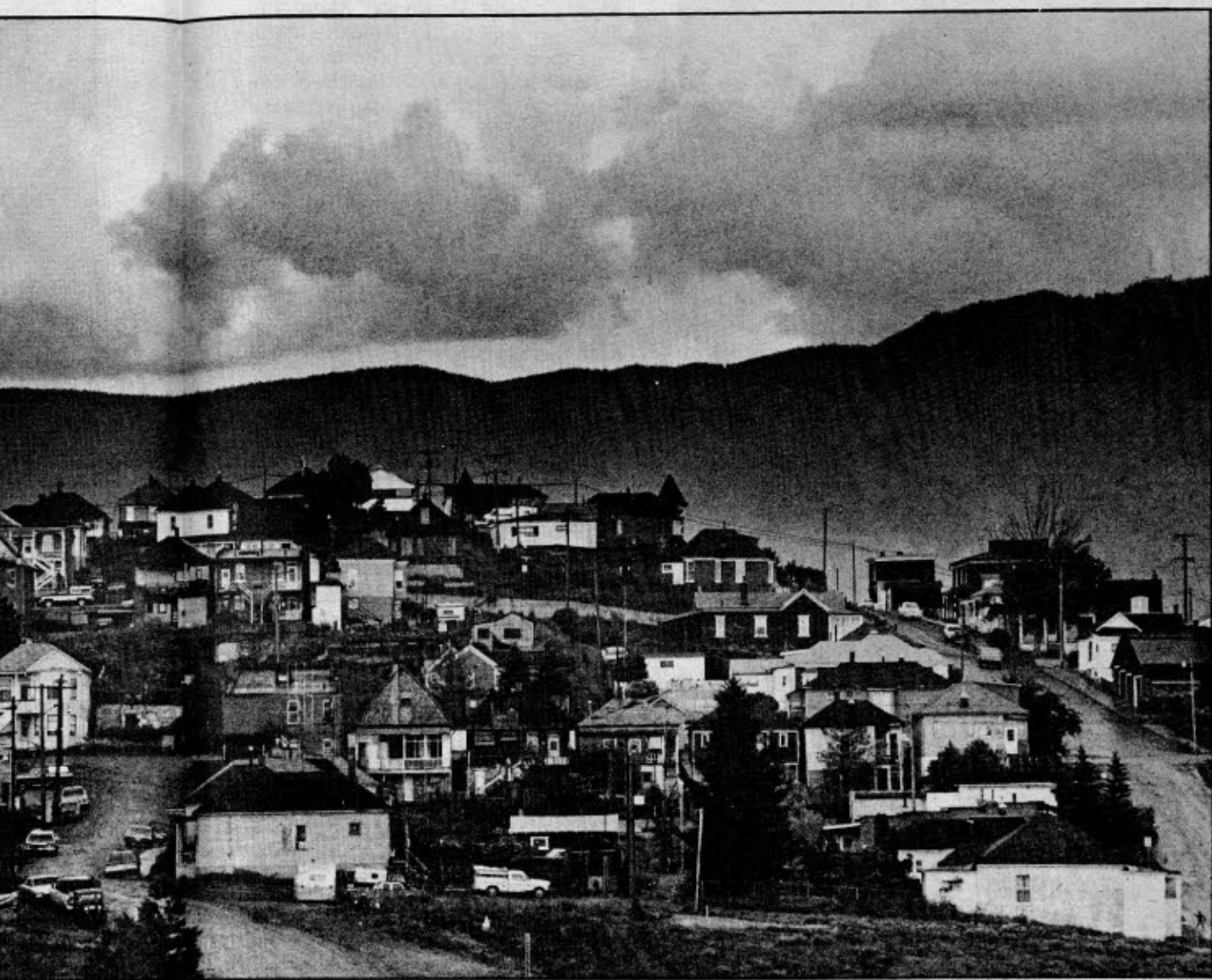
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Economic clouds, political storms

by Don Snow

A series of industrial closures and cut-backs have begun to look like clouds of gathering doom for Montana conservationists. While the late September, 1980 shut-down of the Anaconda copper smelter made national news, few outside the state realized that it was just the biggest, not the only, blow to the state's workers. The Evans Wood Products mill in Missoula also went belly up in 1980, leaving 400 out of work. Then, after spending millions on expansion, Champion International Paper Products began grumbling about a softening market and last summer suspended operations for two weeks. Its future is now uncertain.

While a new copper-silver mine opened in the Cabinet Mountains and oil and gas exploration is booming in the Williston Basin and on the Rocky Mountain Front, these developments are faint stars in an economic sky that's growing darker.

Who is to blame for Montana's damaged economy?

That was the question asked by the Select Committee on Economic Problems that began meeting prior to the 1981 legislature to take testimony and propose solutions. One argument before the committee quickly became a



Montana Governor Ted Schwinden (D)

litany — a decade of pro-environmental lawmaking and eight years under Gov. Tom Judge (D) had produced an adverse business climate in Montana. No investor in their right mind would try to produce riches from a state that boasts about its 30 percent coal sever-

ance tax, has the toughest reclamation and facility siting laws in the country and allocates precious water to game fish.

Executives, lawyers and "licensing engineers" stood in line to howl about the state's recently enacted ambient air

quality standards that were to blame, they asserted, for the Anaconda closure. ASARCO and Anaconda Aluminum hinted strongly that the standards might drive their smelters out of business, too.

Conservationists fought back by organizing a rally of 250 citizens to protest the anti-air quality rhetoric, but secretly shuddered at the certainty that such blasts would last through the entire 90-day session soon to convene.

Lobbyists for the Montana Environmental Information Center tallied up their gains from the previous biennial sessions and discovered that they had been on the defensive since their landmark victories in the early 1970s. In 1975, MEIC opposed practically no legislation and succeeded on 80 percent of its bills. By 1979, the success rate had dropped to one-third as the center opposed three times as many bills as it supported. Could the '81 session bring anything but gloom?

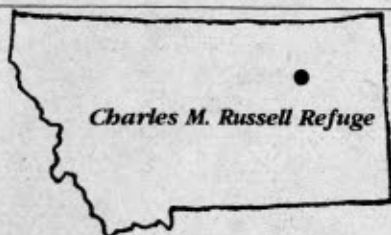
Last year's ballot electrified Montanans. For the first time in three decades, Republicans controlled both houses. Reaganomics marched in on its white steed and a familiar refrain, heard months earlier before the Select Committee, became the chorus of the Republican legislature. They would be the first, they said, to cut taxes, reduce the size of government, and hack away

Getting no breaks at C.M. Russell

by Geoffrey O'Gara

"We're just maintaining the status quo," said Ralph Fries, manager of the Charles M. Russell National Wildlife Refuge. The "status quo" means that cuts in livestock grazing averaging 33 percent on the refuge, which the U.S. Fish and Wildlife Service recommended in a draft environmental impact statement over a year ago, have not come to pass.

The impact statement got caught on the fence: It was written in June, 1980, while the Carter administration was still in the saddle in Washington, D.C.; but it



awaits approval from the Reagan administration, and Assistant Interior Secretary for Fish, Wildlife and Parks G. Ray Arnett apparently is pulling in the reins.

Arnett said the grazing reductions for the C.M. Russell are now caught on another kind of fence — the wire kind — which runs between the refuge and grazing land used by Lester and Russell Nickels, two Glasgow ranchers. The Nickels are suing the FWS, and Arnett has told officials he will wait for the resolution of that case before deciding whether to let new grazing rules go into effect.

The refuge runs a ragged course along both sides of the Missouri River from the Fort Peck Dam 130 miles west. It is Missouri Breaks country — rolling hills and stunted shrubbery, with some trees on the higher knolls, and coulees in which, for the time being, wildlife and cattle compete for forage.

Many wildlife species populate the reserve, among them elk, mule deer, bobcats, bighorn sheep, mountain lions, prairie dogs and sharp-tailed grouse. The refuge includes over 800,000 acres, and gets, according to FWS officials, about 120,000 visitors a year, the largest portion of them on fishing expeditions.



That would leave plenty of room for wildlife, except that the refuge is also much in demand among area ranchers, who are accustomed to no fences separating private land, U.S. Bureau of Land Management land and the refuge.

Ranchers in the area were thus shocked in 1980, when FWS officials announced their planned grazing cuts for the refuge. The cuts were made after a three year study by a C.M. Russell Planning Team. (See HCN 11/2/79 for previous story.)

Ranchers, however, have traditionally had easy access and plentiful grazing during the C.M. Russell's 45 years as a game and wildlife refuge. Supported by Rep. Ron Marlenee (R-Mont.) and Sen. John Melcher (D-Mont.), they noisily opposed the grazing cuts at public meetings held near the refuge, calling them unnecessary and an economic hardship for locals. Marlenee wrote to papers saying the FWS was trying to

"require that you get permission from your handy-dandy bureaucrat to do the things you have been doing for years without anyone's permission." Opponents of the cuts have also visited Interior Department officials in Washington, D.C.

Five years ago the refuge was finally freed from a kind of joint operating agreement between the FWS and the Bureau of Land Management. The BLM, traditionally wedded more to livestock than wildlife, had seen to it that the refuge had plenty of grazing cattle and hayfields in the bottomlands along the river. When the FWS got sole responsibility, the goals of management changed.

Fries says that with the hold on the new management plan, parts of the refuge — already scarred by overgrazing — have deteriorated further. Hank Fischer, a representative of Defenders of Wildlife who toured the refuge this fall,

said that particularly at the east end of the preserve, "It was pretty clear that there is too much grazing — there's nothing there."

Fischer has led the fight to reduce grazing on the C.M. Russell. His organization and the Natural Resources Defense Council are contemplating a lawsuit under the National Environmental Protection Act.

