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High Country

news

Friday, November 27, 1981

Vol. 13 No. 22

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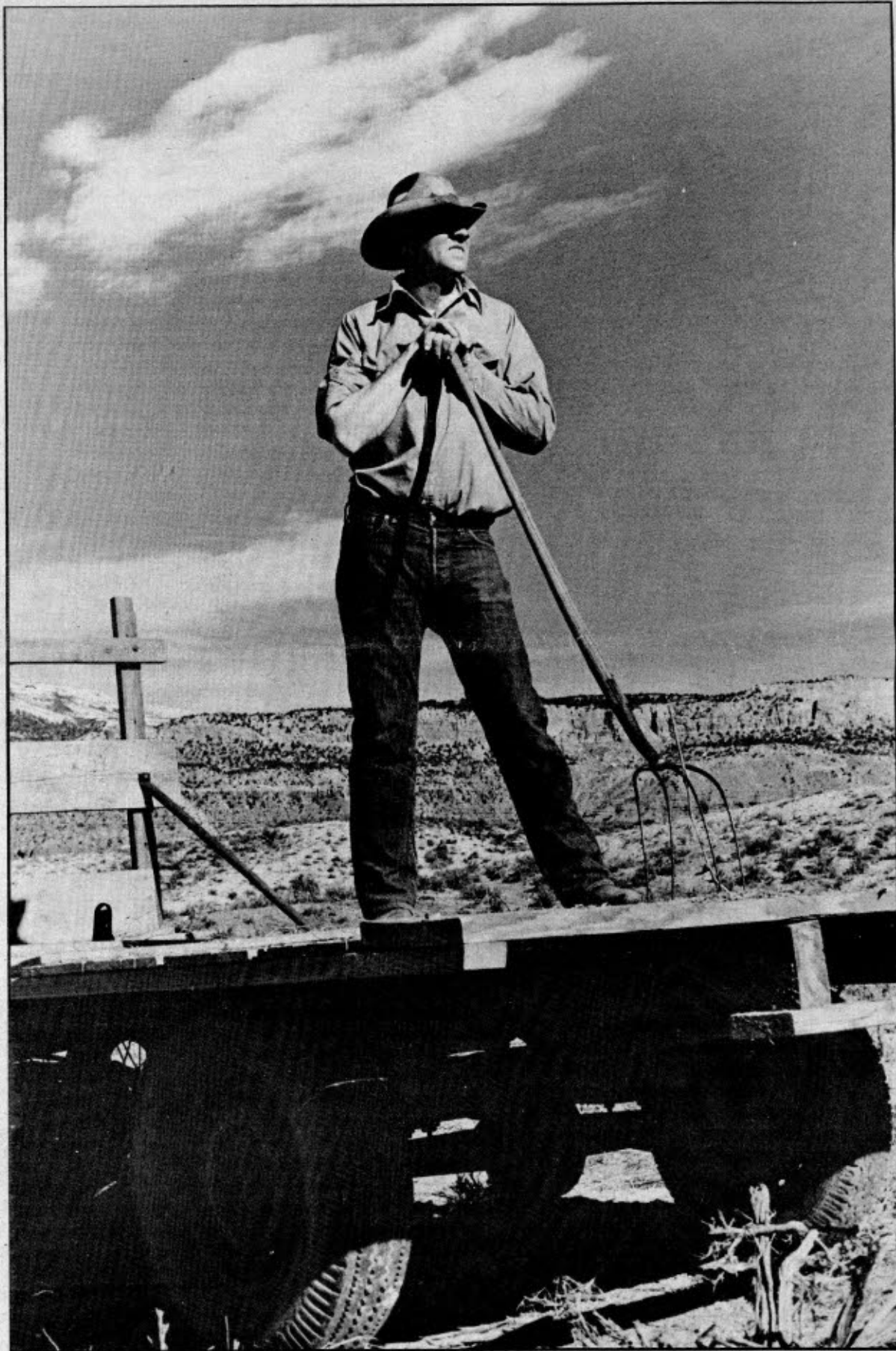


Photo: Fred

COLORADO AT THE CROSSROADS

WESTERN ROUNDUP



East Fork Pass, Washakie Wilderness



Published biweekly by the High Country Foundation, 331 Main, Lander, Wyoming 82520. Telephone (307) 332-6970. Printed by the *Jackson Hole News*, Jackson, Wyoming. Second class postage paid at Jackson (UPS No. 087480). All rights to publication of articles herein are reserved.