But wildlife proponents seem to have strong allies within the FWS, and memorandums show an interagency war of words is underway. Regional Director Don Minnich, in Denver, Colo., has written to his superiors citing a "legal and moral commitment" to release the final EIS. A memo from Washington scolded him for not calling it a "draft" final EIS. Minnich argued that the Nickels court case "should have no bearing on the release."

Arnett, however, says he is giving the EIS a "personal review."

the regulatory red tape that discourages investments in Montana. The first red tape threatened was environmental regulation.

Yet after a blustery start and a staggering number of pro-development bills, Montana's environmental policy remained standing. Challenges to the facility siting act, the mine reclamation laws, the water reservation system and the air quality standards all crumbled at the feet of astonished business lobbyists. The word that has now been accepted as an official description of the session is "stalemate."

Of the 200-plus anti-environmental bills introduced at the 47th Legislature, only a handful passed, and those were not exactly hallmarks for big business. The peat mining industry now does not have to reclaim bogs. Human intelligence is no longer a statutory requirement for appointment to the Board of Health and Environmental Sciences. Funds for alternative energy demonstration were cut 10 percent.

One major bill did pass, but hardly solves industry's investment woes. Rather, it came as an alternative to a new tax on metalliferous minerals. Dubbed the Hard Rock Mineral Impact Board Act, the bill established a means to collect taxes in advance to pay for the social impacts of new mining operations. It arose as the Republicans' hastily conceived alternative to the Democratic Sen. Tom Towe's bill for a hard rock severance tax.

Since adjournment of the session, many analysts have tackled the question of why the scores of pro-development bills failed. Historian K. Ross Toole, for example, wrote that the Republicans, in power for the first time in decades, feared a precipitous lurch to the right would destroy their chances for another majority in 1983 and perhaps the governor's seat in '84. Thus the ruling party systematically swatted down the most damaging bills and passed only lukewarm compromises that offered the illusion of accomplishment.

But other forces were at work as well, and in them is the key to understanding future directions in environmental policy-making. Simple ineptitude spiced with a dose of vindictiveness killed a number of industry's favorite bills. Five separate measures aimed at punishing "obstructionists" were introduced. They ranged from fines to jail sentences for anyone who challenged commercial projects "without good cause." These bills were soundly rejected, but not until they made their proponents look insidious.

Five bills intended to cripple Montana's progressive initiative process also failed.

But a third problem, often overlooked, also tied the hands of those who wanted to turn the clock back on regulation. Industry lobbyists had a difficult time proving that environmental regulations were the main source of their woes. No one could prove that the state's air quality laws were at fault in the Anaconda closure, or that the Metal Mine Reclamation Act impeded copper and silver development.

Through 90 days of rhetorical sword-clashing, development interests proved only that environmental laws provide convenient whipping boys for economic problems that reach very deep and are not unique to Montana. The result was a stalemate that left no one cheering.

What now in '82?

Staggering interest rates and active or impending recessions will only exacerbate the need for economic scapegoats, and environmental regulation still provides the most convenient target.

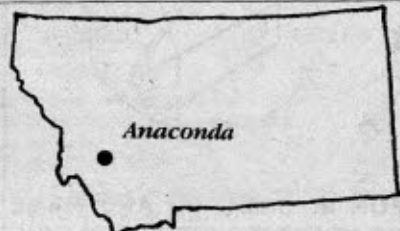
But if the failure to advance pro-development legislation in 1981 is any clue, industry and its allies will again be asked to prove that relaxing regulations will help solve economic problems.

After their disappointing showing in 1981, Republican legislators will have to work hard to retain their majority in

Anaconda's bars were booming

Last year at this time, one would have thought that Anaconda, Mont., was destined to become an urban crypt immortalizing the fate of western boomtowns that bust. On Sept. 29, 1980 — known locally as "Black Monday" — the Anaconda Copper Co. and its parent firm, Atlantic Richfield Co., announced they were shutting down their copper smelter in Anaconda, leaving a thousand workers without jobs.

The effects of the smelter closure were at first difficult to assess, other than the fact that business in Anaconda's bars was booming, as people preferred to suffer the shock together. Unemploy-



ment lines swelled, some businesses packed up and left, and law enforcement agencies, human services organizations and realtors braced themselves for an increase in crime, mental stress and falling markets.

Now, with a year's perspective on the Anaconda closure, local and state officials are beginning to assess the impacts more accurately.

There are no precise figures on Anaconda's population since the closure, but school enrollments have shown a decline of 10 percent to 12 percent in the past year — a drop not much higher than the state norm and lower than predicted. Although ten businesses, mostly small retail operations, closed soon after the smelter shut down, 23 new ones have fired up, including several small manufacturing industries. They have employed about 100 people. These businesses are largely the product of efforts to lure a new economic base to Anaconda with attractive incentives such as low-interest loans and available commercial land and building space.

Not long after the closure, a community task force was formed to develop economic recovery strategies and administer some of the assistance funds that were finding their way to the town. Those funds included \$25,000 from the state, a legislative appropriation of \$160,000 for law enforcement, drug and mental health programs, and a \$100,000 "economic dislocation" grant from the U.S. Economic Development Administration. The EDA grant was primarily for planning and obtaining access to other federal assistance programs, many of which have since been cut back by the Reagan administration.

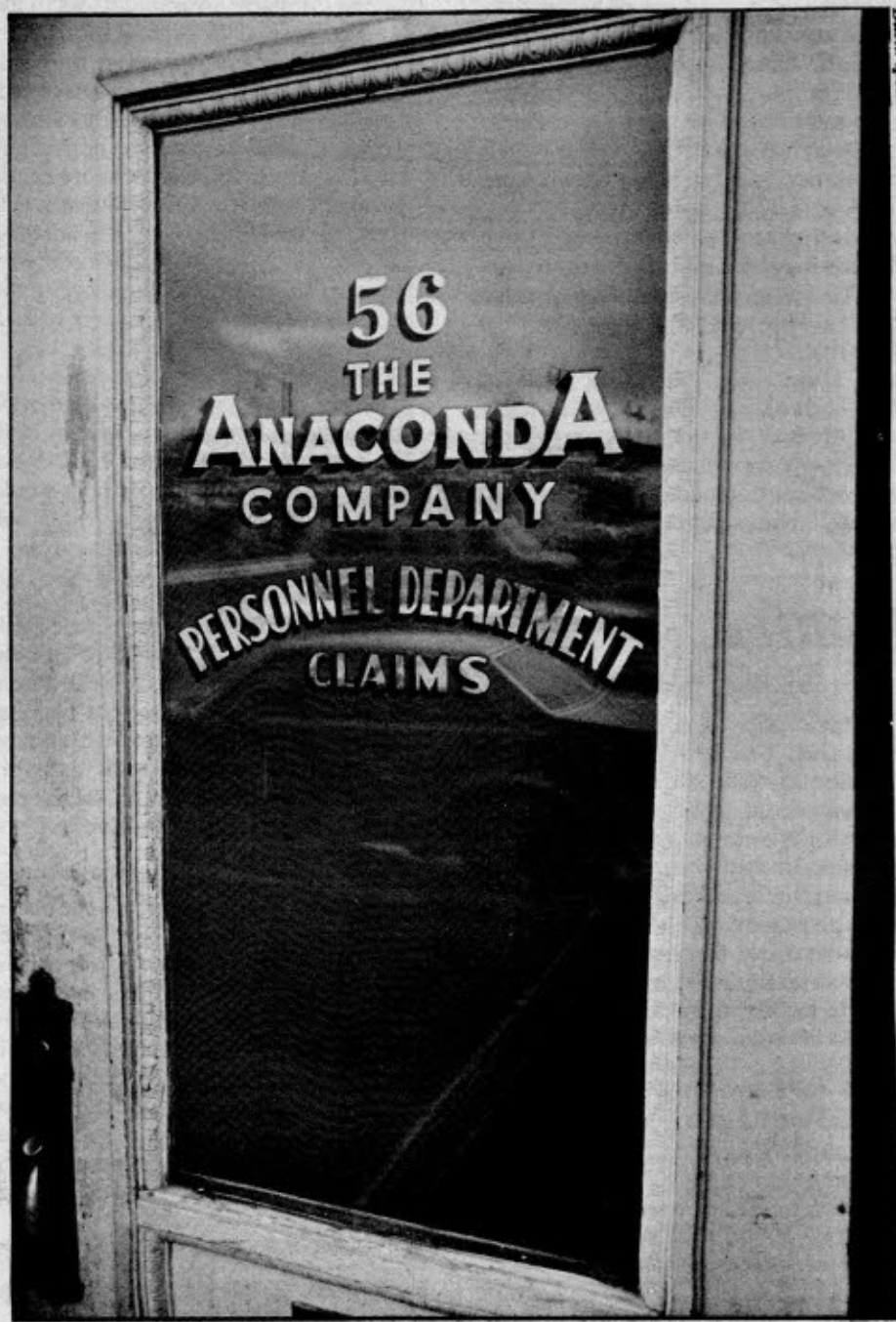
Anaconda also received a \$3 million "readjustment grant" from departing ARCO. Since no laws required such a grant, it was a voluntary and unexpected cushion made, as one ex-worker put it, "out of the kindness of ARCO's corporate heart."

'83. Most informed observers believe that they will, and some are ominous about what that might mean to Montana's progressive environmental policies.

The 1983 session will probably produce a more unified agenda with reform proposals that are better crafted and alliances with business that are more reliable. Unlike 1981, Republicans will not be surprised to find themselves in power.

The interesting question now is who will rise to authority within the party. The young moderates, led by Rep. Harrison Fagg of Billings, do not favor stripping environmental laws. But a House led by Republican Party Chairwoman Aubynn Curtiss of Fortine could leave conservationists wearing barrels.

(continued on page 12)



Some feel the grant wasn't enough from a company which had dominated the lives of Anacondans for nearly a century. Less is expected from the company in the future. Although prospects for re-opening the smelter flickered briefly last spring when a Taiwanese metal company expressed interest in buying it, no offers were forthcoming and the smelter probably will be scrapped.