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Articles appearing in *High Country News* are indexed in *Environmental Periodicals Bibliography*, Environmental Studies Institute, 2074 Alameda Padre Serra, Santa Barbara, California 93103.

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

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

Oil and gas gets the nod in Washakie

Up to three percent of the Washakie Wilderness, most of it in the south and eastern portions of the Wyoming preserve, could become host to oil and natural gas drilling rigs under the "preferred alternative" described by the Shoshone National Forest in a draft environmental impact statement.

The Washakie is located on the eastern side of Yellowstone National Park and the Teton Wilderness.

Another 10 percent of the wilderness would be available for leasing with a "no surface occupancy" stipulation, which would require slant drilling or other techniques to get at any oil and gas. And 646,000 acres of the 731,000 acre wilderness would be opened to seismic exploration.

Shoshone National Forest officials considered alternatives ranging from leasing the entire wilderness to allowing no exploration at all within its borders.

Little known outside of the Rocky Mountains a year ago, the Washakie has been thrust into national media as the first crucial test of provisions in the Wilderness Act of 1964 which allow min-

eral, oil and gas development under restrictive conditions until 1984 in wilderness areas.

Shoshone National Forest Supervisor Ray Hall said no "rationale" for the preferred alternative will be available until the final EIS appears sometime between March 15 and May 1. The 400 page document includes detailed descriptions of the Washakie, discussion of the effects of various alternatives, and details of leasing procedures and methods used to develop the EIS. Public comment will be accepted until Jan. 22, 1982, and public hearings will be held earlier that month.

The preferred alternative would open areas on the south and eastern borders of the Washakie that would be accessible from outside the wilderness area. Lease areas do not include essential grizzly bear habitat, steep sloped land or visually sensitive areas.

Among the areas that would be opened to leasing in the south would be the upper Wiggins Fork and Five Pockets, a deep valley with five steep drainages to the north; in the northeast part of the wilderness, elk winter range and calving grounds near Irish Rock in the Greybull River and Anderson Creek drainages. Hall said stipulations would be attached to leases to protect wildlife during crucial periods of the year, but the draft EIS predicted a drop in elk and bighorn sheep during the exploration and production periods, which would run 30 to 45 years. Hall said it was "subject to debate," but Shoshone officials believed the wildlife would rebuild after the production phase.

The DuNoir Special Management Unit, 25,000 acres on the southwest corner of the Washakie, will be in limbo until Congress takes action on its future. However, if the DuNoir becomes part of the wilderness, the Forest Service says in the draft that it intends to lease 17,500 acres in it, allowing surface occupancy on 10,500 acres.

Wyoming Petroleum Association Director Rick Robetaille told the *Casper Star-Tribune* that the lease plan was "a small percentage, but a significant percentage." Environmentalists were planning to take their case against leasing in the Washakie and other wilderness areas to Congress.

No drilling until June

In a move that should have no effect on the Washakie Wilderness leasing schedule, but may prevent leases from being let in other wilderness areas in the next six months, the House Interior and Insular Affairs Committee voted last

week to delay all wilderness oil and gas leasing until June 1, 1982. Under the present schedule for public input and review on proposed Washakie leasing none would be let before that date.

The resolution was part of a compromise designed to avoid a more serious confrontation between the House committee and the Reagan administration over a threatened resolution to withdraw all wilderness from oil and gas development indefinitely. That resolution was proposed by Rep. Manuel Lujan (R-N.M.), the ranking Republican on the committee, after he learned that leases had been let last month on the Capitan Wilderness in New Mexico without any environmental evaluation or public notification.

Lujan, Rep. Richard Cheney (R-Wyo.) and Rep. Don Young (R-Alaska), met with Interior Secretary James Watt last week to find a way around the confrontation. Watt agreed, in a letter to the committee, to guarantee environmental impact statements or assessments before any wilderness areas are leased, and to notify legislators of any such leases in writing 30 days before approving them.

The parks and public lands subcommittee was also scheduled to hold hearings on the issue of oil and gas leasing in wilderness areas before the June, 1982 moratorium deadline. The subcommittee would review questions raised by a provision in the Wilderness Act of 1964 which leaves open the possibility of oil and gas development in designated wildernesses until 1984.

The hearings could result in legislation to modify the Wilderness Act, said a subcommittee spokesman, but no specific bill will be used as a starting point. The hearings would consider the possibility of banning oil and gas development and of modifying the 1984 leasing deadline, which some believe is responsible for increasing pressure to open wilderness areas immediately.

Legislation has been introduced in Congress to extend the 1984 deadline for wilderness oil and gas development. But except for a bill to protect specific wilderness areas in Montana, no legislation has been introduced to do the reverse: remove the oil and gas provisions from the Wilderness Act. Cheney pointed out, however, that the subcommittee was chaired by Rep. John Seiberling (D-Ohio), a congressman noted for his defense of wilderness, making it unlikely that pro-development legislation would result from the hearings.

Rep. Pat Williams (D-Mont.), who earlier this year got a resolution through the House committee banning oil and gas development in three Montana wildernesses, told the *Missoulian* that the compromise did little for wilderness. "I think somebody pushed Manny Lujan real hard," said Williams "because that's almost no compromise. I think the administration got him in a room and beat him up."

Dear friends,

Writing about other journalists is an awkward affair. There is the usual prying and poking into someone's personal quirks — a voyeuristic pleasure many of us relish — as well as the standard opportunities to second guess, presume, and, ultimately, to judge.

But in covering our own — the media — there's a discomfiting reflection: the interviewees' faults embarrassingly hit home. Didn't we last week choose a night out on the town rather than an evening researching the next day's story? Aren't we usually edgy and cocky from overwork? Don't we also mumble and stumble over the spoken word, becoming marginally expressive only with a typewriter? In writing about writers, empathy often slips in and shrouds criticism.

So when John Ponce, unabashed editor of the *Paonian Herald*, asks over the phone if we're coming to do a "hatchet

job" on him, we have mixed reactions, hoping deep down that he might say no to an interview. He doesn't. Marty and David Cook, editors of the rival *North Fork Times*, take more convincing. Why us? they ask. Indeed, nearby Crested Butte and even Rifle, Colo. have weeklies dueling it out for the same readers.

But those examples lack both the history and enmity of the Paonian papers. And they lack Paonia's puzzling social make-up, struggling with growth issues that are illustrative of so much of the Rocky Mountain region. Besides, we argue, Paonia's ripening golden delicious are alone worth the ten hour drive south from Lander. The fruits of those interviews start on page 10 of this issue.

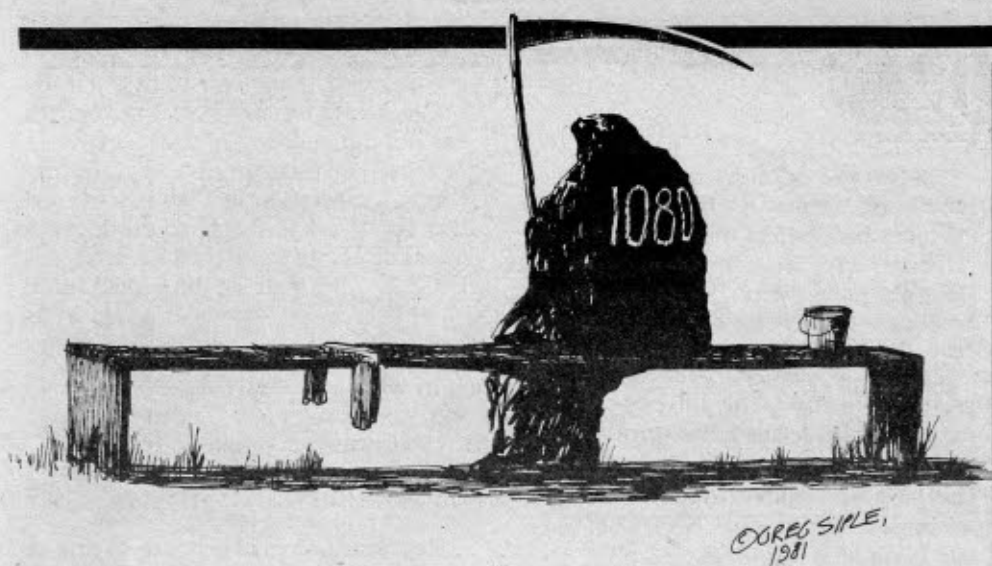
Writing about Colorado journalists is difficult, but trying to cover Colorado without their help would be impossible. From Grand Junction, Gary Schmitz set