"The probability of re-opening the smelter at this time is dim," said Mike Micone of Montana's newly-formed Department of Commerce. "ARCO has a seven-year contract to ship its ore from the Butte mines to smelters in Japan, thereby committing the local and most economical source of copper. An ore supply is needed to run a smelter. Without the ore, who would buy Anaconda?"

Anaconda's civic leaders are now depending less on a revived smelter and more on their economic recovery programs and the maintenance of community pride and optimism. In a town toughened by the peaks and valleys of strikes, copper markets and boardroom decisions, that spirit is relatively high.

At the same time, the realities of living

a life dependent on finite natural resources have contributed to apprehension about large-scale mineral development booms without some guarantees against busts. Yet despite the bitter lesson of Anaconda, attempts to legislate those guarantees have failed.

An assessment of the impacts of the smelter shutdown shows that Anaconda is not dead — yet. But most observers agree that the real impact is still to come. When the Anaconda Copper Co. closed its operations, laid-off workers received supplemental unemployment insurance benefits, a severance allowance and an extra year of health insurance coverage. These benefits ended on September 29 — the first anniversary of Black Monday.

The expiration of benefits will call for close scrutiny in the next few months as workers find jobs, leave the community or seek assistance from government programs suffering the budgetary axe. This second, delayed shock will tell a great deal about the past year's progress in economic and community and great deal about the future of Anaconda.

—E.D.

Interagency land transfers

In the interest of better management, the Bureau of Land Management and the U.S. Forest Service are looking for possible land transfers between the agencies.

The majority of BLM lands in Montana are in the eastern part of the state, with intermingled BLM and Forest Service lands in southwestern Montana. The Forest Service manages most of the public lands in western Montana.

Bob Gibson, supervisor of Helena National Forest and a member of the interagency study team, said they are reviewing the possibility of "macro-exchanges" — trading jurisdiction over large tracts, such as an entire national forest — as well as smaller land units.

However, Gibson emphasized that the study at this time is a "conceptual review" of options on land swaps between the agencies.

Gibson said the transfers would not cause major changes in public land use policies, as the management responsibilities of the BLM and Forest Service are "generally similar."

The study team plans to present alternative proposals on selected land areas to the regional forester and BLM state director in early December. Congressional approval would be necessary to authorize any land transfers between the agencies.

—E.D.

Front...

(continued from page 6)

ful. They've discovered commercial quantities of natural gas on better than two-thirds of their drilling ventures along the front.

The companies are hoping that the large amounts of oil and gas present in the Overthrust Belt in Canada, which have turned Albertans into Texans, continues across the border.

According to Montana geologist Dave Alt, that may be unlikely. "There are two large bodies of rock along the mountain front (in Montana) that might conceivably contain oil or gas," Alt wrote in *Montana Magazine*. "One is the mass of older sedimentary rocks that slid eastward about 60 million years ago to form the present mountains and the other is the thick section of much younger sedimentary rocks buried beneath the mountains.

"Much of the Canadian (oil) production comes from the big slabs of older rock that slid eastward as the mountains formed. Similarly arranged rocks of the same age have so far proven to be nearly barren in Montana. However, the Canadian rock contains thick sections of dark shale full of organic debris that should provide a good source for petroleum, whereas similar source rocks are nearly lacking in Montana. Therefore, it seems likely that the failure of the Canadian oil trend to continue across the border into Montana really reflects a change in the rocks rather than just a matter of luck with a drill."

So The Nature Conservancy and other conservation groups are hoping that oil and gas finds along the front are insignificant. They fear that if discoveries were significant along the front, there would be a renewed push to get into the Bob Marshall and other wilderness areas.

Politics...

(continued from page 11)

Only one thing is certain — Democratic Gov. Ted Schwinden again holds the key to maintaining progressive environmental policies. If Schwinden wants badly enough to keep the gains of the past decade, they will stand.

Beyond the legislative front, numerous issues promise to keep Montana conservationists busy for years. The Reagan administration's announcement of plans to deploy the MX missile in existing Minuteman silos shocked Montanans. Montana has about 400 silos that could be retrofitted to hold the multiple-warhead MX. Numerous questions about the project, including the environmental effects of building it, have not been addressed.

Meanwhile, the 1981 legislature's near repeal of Initiative 84, which banned the disposal of uranium mill tailings in Montana, will end up as an issue on the

1982 ballot. Former Friends of the Earth representative, Ed Dobson of Billings and the Missoula-based Headwaters Alliance will again argue that banning tailings disposal does not ban mining, while industry groups loudly disagree. Resolution of the issue could decide the future of uranium exploration in Montana.

Finally, hard rock mining appears to be ready to make its debut as the major environmental issue of the '80s. Significant deposits of copper and silver have been located in the state's northwest corner, where the fledgling Troy Project of ASARCO just opened. An enormous platinum-palladium deposit in the Beartooth Plateau also appears ready for exploration. Montanans may be about to discover that old environmental hen called the 1872 Mining Law is about to come home to roost.

Don Snow is a freelance writer in Stevensville, Mont.

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High Country News is seeking a full-time associate editor to begin in January. Duties include writing, editing and some management responsibility. Pay: \$12,000 a year. Send resume, clips and a letter detailing your reasons for wanting the job to Geoff O'Gara, *High Country News*, Box K, Lander, Wyo. 82520. Application deadline is November 10, 1981.

Announcing . . .
November 13

High Country News chats with some former secretaries of interior about past and future management of federal lands, while we mark the advance of voracious pine bark beetles on some of those forested lands. A guest opinion looks at the administration's "free market" energy policy.

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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 (1) INDUSTRIAL FACILITY, (1) COMMERCIAL FACILITY, AND (3) OIL TREATER FACILITIES, TO MODIFY (1) INDUSTRIAL PERMIT, (2) OIL TREATER PERMITS, AND (1) MUNICIPAL PERMIT, AND TO RENEW (3) COMMERCIAL PERMITS, (29) OIL TREATER PERMITS, (1) MUNICIPAL PERMIT, (1) FEDERAL GOVERNMENT PERMIT, AND (3) STATE GOVERNMENT PERMITS.

APPLICANT INFORMATION

(1) APPLICANT NAME: Rochelle Coal Company - Rochelle Mine
 MAILING ADDRESS: Campus Six Office Building, Suite 600, 12015 East 46th Avenue, Denver, CO 80239
 FACILITY LOCATION: Campbell County, Wyoming
 PERMIT NUMBER: WY-0030899

The Rochelle Coal Company plans to develop an open pit coal mine in Southern Campbell County which will be known as the Rochelle Mine. The discharges flow into Red Draw, Red Fox Draw, Coyote Draw, Rattle Snake Draw, and Peabody Draw (All Class IV Waters). The discharges must meet effluent limitations which are considered by the State of Wyoming to represent "best available treatment." However, the permit also contains a "re-opener clause" which requires the permit to be modified should more stringent limitations be developed at the federal level.

Runoff from disturbed areas will be controlled by sedimentation ponds which are designed to completely contain the runoff resulting from a ten year - 24 hour precipitation event. Because these ponds will not normally discharge, they are not specifically identified in the permit but are covered by operation and maintenance provisions.

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire November 30, 1986.

(2) APPLICANT NAME: Mr. Rick Jakobson - Foothills Subdivision
 MAILING ADDRESS: P.O. Box 56, Pinedale, WY 82941
 FACILITY LOCATION: Sweetwater County, Wyoming
 PERMIT NUMBER: WY-0030881

The Foothills Subdivision is a proposed industrial subdivision with 25 service connections located southwest of the City of Rock Springs, Wyoming. Wastewater treatment will consist of a package plant which will discharge to Bitter Creek (Class IV Water).

The proposed permit requires immediate compliance with effluent limitations based upon National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards. Periodic self-monitoring of effluent quality and quantity is required with reporting of results monthly. The proposed permit is scheduled to expire November 30, 1986.

(3) APPLICANT NAME: Sheridan Enterprises, Inc. - Welch No. 1 Mine
 MAILING ADDRESS: P.O. Box 6025, Sheridan, WY 82801
 FACILITY LOCATION: Sheridan County, Wyoming
 PERMIT NUMBER: WY-0027865

In July of 1978 this Department issued a discharge permit to Sheridan Enterprises, Inc. for the proposed Welch No. 1 Coal Mine located north of the City of Sheridan. The company has now applied for another discharge permit which would allow discharge of treated surface runoff from the mine's coal load-out facility. While the coal load-out facility is located approximately seven miles west of the mine it is the decision of the Department to treat the load-out discharge as part of the Welch No. 1 mine complex. Therefore, it is proposed that the load-out discharge point be added to a modified discharge permit for the Welch No. 1 Mine.

Discharge from both the mine (pit water) and the load-out facility will enter the Tongue River (Class II Water). The proposed permit contains effluent limitations which are considered by the State of Wyoming to represent "best available treatment technology." However the permit contains a "re-opener clause" which requires the permit to be modified if more stringent limitations are developed at the federal level.

Periodic self-monitoring is required on a regular basis with reporting of results monthly. The permit is scheduled to expire November 30, 1986.

(4) APPLICANT NAME: W.E. Sauer Oil and Gas Company
 MAILING ADDRESS: 5710 West Yellowstone, Casper, WY 82601
 FACILITY LOCATION: Walkway Government #1, SW 1/4 SE 1/4, Section 31, T25N, R88W, Carbon County, Wyoming
 PERMIT NUMBER: WY-0023876

Facility is a typical oil treater located in Carbon County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Alkali Lake (Class IV Water).

The discharge 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 discharge and, if necessary, will modify the permit if evidence indicates that more stringent limitations are needed.

Semi-annual self-monitoring at discharge point 001 is required for all parameters with the exception of quarterly analysis of oil and grease. The

BULLETIN BOARD

MEET ENERGY SAVERS

Get acquainted with commercial products that can help save energy at the Fifth Annual Energy Conservation Fair in Laramie on Nov. 14. The fair is sponsored by the Environmental Quality Committee of the Laramie Area Chamber of Commerce and will feature exhibits from industry, business and government on how to conserve energy. If interested in a display booth, or for more information, contact Colleen Gilbert at (307) 745-7339 or Fred Misk at (307) 742-2111.

STRIP MINE COMMENTS

The proposed Humates mine near Westwater, Utah would be a 200-acre surface mine along the Colorado River. The BLM's environmental assessment has been released for public comment. Send comments before Nov. 27 to the BLM Moab District Office, P.O. Box 970, Moab, Utah. 84532.

NATURAL RESOURCE LAW

A program on natural resources administrative law and procedure aimed at attorneys active in natural resource law will be held Nov. 19-20 at the Brown Palace Hotel in Denver. The Rocky Mountain Mineral Law Foundation is sponsoring the program. For information, call (303) 449-0943.

CLEARING-UP CONFUSION

Understanding the U.S. Forest Service's long-term planning process for our national forests will be a cinch with *A Conservationist's Guide to National Forest Planning*. The booklet was prepared by The Wilderness Society, Sierra Club, National Audubon Society and the Natural Resources Defense Council. It is available free through Peter Kirby, Forest Management Project, The Wilderness Society, 1901 Pennsylvania Ave., N.W., Washington, D.C. 20006.

STEWART UDALL

Stewart Udall, past secretary of interior, will review two decades of environmental politics in Jackson Hole Community High School on Nov. 13, and at the Teton Science School in Kelly on Nov. 14. Udall is the first speaker in the series "The Humanities and the Environment 1981-82," sponsored by the Teton Science School. Contact the Teton Science School, Box 68, Kelly, Wyo. 83011, (307) 733-4765 for registration information.

ARDUOUS POSITIONS AVAILABLE

Smoke jumpers, aides, technicians and clerical positions with the U.S. Forest Service's northern region (Montana, North Dakota, western South Dakota and northern Idaho) may be applied for between Dec. 1 and Jan. 15. Application forms are available at Forest Service offices. All positions are summer or seasonal jobs. Applicants must be 18-years-old and "capable of performing arduous work."

CONTROLLING ARMS

Using state initiatives to control the arms race will be the topic of a conference sponsored by Citizens Energy Initiative and Western Bloc on Nov. 14. The conference will be from 10 a.m. to 3 p.m. at St. John's Church, 14th and Pine in Boulder, Colo. Speakers include Colo. State Rep. Jack McCrosky, Jenny Phillips and Dr. Carl Johnson. For information contact Western Bloc, 725 Jonquil Place, Boulder, Colo. or call (303) 449-6466 or 433-8585.

BLM DEVELOPMENT PLAN

To find out which public lands are suitable for coal, oil and gas leasing in Colorado Bureau of Land Management's Northeast Resource Area, contact the Canon City BLM District at (303) 275-0631 or the Northeast Resource Area office in Wheatridge at (303) 234-4988. The BLM has just released their proposed methods and standards to be used in developing a land use plan. The proposal will also address questions concerning recreational opportunities, the availability of firewood and special wildlife habitat.

proposed permit requires quarterly self monitoring at discharge points 002 and 003 for oil and grease only since the chemical analysis should remain the same for all discharges. The proposed expiration date for the permit is December 31, 1982.

(5) APPLICANT NAME: Superior Oil Company
MAILING ADDRESS: P.O. Box 200, Casper, WY 82602
FACILITY LOCATION: Westside Canal Field, Jons Lease, Wells 1 and 1A, SW¼, Section 7, T12N, R91W, Carbon County, Wyoming
PERMIT NUMBER: Wy-0030392

Facility is a typical oil treater located in Carbon County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to the Little Snake River (Class II) via an unnamed draw.

The discharge 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 discharge and, if necessary, will modify the permit if evidence indicates that more stringent limitations are needed.

Although this facility is located in the Colorado River Basin, a discharge permit will be authorized since the discharge will contribute less than one ton of salt per year to the Colorado system.

This permit is being modified to include an additional discharge point. Only quarterly monitoring of oil and grease will be required at discharge point 002. This is because the chemical quality will not vary in the same body of water. A complete semi-annual analysis will be required at discharge point 001, as is included in the existing permit. The proposed expiration date is December 31, 1982.

(6) APPLICANT NAME: Town of Buffalo, Wyoming
MAILING ADDRESS: P.O. Box 430, Buffalo, Wyoming 82834
FACILITY LOCATION: Buffalo wastewater treatment facilities, Johnson County, Wyoming
PERMIT NUMBER: Wy-0021024

On June 29, 1981 this Department issued the Town of Buffalo a discharge permit for their existing and planned wastewater treatment facility (scheduled for completion by July 1, 1983). Since issuance of that permit the Town has requested relief from the "85% removal of BOD5" requirement of the permit. The Town indicates that because of the relatively low strength of the Town's raw sewage (122 mg/l), 85% removal will require unnecessary expenditures for high level waste treatment which will not result in measurable in-stream water quality improvement.

This Department agrees that 85% removal of BOD5 is unnecessary in this instance and is not necessary to achieve compliance with Wyoming's in-stream Water Quality Standards. Therefore, it is proposed that the 85% removal requirement for BOD5 be removed from the Town of Buffalo's discharge permit. No other limitations or self-monitoring requirements of the permit issued June 29, 1981 are proposed to be changed.

(7) APPLICANT NAME: Mr. Robert Daniels, Daniels Mobile Home Park
MAILING ADDRESS: P.O. Box 671, Big Piney, WY 83113
FACILITY LOCATION: Sublette County, Wyoming
PERMIT NUMBER: Wy-0023124

The Daniels Mobile Home Park is located approximately two miles South of the Town of Big Piney, Wyoming. Wastewater treatment consists of a non-aerated lagoon system which has the potential to discharge to an unnamed irrigation drain which is a tributary of the Green River (Class II Water).

The proposed permit requires immediate compliance with effluent limitations based on National Secondary Treatment Standards and Wyoming's in-stream Water Quality Standards. Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The proposed permit is scheduled to expire December 31, 1986.

(8) APPLICANT NAME: Mr. Dale Brauber, Meadowlark Lodge
MAILING ADDRESS: P.O. Box 37, Tensleep, WY 82442
FACILITY LOCATION: Big Horn County, Wyoming
PERMIT NUMBER: Wy-0021300

Meadowlark Lodge is located on U.S. Highway 16 near the top of the Big Horn Mountains in Big Horn County, Wyoming. Wastewater treatment at the lodge consists of an oxidation ditch followed by a chlorinator. The facility discharges to East Tensleep Creek (Class II Water).

The proposed permit requires immediate compliance with effluent limitations based on National Secondary Treatment Standards and Wyoming's in-stream Water Quality Standards. Periodic self-monitoring of effluent quality and quantity is required with reporting of results monthly. The permit is scheduled to expire December 31, 1986.

(9) APPLICANT NAME: Mr. Doran Lummis, Trails End Mobile Home Park
MAILING ADDRESS: 200 South Morrill Avenue, Cheyenne, WY 82001
FACILITY LOCATION: Laramie County, Wyoming
PERMIT NUMBER: Wy-0021377

The Trails End Mobile Home Park is located on the southern edge of the City of Cheyenne, Wyoming. Wastewater treatment at the Park consists of an aerated septic tank followed by a polishing pond. When the pond discharges the effluent enters Crow Creek (Class IV Water). Operation and maintenance inspections performed by the Department have shown that the plant is inadequate and endangers groundwater quality as well as the quality of water in Crow Creek.

The proposed permit requires that the existing facilities must be operated at maximum capability and efficiency through June 30, 1982. Effective July 1, 1982 the park must be connected to the City of Cheyenne's Sewage Collection System. The proposed permit contains no specific effluent limitations or self-monitoring requirements and is scheduled to expire December 31, 1986.

(10) APPLICANT NAME: Petro Lewis Corporation
MAILING ADDRESS: P.O. Box 336, Osage, WY 82723
FACILITY LOCATION: Government 18 Lease Pit, SW¼, Section 18, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003221

Facility is a typical oil treater located in Weston County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharge is to Poison Creek (Class IV Water) via an unnamed draw.

The discharge must meet Wyoming's Produced Water Criteria effective immediately. No chemical limitations have been imposed on this facility except for oil and grease (10 mg/l) and pH (6.5-8.5). This is due to the extreme aridity of the area which allows for beneficial use of the water for agricultural purposes. 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 discharge 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 permit is December 31, 1986.