aside his daily reporting tasks at the *Daily Sentinel* long enough to take a look at a new approach to housing energy workers in his shale-rich Grand Valley. He last wrote for us on power generation near the Grand Canyon.

From Denver, where a thirsty one-half of the state's three million residents congregate along the Front Range, the woes of piping water are detailed by David Smyth. Smyth is a Denver native, has written for the *Rocky Mountain Business Journal* and helps produce *Westword*, a local weekly brave enough to tackle stories on the state's public utility commission, and editorialize on Interior Department policies. When he gets hungry, Smyth partakes of the more lucrative trade of hard rock mining.

Some national commentators have called Colorado a wave of the future, juggling finite resources against a growing economy. We'll continue our role as watchdog, with the help of a growing stable of writers.

— the staff



Poisons for predators get federal nod

A new predator control policy announced last week by the U.S. Fish & Wildlife Service has disappointed both advocates and critics of poison control methods, and leaves unsettled the question of using 1080 to kill predators.

Under heavy pressure from livestock growers to steer its policies toward chemical controls, the agency is proposing four key changes in its program: expanded research on the use of Compound 1080, further experiments using single dose baits, resumption of "denning" — destroying litters of young predators in their den — and loosened rules governing the use of cyanide gas guns.

The changes got an immediate backing from Wyoming's congressional delegation. Sen. Malcolm Wallop (R-Wyo.) said the new policy would focus the agency's control efforts on single problem species, namely coyotes, while safeguarding other animals linked with predators in the food chain.

Not so, said Dick Randall of the Defenders of Wildlife in Rock Springs, Wyo. "It's back to the dark ages, to the war on a species," he said. "It throws out the carefully crafted policy worked out by the Carter administration that emphasizes non-chemical alternatives to 1080." His group remains convinced that using 1080 will kill non-targeted wildlife species.

Ron Michieli, vice president of the National Cattlemen's Association in Washington, D.C., also attacked the policy, saying it "falls far short of what we have asked for."

During public hearings held earlier this year by the U.S. Environmental Protection Agency, the association argued for an immediate lift of the general ban on using 1080 to kill coyotes. "1080 has been researched enough," said Michieli.

A decision by EPA Administrator Anne Gorsuch to open formal adjudicatory hearings on whether to allow 1080 is still pending, said Lou Johnson, head of the agency's toxic substances branch in Denver. "But it looks pretty good that she'll open it up," he predicted.

Clean air progress muddled

The proposed changes in the Clean Air Act are becoming mired in the swamp of Washington politics, and swift action on the proposals seems less and less likely. The Senate Interior Committee is muddling through a "mark-up" session that has no bill to mark up and the House is still in the process of subcommittee hearings.

The Senate Interior Committee has set itself a seven-issue agenda to cover in its mark-up procedure. The issues are: air quality health standards; auto emissions; prevention of significant deterio-

ration; non-attainment areas (how to clean up dirty air areas); percentage reduction requirements, which force all utilities to remove the same percentage of sulfur from their emissions, regardless of the original sulfur content of the coal burned; acid rain; and toxic pollutants. So far, the committee has dealt only with the health standards.

Last week, the committee rejected two amendments submitted by Sen. Steve Symms (R-Idaho). One amendment would have weakened secondary standards, which protect buildings and crops, and another which would have required the Environmental Protection Agency to consider social and economic costs when promulgating clean air regulations. The vote was 12 to 3 against both amendments, with only Symms, and Sens. Alan Simpson (R-Wyo.) and James Abdnor (R-S.D.) voting in favor. The latter two voted by proxy, with Symms casting their votes.

A number of senators, lobbied by the auto industry, are trying to get some amendments through before the end of 1981 on the theory that it will be harder to pass weakening legislation in an election year. So far, however, "they are moving at a snail's pace," according to one lobbyist, and will be lucky to get through even three of their seven item agenda before the Christmas recess.

The main thrust behind the accelerated push for changes is the auto industry, which wants to know revised emission requirements in time to retrofit its plants for the 1983 model year. Even if there is no comprehensive re-write of the bill this year, industry lobbyists are hoping for new auto standards.

However, there are several interests — such as electric utilities — that want to change the regulations for stationary sources as well. According to an environmental lobbyist, "If you push ahead with the changes the auto companies want, then you lose about half the team that wants to weaken the Clean Air Act. So, a number of industries are dragging their feet on the auto emissions changes so they can present a united front."

Further complicating things is the disarray in the Reagan administration over its strategy. A number of industry lobbyists are upset that the administration, preoccupied with its budget cuts, is not making the clean air amendments a high priority.

The auto industry wants to know the changes at least by next spring. But everyone acknowledges it will be hard to keep momentum with all representatives and one-third of the senators up for re-election. Said one lobbyist, "Members of Congress tend to become more environmentally-minded during an election year. Most environmental groups have stepped up their direct election efforts through political action committees and will become more active during the 1982 elections."

Another oddity in the current Senate committee sessions is that, though legislation is being "marked-up" with language changes and amendments, the committee has not taken the existing Clean Air Act as its official mark-up vehicle and there is no substitute vehicle. So, the committee sessions are "a bunch of guys sitting around shooting the bull, trying to reach a consensus where there is none," said one Senate staffer.

While the Senate is considering the act in full committee, the House is going

first to subcommittee, then to full committee, then to the floor. It could be early summer before the House has any comprehensive bill.

There is considerable western representation on the Senate committee. In addition to Symms, Simpson, and Abdnor, Sens. Gary Hart (D-Colo.), Peter Dominici (R-N.M.) and Max Baucus (D-Mont.) serve on it.

Denver toxics still waiting for cleanup

They've agreed to do it. But the fine print in plans to clean up the hazardous liquid wastes at the Lowry landfill near Denver has officials looking for a compromise. A settlement is weeks, maybe months, away.

At issue are the industrial wastes that were haphazardly dumped in one section of the landfill from 1958 until November 1980. Nearby residents and some public officials fear the wastes are leaking from their containers, seeping into underground water supplies.

Responsibility for stabilizing and cleaning up the site has been a matter of debate, only recently settling on the city of Denver. Denver owns the site, which is located east of the city near Aurora.

But just how much Denver will spend to clean it up is still being argued. "We still don't know what exactly is needed," said E.K. Demos, director for Environmental Services of Denver's Public Works Department. "And we're

waiting for engineering studies to tell us exactly what the problem is and what steps to take to correct it."

Both the city of Denver and the state health department agree that the city should sink a quarter-mile long barrier on one side of the dump; the cost is estimated at \$125,000. "What we're still talking about are pumping systems to draw out the liquid wastes, monitoring plans, and other associated efforts," said Ken Waesche, a geologist with the hazardous waste division of the state Department of Health.

"Denver is showing a very progressive attitude on this," said Waesche, predicting the details would be quickly settled. But Demos said it would be "early next year" before a contract is drawn up and construction can begin.

Nearby residents remain concerned. "I think they're really trying," said Bonnie Exner, spokeswoman for a group called citizens Against Lowry Landfill. "But there's no doubt those wastes are toxic and a danger. You go up there on the worst days and it looks like a blood bath, red with bacteria growing in the pesticide brine."