(11) APPLICANT NAME: Petro Lewis Corporation
MAILING ADDRESS: P.O. Box 336, Osage, WY 82723
FACILITY LOCATION: Dormacher Lease, SE¼, Section 18, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003239
FACILITY LOCATION: CSI Lemin Lease, NW¼, Section 19, T46N, R63N, Weston County, Wyoming
PERMIT NUMBER: Wy-0003247
FACILITY LOCATION: Home Lease, NE¼, Section 18, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003255
FACILITY LOCATION: RFD Lease, NW¼, Section 17, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003263
FACILITY LOCATION: Strickling A Lease, SW¼, Section 17, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003271
FACILITY LOCATION: Strickling B Lease, NW¼, Section 17, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003280

FACILITY LOCATION: Osage Juniper Newcastle Sand Unit, Main Battery, NW¼, Section 25, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003298
FACILITY LOCATION: Osage Juniper Newcastle Sand Unit, Tract 7 Battery, SE¼, Section 36, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003301
FACILITY LOCATION: Osage Juniper Newcastle Sand Unit, Tract 12 Battery, NW¼, Section 30, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003310
FACILITY LOCATION: Bradley Sand Unit Lease, NE¼, Section 19, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003328
FACILITY LOCATION: Osage Lemin Lease, SW¼, Section 19, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003336
FACILITY LOCATION: Osage West Newcastle Sand Unit, North Battery SW¼, Section 22, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003344
FACILITY LOCATION: Osage West, South Battery, NE¼, Section 35, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003352
FACILITY LOCATION: Thorson Lease, NW¼, Section 6, T45N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0003379
FACILITY LOCATION: Lake Government Lease, NE¼, Section 24, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026697
FACILITY LOCATION: Townsend Government Lease, NE¼, Section 24, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026701
FACILITY LOCATION: Government 13 Lease, NW¼, Section 13, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026719
FACILITY LOCATION: Taylor Fee Lease, NE¼, Section 13, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026743
FACILITY LOCATION: Somers Lease, SE¼, Section 17, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026751
FACILITY LOCATION: Townsend Lease, NE¼, Section 13, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026760
FACILITY LOCATION: Ost Estate Lease, SE¼, Section 24, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026778
FACILITY LOCATION: Johnson Lease, SW¼, Section 8, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026786
FACILITY LOCATION: Strickling Fee Lease, SE¼, Section 13, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0026794
FACILITY LOCATION: Taylor Government Lease, SW¼, Section 12, T46N, R64W, Weston County, Wyoming
PERMIT NUMBER: Wy-0028142
FACILITY LOCATION: Hackathorn, SE¼, Section 12, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0028401
FACILITY LOCATION: Ackerman Ware, SE¼, Section 7, T46N, R63W, Weston County, Wyoming
PERMIT NUMBER: Wy-0028410

BEFORE THE WYOMING INDUSTRIAL SITING COUNCIL

NOTICE OF HAMPSHIRE ENERGY APPLICATION FOR PERMIT RELATING TO A COAL-TO-GASOLINE FACILITY

DOCKET NO. WISA-81-4

Pursuant to provisions of the Wyoming Industrial Development Information and Siting Act (W.S. 35-12-101 through 35-12-121; Wyo. Stat. Anno. 1977), NOTICE IS HEREBY GIVEN THAT HAMPSHIRE ENERGY HAS FILED AN APPLICATION WITH THE INDUSTRIAL SITING COUNCIL FOR A PERMIT AUTHORIZING CONSTRUCTION OF A COAL-TO-GASOLINE FACILITY, CAMPBELL COUNTY, WYOMING. The application was filed on September 30, 1981.

Hampshire Energy is a Wyoming partnership formed by the Northwestern Mutual Life Insurance Company, Kaneb Services Incorporated, Koppers Company Incorporated, Metropolitan Life Insurance Company, and Standard Oil of Ohio. The location of the proposed facility is approximately 10 miles southeast of Gillette. The site includes the west ½ of Section 29, Section 30, Section 31, Section 32, and the west ¼ of Section 33 in T49N, R70W, 6th P.M.

The coal-to-gasoline facility will process 15,400 tons per day of coal to produce about 19,000 barrels of unleaded gasoline, 900 barrels per day of propane, 2,000 barrels of mixed butanes, 90 tons per day of ammonia, 50 tons per day of sulfur and 200 million standard cubic feet per day of carbon dioxide. The products will be produced by gasifying coal, converting the coal gas into methanol, and subsequently converting methanol into gasoline.

Hampshire Energy plans to begin initial construction activities in April, 1982 and to complete construction by late 1985. An estimated crew of 3,000 to 3,600 workers will be employed at the peak of the anticipated 44 month construction period. The permanent operating staff will consist of about 900 employees.

Copies of the application have been filed with the County Clerks of Campbell County, Weston County, Crook County, Johnson County, and Sheridan County. Copies have also been forwarded to the Gillette Public Library, 412 S. Gillette Ave., Gillette, WY, Weston County Library, 25 W. Main, Newcastle, WY, Sheridan County Library System, 320 N. Brooks, Sheridan, WY, Johnson County Library, 90 N. Main, Buffalo, WY, Moorcroft Branch Library, 109 West Weston, Moorcroft, WY, and are available for public inspection.

Persons desiring to become parties to the permit proceeding may do so pursuant to W.S. 35-12-112, by notifying the Office of Industrial Siting Administration in writing of their intent to become a party.

Limited appearance statements will be received in the matter in accordance with provisions at W.S. 35-12-112(c). These should be mailed to the Director, Office of Industrial Siting Administration, 500 Boyd Building, Cheyenne, WY 82002.

Dated this 21st Day of October 1981.

Office of Industrial Siting Administration
Suite 500 Boyd Building
Cheyenne, WY 82002
(307)777-7368

OPINION

Removing the "heavy hand"

by Gov. Ted Schwinden

Montana's relationship with Uncle Sam historically has had its ups and downs. The U.S. Department of Interior's management of nearly 8.1 million acres of Montana's total 93 million acres makes that federal agency a neighbor of consequence. But being neighbors has not always been synonymous with being neighborly. Historically, federal resource managers have burdened the states with rules and regulations and demonstrated a growing insensitivity to user needs.

Interior Secretary James Watt sent a letter to the governors early in 1981 promising to remove the "heavy hand" of the federal government from the states and Western hopes were high. After years of federal paternalism and domination, we anticipated that an era of true partnership had arrived. Would the Reagan administration bring the Sagebrush Rebellion to a peaceful and productive conclusion? Could the states expect a new beginning, a healthy cooperation between the feds and the states in the federal land decision-making process?

Following up on Secretary Watt's January "good neighbor" pledge, I told him in Washington in February that Montana must have nothing less than a real part-

nership. I asked for his concurrence in allowing the states a shared role in decisions on wilderness designation, federal coal leasing and public land management.

In April, I wrote to Secretary Watt reiterating those statements and asking him to promptly develop, through cooperative agreements, a productive partnership between Montana and the Department of the Interior. Montana's goal was, and is, an active role in the development of policies, rules and plans that will affect our state and I volunteered Montana to lead the way in formalizing the partnership concept.

In June, I received a response from Secretary Watt that was sympathetic to the overall tone of my request. "However," the secretary cautioned, "We must ensure that responsibilities delegated by statute to either the federal government or the state are not diluted."

Rome wasn't built in a day, and neither, I suspect, is good neighbor policy. I am willing to allow the Department of Interior a reasonable amount of time to make good on its "good neighbor" pledge, but there have been several indications during the last few months that the department does not intend to treat the states as equal partners.

During the highly publicized meeting

in September between Western governors and Secretary Watt, I expressed some of those concerns. In the areas of federal coal leasing, federal compliance with state facility siting laws, and oil and gas leasing, recent department actions have smacked more of the old paternalism than a new partnership.

The states and the Carter administration Interior Department worked together for 14 months to develop a workable coal leasing program. When Secretary Watt and his deputies began to review the leasing program, five other Western governors and I asked the department to allow the states to participate in decisions to change the leasing program. Despite our requests, we did not receive a copy of the proposed changes until late August, months after reports of the changes appeared in trade publications.

States have the experience and the expertise to advise Interior how to avoid the type of program changes which could hamper the orderly development of federal coal resources. It is discouraging that the current Department of Interior intended to allow the states only 14 days to comment on proposed changes to a federal coal leasing program that took the states and the previous administration's Department of Interior 14 months to develop.

Another instance of a less than neighborly relationship was the department's recent overturning of the Fort Union regional coal team's coal leasing recommendations. The regional coal teams are composed of both state and federal representatives. They have been fore-runners in state-federal cooperation. After months of review and study, the Fort Union coal team unanimously passed a recommended level for future coal leasing. Watt's Assistant Secretary for Land and Water Resources Garrey Carruthers overturned the recommendation, declaring it to be too low. Carruthers' action is a perfect example of the waste and duplication likely to occur when the states are not allowed a more active role in federal land decisions.

At the Western Governors' Conference in September, Secretary Watt said the Sagebrush Rebellion had been defused because of his attempts to improve relationships between the West and the Department of Interior. I agree that the secretary has taken steps to ease some of the tensions in the West. But as Governor Scott Matheson (D) of Utah observed, the only way to put the final nail in the coffin of the Sagebrush Rebellion is to assure the states gubernatorial concurrence in the federal decision-making process. Such an agreement would not bury the national interest but would signal the beginning of a federal-state harmony that would ensure not only a genuine partnership but also the expeditious and orderly development of our energy resources.

Montanans are extremely proud of their state. They deserve much of the

credit for creating and preserving its unique character. As the pressures of energy development increase, Montanans must strike a balance between the selfish hoarding and the reckless exploitation of energy resources. That balance is responsible development.

Montanans do not want to build a fence around the state. We realize our obligation to share our energy wealth with the rest of the nation. But we strongly believe we are the best judges of how our resources should be developed.

As long as we have the federal government in our front yard, we will attempt to work with them to arrive at decisions that are mutually beneficial to Montanans and to the nation as a whole. But cooperation is a two-way street. It's time Washington, D.C. realized that the West is no longer the country's kid brother. We demand, and we deserve, partnership, not paternalism; equality, not equivocation. Montana's future must be determined by Montanans, not by faceless bureaucrats on the banks of the Potomac.

Ted Schwinden, a Democrat, is in his first term as governor of Montana.

LETTERS

RANDOM NUMBERS

Dear HCN,

I am one of the "few people in every county" opposed to Mountain Bell's numerical assignation of our roads. Despite the purported logic behind the system, the numbers are virtually random. Road 117 is at one end of the county while road 118 is at the other end, without an intersection in common between them. Roads that have historically had a nice, geographical name, now have a number. For instance, Prince Creek Road is now 111 road or something. My address has always been the Mount Sopris Hereford Ranch, and now Ma Bell claims it is some 7 digit number.

Finally, the fire trucks, ambulances, and even the Maytag repairman seem to be at a total loss when it comes to using this new system. People teaching the EMT classes in the area recommend giving geographic directions in an emergency and *not* to use the new road numbers.