Exner's group, meanwhile, is trying to close the new hazardous waste disposal site near Aurora, owned by Chemical Waste Management, the only such facility in Colorado. The Aurora City Council is considering two ordinances which would restrict hazardous waste hauling through the town, and authorize the city to spend \$10,500 to help fund an engineering study to determine the feasibility of moving the hazardous waste operation to Last Chance, in less densely populated Adams County, Colo.

Finding an alternative site for the operation will greatly enhance the city's chances of closing the Lowry site, said city official Kay Miller.

BARBED WIRE



Llama load lightening. Mail order mogul Early Winters is offering a llama for those lucky folks who want a little extra help on backpacking trips. The llamas are \$1,200 to \$2,000 F.O.B. Seattle.

It happens in singles bars, too. A zoology professor, writing in *Science* magazine, said that birds of the same species from different geographic regions sing in different dialects and won't mate with birds who sing the "wrong" song.

But Detroit's a wilderness already... Riverton newspaper publisher and Wyoming state Sen. Roy Peck, arguing that the state's failing uranium industry should not be required to reclaim its shutdown mines, said, "The uranium industry is being treated uniquely compared with other industries. In Detroit, the auto companies don't have to remove their assembly lines and put the land back to grass just because there's a slow down in that business."

Given the alternatives, compound 1080 may be a good idea. A Texas sheep producer scares off ravenous coyotes by playing the tape-recorded speeches of Adolph Hitler.

Religion for the 1980s. The Boulder (Colo.) *Daily Camera* reports, "At issue is whether industries that venerate toxic wastes known to cause cancer and other diseases will be required to take precautions about where these substances will ultimately go."

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(Required by 39 U.S.C. 3685)

- Title of publication, *High Country News*.
- Date of filing, Nov. 27, 1981.
- Frequency of issue, biweekly.
 - No. of issues published annually, 24.
 - Annual subscription price, \$15.00.
- Location of known office of publication, 331 Main St., Lander, Wyoming 82520.
- Location of headquarters of general business offices of the publishers, 331 Main St., Lander, Wyoming 82520.
- Names and address of publisher and managing editor, High Country Foundation, Box K, Lander, Wyoming 82520 (publisher), Geoffrey O'Gara, 724 Washakie St., Lander, Wyoming 82520 (director), Dan Whipple, P.O. Box 1435, Lander, Wyoming 82520 (managing editor).
- Owner, High Country Foundation, Box K, Lander, Wyoming 82520.
- Known bondholders, mortgages, and other security holders owning or holding 1 (one) percent or more of total amounts of bonds, mortgages or other securities: None.
- Extent and nature of circulation:

	Actual No. This Issue	Average No. Each Issue
A. Total No. copies printed	4100	4100
B. Paid circulation		
1. Sales — dealers and counter sales	96	96
2. Mail subscriptions	3545	3500
C. Total paid circulation (B1 & B2)	3641	3596
D. Free distribution — samples	7	10
E. Total distribution (D & D)	3648	3606
F. Copies not distributed		
1. Office use, left over	452	494
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G. Total (E & F)	4100	4100

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Elizabeth R. Schimpfpenig Nov. 27, 1981

WESTERN ROUNDUP



Flaming Gorge Reservoir

Fed water lies in waiting

What do Lake Powell in Utah, Ruedi Reservoir in Colorado and the Yellowstone Reservoir on the Montana-Wyoming border have in common? They're three of the dozens of federal water projects in the West storing clean, clear water that, for now, nobody wants.

Collectively, more than 15 million acre-feet of water lies waiting behind federal dams — enough water to cover a quarter of the state of Wyoming one foot deep. Much of the water has been available for decades, will sit unused for decades more, and, to the chagrin of federal regulators, will add up to millions of dollars in lost revenues.

In a report released this fall, the General Accounting Office took federal dam builders to task for not successfully marketing the water and for not charging enough once they found buyers.

In fact, some users have paid nothing, according to the study. It cites, for example, irrigators using the Army Corps of Engineer's Lucky Peak Reservoir in Idaho and industrial water users tapping the Bureau of Reclamation's Glendo Reservoir in Wyoming as having paid no operation and maintenance costs (which often exceed initial construction costs within a few years of operation).