Without consultation or consideration of the people living in these counties, Ma Bell has inflicted an idiotic and impractical addressing system on them. If Ma Bell is going to continue with this method of addressing, it needs to pay much greater attention to existing road names and creeks in the counties.

Marj Perry
Mt. Sopris Ranch Rd.
(unofficial compromise)
Carbondale, Colorado

Going home for the holidays?

Why not send ahead *High Country News*, a special way to keep in touch with your loved ones, and keep them in touch with the Rocky Mountain West.

When you use this coupon to order holiday gift subscriptions to *High Country News*, we charge you \$15 for the first gift, and then chop 20% off each additional subscription you order, so you'll pay only \$12.

And if you want us to send a personal note to our new subscribers telling them who gave the gift, we'd be happy to.

Just clip this coupon and mail it to HCN, Box K, Lander, Wyo. 82520. (Discount price applies to new subscriptions only.)

Please send a gift subscription to:

Name _____

Address _____

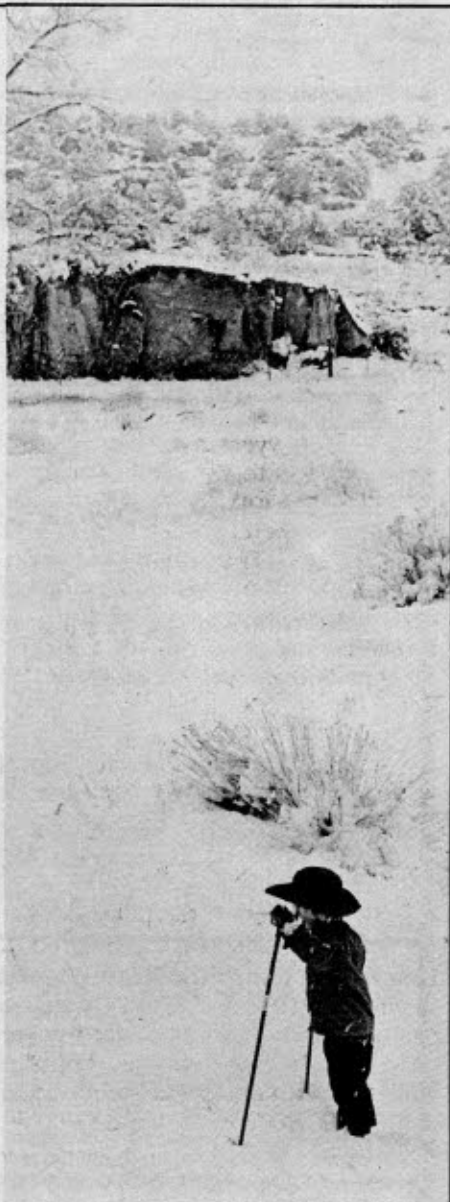
City, State, Zip _____

Name _____

Address _____

City, State, Zip _____

Please send a gift card, too.



Judy Sommer

(continued from page 13)

Facilities are typical oil treaters located in Weston County, Wyoming. The produced water is separated from the petroleum product through the use of heater treaters and skim ponds. The discharges are to Beaver Creek (Class II Water), Turner Creek (Class III Water), Poison Creek and Spoon Draw (Class IV Waters) via various unnamed drainages.

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 discharge 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 these permits is December 31, 1986.

(12) APPLICANT NAME: Paradise Valley Water and Sewer District
MAILING ADDRESS: %City of Casper
Board of Public Utilities
200 N. David
Casper, WY 82601
FACILITY LOCATION: Natrona County, Wyoming
PERMIT NUMBER: Wy-0020141

The sewage treatment facility serving Paradise Valley consists of three package treatment plants followed by an aerated polishing pond, a chlorinator, and a small dechlorination pond. The facility discharges to the North Platte River (Class II Water) and is located immediately above the water supply intakes for Brooks Water and Sewer District and the City of Casper.

The proposed permit requires immediate compliance with effluent limitations based upon National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards. The strict limitation on fecal coliform bacteria (200/100 mls) is based upon the fact that the discharge is immediately above water supply intakes. The limitation on total residual chlorine (.5 mg/l) is more strict than necessary to meet in-stream standards but is a limitation which is technologically easy to meet.

The District has requested and received special relaxed standards for the parameter total suspended solids since algal blooms in the polishing pond would tend to cause technical violation of the National Standard of 30 mg/l.

Self-monitoring of effluent quality and quantity is required on a regular basis with reporting of results monthly. The permit is scheduled to expire December 31, 1986, however, it is expected that this discharge will be eliminated in mid 1982 with completion of the "North Platte Interceptor" which will connect Paradise Valley to the City of Casper's Sewage Collection System.

(13) APPLICANT NAME: U.S. Bureau of Indian Affairs - Wind River Agency - Town of Fort Washakie
MAILING ADDRESS: Wind River Indian Reservation
Fort Washakie, WY 82514
FACILITY LOCATION: Fremont County, Wyoming
PERMIT NUMBER: Wy-0021059

The Town of Fort Washakie, Wyoming is located on the Wind River Indian Reservation and is administered by the U.S. Bureau of Indian Affairs. The wastewater treatment system serving the Town consists of a three-cell non-aerated lagoon which has an infrequent discharge to the Little Wind River (Class II Water).

The proposed permit requires compliance with effluent limitations based upon National Secondary Treatment Standards and Wyoming's In-stream Water Quality Standards.

Self-monitoring requirements in the proposed permit require the monitoring of all limited parameters on a routine basis with reporting of results quarterly. The proposed permit is scheduled to expire December 31, 1986.

In addition, the Bureau has requested and received less stringent effluent limitations for the parameter total suspended solids as authorized by federal regulations for stabilization pond systems with a design flow of less than 2.0 MGD.

(14) APPLICANT NAME: Wyoming Highway Department - Burgess Junction Maintenance Camp

Clancy Gordon

Adrenalin in place of blood

by Don Snow

Sobriquets followed him around like his shadow as he travelled the country, speaking on campuses, at Kiwanis Clubs, in courts of law. Reporters especially lapped up his colorful phrasings and dubbed him the "angry young ecologist," the "self-proclaimed prophet of doom," the "warrior with a smile." Wherever he went, Clancy Gordon incited laughter, anger, fondness, disgust. As *Missoulian* editorial writer Sam Reynolds said of him, "Clancy either got under your skin or into your heart." Regardless, people listened. Most loved him. A few went after his hide.

In the summer of 1971, Gordon took the witness stand against the Harvey Aluminum Company in The Dalles, Oregon. Like most aluminum smelters, Harvey blew tons of flouride into the air and onto the adjacent countryside, which at The Dalles happened to grow some 3,000 acres of fruit trees.

Gordon went to work for the growers, who had been suffering the devastating pollutants for ten years without relief, while the state university at Corvallis spent \$500,000 to study the problem. Their results were inconclusive. Gordon's were not. He stepped to the witness stand to testify against the polluter and discovered that Harvey had hired lawyers from his old arch-enemy, the Anaconda Company, to discredit his data.

Failing that, they tried to discredit Gordon through character assassination. They dug up an old speech in which he had accused many in his profession of being "biowhores," scientists who enriched themselves by producing data that deliberately favored major polluters. That tactic failed. The court awarded \$486,000 to the growers and ordered Harvey to abate its pollutants. Six months later, Gordon again shocked an audience by telling them that "biowhores" were still doing dirty work for big business.

His fame spread, but Gordon never took himself quite seriously, in spite of workdays that began at 5 a.m. and his "adrenalin in place of blood" that one colleague attributed to him. He once carried someone's proxy vote to a shareholders' meeting of the Anaconda Company so that he could make a personal request of Chairman Parkinson. Gordon asked the astonished executive to please send someone to Helena the next day to support the state's proposed emissions standards. Then he cast the vote.

As a professor and founder of the interdisciplinary environmental studies program at the University of Montana, Gordon blended his skills as a scientist and activist with his love and compassion for people. At the heart of his teach-

ing was a deep respect for humanity and the dignity and grace that people contribute to the planet. Gordon taught that pollution does more than interrupt biological processes. Worse, it reduces our concern for one another and the land that supports us.

He wrote: "As we live in an environment that becomes more and more degraded, we will become less concerned about the ugliness around us. We will have to be very careful that our environment doesn't become too degraded, and we become less and less human. That is what we are all becoming."

Later he expanded on the idea: "I believe that pollution results from contempt — the contempt of industry for consumers, the contempt of government for the people it represents, and the contempt of people for each other and for the land they live upon."

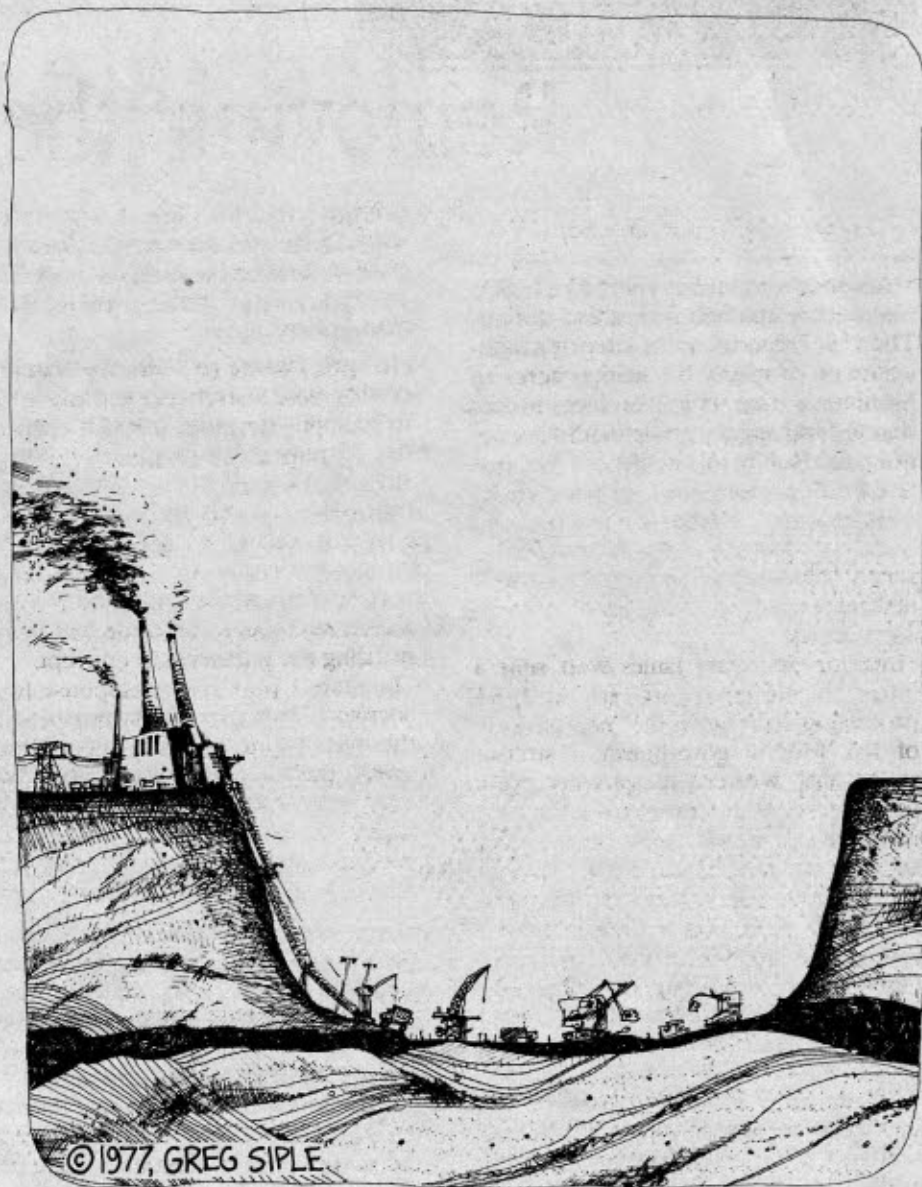
He once took on the Sierra Club precisely because he perceived it to be ignoring the urban home of most Americans while it fought to preserve distant wilderness areas — "little islands of goodness," he called them. "The urban area, our home, is what we want to save," he said.

The following offers a sample of his teaching, wisdom and wit from 1969 through 1980, one year before his death:

"Almost all other species with which we share the earth could survive if man were to disappear tomorrow; the opposite is not true now, nor ever will be true. We are not the measure of all things. Rather we are a species which evolved two million years ago on this planet upon which life had already existed for two billion years. It is time we came to realize that man is not the host of this planet but a guest who may eliminate himself by his voracious appetite."

"The U.S. Treasury Department will not solve our problem by charging industry to pollute the people, because it is the people who ultimately will pay the extra costs levied upon these polluting industries. It is ridiculous and insane to put a tax on how much industry may poison people."

"Social conscience, scientific honesty and man-to-land ethics offer little reward compared to large research grants and consulting fees. Any doubting reader must ask himself whether he would rather work for a consulting fee of \$200 a day plus expenses, or for the \$3 to \$5 an hour paid by local and state governments for pollution 'expertise.' The Ph.D. or M.D. is not a different species of animal, and all the greed and ego manifested by laymen can be found on a



Montana: Where the big sky keeps getting bigger

grander scale among the various groups of scientists."

"I'd never be a psychologist because you have to know more jargon in psychology than in almost any other field. Second comes biology, then geology and zoology. The higher the amount of jargon you have to learn, the more unsure the science is of itself — one criterion."

"Although lawyers may be competent when it comes to knowing the laws of man, they are for the most part completely incompetent when dealing with biological laws. They expound at length on the rights of the individual man and free enterprise and yet have little to say about the rights of existence of the other millions of species which inhabit this earth."

"A scientist from a university shows respectability, unless he's from Montana."

"In 1969, a federal study revealed that the hair of 25 fourth grade children in East Helena (near the ASARCO lead smelter) contained 41 ppm. of lead. The hair of a similar number of fourth grade children in Helena contained 12 ppm., while 25 fourth-graders in Bozeman had only 7 ppm. in theirs. If ASARCO would really go all out and build a 3,000 foot smoke stack, it might be possible to

have the same concentrations of lead in the hair of children in East Helena, Helena and Bozeman!"

"The questions I asked myself during the last portion of the 70s were why in hell are we suddenly losing the environmental gains of the early 70s, and what is going to happen in the future to our environmental laws and regulations? I believe that the answer is that the environmental movement was and is based largely on an elitist constituency, that is, upper income professionals, and that the movement sometimes actually excluded or ignored an important ally, the unions and laborers of this country."

"Before OSHA, there were 1,600 state inspectors and 100 federal inspectors. Interestingly, this inspection force was less than the number of game wardens in the U.S. at that time, which illustrates our priorities."

"Life has been on this planet for two billion years and it took hundreds of millions of years for natural resources to evolve. Is it realistic, then, for mankind to have utilized and destroyed such a large portion of them in only the last 100 years or for him to have accepted insidious, chronic pollution based on economic feasibility? In Montana, the answer will come only after a series of local and painful catastrophes."

"Who wants to recycle a plastic flower?"

MAILING ADDRESS:

P.O. Box 1708
Cheyenne, WY 82001

FACILITY LOCATION:

Sheridan County, Wyoming

PERMIT NUMBER:

Wy-0023426

The Wyoming Highway Department's Burgess Junction Maintenance Camp consists of four single family residences. Wastewater treatment for these homes consists of a septic tank and leach field, however, the leach field collects groundwater and discharges to the North Fork of the Tongue River (Class I Stream) via an unnamed drainage.

Proposed permit requires immediate compliance with National Secondary Treatment Standards.

Self-monitoring of all limited parameters is required quarterly, except for total residual chlorine, which must be monitored weekly. The permit will expire December 31, 1986.

(15) APPLICANT NAME:

Wyoming Highway Department - Cassa Rest Stop

MAILING ADDRESS:

P.O. Box 1708
Cheyenne, WY 82002

FACILITY LOCATION:

Platte County, Wyoming

PERMIT NUMBER:

Wy-0023299

The Cassa Rest Stop is located on Interstate Highway 25, South of the Town of Glendo, Wyoming. Wastewater treatment consists of a 75,000 gallon per day activated sludge plant followed by a small polishing pond. The discharge is to Bear Creek (Class IV Water) via an unnamed ditch.

The proposed permit requires compliance with National Secondary Treatment Standards through June 30, 1982. As of July 1, 1982 the discharge must be eliminated.

Periodic self-monitoring of effluent quality and quantity is required with reporting of results quarterly. The permit is scheduled to expire December 31, 1986.

(16) APPLICANT NAME:

The Wyoming Highway Dept. - Pole Creek
Maintenance Camp

MAILING ADDRESS:

P.O. Box 1708
which lies approximately 2/3 of a mile from the
discharge point.

Proposed permit requires compliance with National Secondary Treatment Standards effective immediately. Because the waste is accessible to humans, a strict (200/100 mls) limitation is proposed for fecal coliform bacteria. Because there is no danger of the discharge actually reaching Pole Creek, a liberal limitation on total residual chlorine (5.0 mg/l) is proposed.

Self-monitoring reports will be due quarterly and the permit will expire December 31, 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 November 30, 1981. Comments may be directed to the Wyoming Department of Environmental Quality, Water Quality Division, Permits Section, 1111 East Lincolnway, 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 November 30, 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.

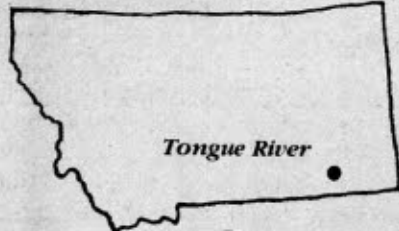
Public Notice No: Wy-81-012

An oft-told tale of cattle and coal

by Geoffrey O'Gara

Ashland, Mont. — The speakers stood or sat behind a collapsible table, their amplified voices fading towards the rear of the acoustically dead school auditorium. The audience — a full house — stayed for the entire performance, though many had seen it all before.

First came Birney rancher Art Hayes, Jr., standing stiffly and speaking in a monotone, reciting the dangers he saw



in mining coal along Montana's Tongue River north of Birney — dangers to the valley's soils, water and ranching way of life. Then came smartly dressed, articulate Charles Goodwin, representing Cities Service Company, arguing that ranchers trying to block coal mining were abusing federal and state processes, warning them to stick to the letter of the law and study the problem mine by mine, not cumulatively.

The rancher and energy company spokesman were jousting over a petition filed by the Northern Plains Resource Council and three affiliated rancher groups to have the Montana Department of State Lands and the U.S. Office of Surface Mining declare about 304 square miles of land on the eastern side of the Tongue River unsuitable for coal mining.

Only one company — Montco, of Billings, Mont. — has actually declared its intention to mine in the area covered by the petition. But the list of energy companies with coal interests along the river — Peabody Coal, Consolidation Coal, Amax and Exxon's Carter Mining Company, to name a few — reads like a who's who of multinational energy conglomerates. And recently announced Department of Interior targets for federal coal leasing in the area — which exceeded the recommendations of a regional coal team — have elicited expressions of interest from Burlington Northern, Wesco Resources and other energy companies.

In addition, the Tongue River Railroad — owned by various coal developers — plans to lay track from Miles City into the valley. Again, ranchers see the railroad as an indication that the Montco mine would be just the beginning. Depending on whom you talk to, the railroad will need to carry anywhere from 17 million to 30 million tons of coal a year just to break even; the Montco mine is slated to produce 12 million tons a year.

The drama in the Ashland school auditorium has been played out before in southeastern Montana and northeastern Wyoming, which together contain some of the world's thickest and most accessible coal seams. In Colstrip, Mont., in Gillette, Wyo., and throughout the West, ranchers like Hayes and energy company officials like Goodwin have faced each other across formica tables and across cultural and economic gaps that words seem unable to bridge. Ranching and mining — particularly mining which requires removing the ranchers' precious topsoil and tampering with the water — are not symbiotic.

The bottomland along the meandering Tongue River in the vicinity of Ashland, dotted with cottonwoods and occasional knolls cloaked in ponderosa pine, is the core of area ranchers' livelihoods. They and their compatriots downstream irrigate with the relatively clean Tongue River water, and they want it protected with an unsuitability declara-

tion. To the west is the Northern Cheyenne Indian Reservation, to the east Custer National Forest. While the surface ownership is mostly in ranchers' hands in the petition area, the underlying coal ownership is a checkerboard of federal, state and private ownership. Much of the privately-owned coal now belongs to energy companies.

Montco's 12-million-ton-per-year planned mine is just north of the small town of Birney in the petition area. There is one working mine, Coal Creek, producing 75,000 tons a year, in the petition area, which would not be affected by an unsuitability declaration, and several tracts that the U.S. Bureau of Land Management is considering leasing in 1982.

Upstream, across the Wyoming border, lie big coal strip mines. Downstream, around Colstrip, lie big strip mines.

The Northern Plains Resource Council, an organization of ranchers, has been tangling with energy developers in southeastern Montana since 1972. Patrick Sweeney, the NPRC staff director, calls the Tongue River "the target of the next major round of expansion of coal in Montana."

If the railroads' needs of up to 30 million tons per year are to be fulfilled, it would be a major expansion indeed. Montana's statewide annual production is now at about 32 million tons.

Most of the ranchers behind the petition began fighting coal development in the area back in the 1970s, when federal officials first recommended leasing coal reserves in the area (See *HCN*, 8/30/74). Mary Daniels, who, with her husband Col. E.M. Daniels, has ranched near Birney for over 30 years, has been in the fray from the beginning. She is a newcomer compared to some other petitioning ranchers, whose families have been here for several generations; nevertheless, they elected her president of the Tri-County Ranchers Association.

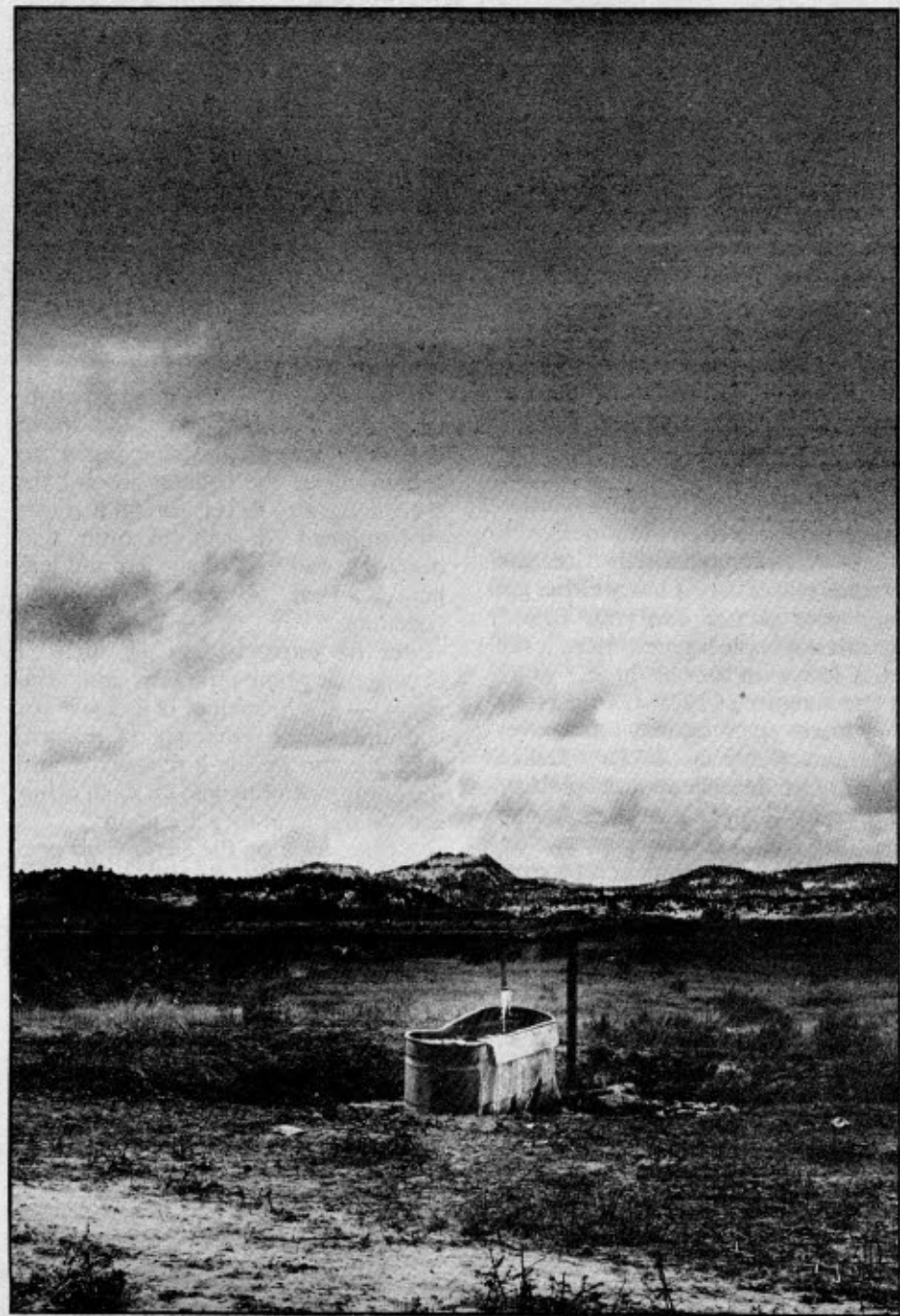
"Our motives are to survive in agriculture," she said at the meeting here, "and continue to be productive...as has been done for over 100 years in this area without degradation of the country. The motive of those who would open an area like this to mining is personal wealth and profit, not national need."

The ranchers fear a number of effects from mining along the river. First, they cite studies showing the soils along the river have high salt and sodium content, which they fear would end up in their irrigation water if large-scale mining is undertaken. They also question whether revegetation of reclaimed land is possible in the arid climate with the saline and sodic soils; and they think their aquifers — many of which are supported by coal beds — could be damaged or contaminated.

And while it was not part of the unsuitability petition, they fear the influx of mine workers that they have seen change the character of once-small agricultural towns like Colstrip and Gillette. Ashland has a population of 800; Birney has considerably fewer. A dirt road runs between them.

Nor do the petitioners buy the argument that the search for coal is a necessary component in the nation's struggle for energy independence. They note — with strong support from experts like consultant Russell Boulding, who just completed a study on coal needs for the congressional Office of Technology Assessment — that many existing coal mines in the region are not able to sell all the coal they can now mine. They picture coal from the Tongue River going not to domestic markets, but overseas.

Energy company officials openly admit that they have talked to export customers; they don't think they have to



On the banks of the Tongue River, within the proposed site of Montco's mine.

show a hungry domestic market to justify digging the Tongue River coal. Bruce Ennis, of Burlington Northern's Meridian Land and Mineral Co., said the market issue was unimportant: "Before IBM began building computers there were no markets for computers."

And just as the ranchers laud their compatriots who have held out for years against importuning coal developers, energy company officials praise Montco for its courage in trying to open new territory.

Finally, energy companies have done their own studies to counter hydrological and soil studies submitted by the petitioners. They claim, in the words of Montco's Bob Stiles, "Allegations raised in the petition are not supported by any evidence." An evaluation of the petition by the Montana Department of State Lands and the U.S. Office of Surface Mining seemed to generally agree, although the agencies acknowledged that long-term data was lacking.

The ranchers opposed to mining do not claim to represent a united front; there are some landowners who are ready to reap the financial benefits of allowing stripmining of their lands. And at the meeting here, the petitioners lost another important ally: the Northern Cheyenne tribe.

The Cheyenne reservation lies directly opposite the path of the railroad and the sites of possible new mines, a stone's throw across Tongue River. Tribal president Allen Rowland has been quoted saying the influx of people would hurt the tribe; the tribe in the past has allowed only oil and gas development on the reservation, because they consider it less damaging than coal mining.

But Cheyenne attorney and tribal council member Cal Wilson told the gathering here that the tribe opposed the unsuitability petition. Wilson said afterwards that "the tribe and its people

are starting to realize that we have to use the resources...This was more of a message to the companies — we want to participate."

Some tribal members disagreed, hinting that the council's action went against the tribe's wishes. But Wilson said the tribe wanted the potential jobs and training that would come with the railroad and mines. He said the tribe resented being left out. "If they don't include us," he said, "they'll hear from us."

If Montco has its way, coal will be hauled from its Tongue River mine by 1985. The company is owned by the Texas conglomerate Diamond Shamrock and Washington Energy, a natural gas utility in Seattle, Wash. Bob Stiles said his company had the money to carry through on its mining plans, even without a committed buyer.

Russell Boulding, the consultant who has worked for the Office of Technology Assessment and was brought here by NPRC, argued that development of the Tongue River area made no sense economically. Less expensive coals of higher quality were available in the Powder River region, he said, in areas where reclamation would be easier.

A decision will be made by December 21. OSM and the state lands agency can declare the entire area unsuitable, or all of it suitable, or part mineable and part not. If Montco's property is okayed for mining, they and others will still have to go through Montana's mine permit process.

Stiles is confident. "It's a question of timing, and economic conditions," he said, "but this is the best damn coal product you'll find around."

The petitioning ranchers are not arguing that. They talk instead about the value of their water and their valley. "Water is the lifeblood of this valley," said Margaret Blum of Miles City. "Is this highly productive area to be traded off for a short-term strip mine boom?"