Other users have not been charged interest, although it is required by law. The agencies in many cases have also reshuffled water payments to cover only construction costs, leaving the operating expenses to federal taxpayers.

The investigators at GAO further found that once attracted, a buyer was not regularly charged fees that reflected the accumulated operating expenses, but rather lower prices that took effect the day of delivery.

Much of the problem — a startling paradox in the arid West — is due to inconsistent Corps' and Bureau policies in the regional offices, charged the GAO, which reports to Congress. Not so, said Willis Ervin, supervisor for water operations in the Bureau's Lower Missouri Region, based in Denver. Ervin acknowledged he's having marketing problems, but he blames Congress.

"To a large extent, those (policy) inconsistencies are mandated by the legislation authorizing a project," he said. Many projects have special legislative quirks, he said, such as exemptions

of some users from some costs, such as irrigators from interest charges.

"Our mandate for 75 years has been to build some projects in anticipation of a future demand," he added. "And if that demand is not forthcoming — like irrigation in the Dakotas — well, you have a problem. But it's not our doing."

Ed Clyde, a Salt Lake City-based water lawyer who has negotiated contracts for the Central Utah Project and several other Utah developments, agreed that Congress was more to blame.

"The 1939 Reclamation Act prohibits the secretary from building a dam without first lining up users to reimburse the government," he said. "But there have been some — I can't say how many — special exemptions." Members of Congress feeling particularly friendly toward constituent irrigators or a local industry can traditionally tap the pork barrel for any number of cost-cutting provisions in a project's authorizing legislation, he said.

The Bureau's Steve Wade, spokesman for the Pacific Northwest region based in Boise, said regional variations in repayment policy were necessary to "reflect local conditions." Both Wade and Ervin said they were also still bound by a general federal policy to charge water users only what they can afford, and no more.

When the demand is high and the buyer is rich, that policy can pay off. In western Colorado, for example, Ervin said he was able to charge Exxon Corporation "what the market would bear" for some 6,000 acre feet of the still unsold 49,500 acre feet of water stored by the Ruedi Reservoir near Aspen.

The GAO, in short, recommended that the agencies charge more for their water, and include a full cost recovery plan, interest expenses (a hidden factor that can surpass operating costs), and a retroactive pricing scale that covers all maintenance costs from the project's birth.

"I'd generally support those recommendations," said Ervin, adding that the "mood of the country" would spur such a closer attention to expenses. A new federal water policy is yet to be developed by the Reagan administration, but Ervin predicted that it will "emphasize reimbursability."

Ervin also acknowledged that such new policies may in effect slight other project benefactors that now don't pay their way at all. Called non-reimbursable, they include aquatic wildlife, recreation and flood control. In the Ruedi Reservoir case, for example, Aspen and Pitkin County have unsuccessfully tried to retain water in the reservoir expressly for wildlife habitat and recreation — uses the area has become accustomed to having because no reservoir water has been sold since its completion in 1968.

Looking for water? Try some of these reservoirs, listed with the amount of water sold and unsold: Lake Powell, 42,750 acre-feet sold, 993,250 acre-feet unsold; Flaming Gorge, Wyo., none sold, 308,000 unsold; Cascade, Idaho, 271,691 sold, 381,509 unsold; Boysen, Wyo., 53,400 sold, 85,000 unsold; Oahe, S.D., none sold, 400,000 unsold; and twelve assorted reservoirs on the mainstream of the Missouri River in Montana and the Dakotas, none sold, 7 million acre-feet unsold. Completion dates range back to 1927.

Tribes, feds move on oil audits

Frustrated by the delays in the federal government's dealing with oil and gas lease problems, several western Indian tribes have initiated their own field investigations and royalty auditing systems.

Two tribes, the Arapahoe and Shoshone of the Wind River Reservation in Wyoming, have gone a step farther by petitioning the federal government to cancel two leases because they say one company, Amoco Production Co., failed to pay royalties and did not meet federal regulations.

The U.S. Geological Survey, which is responsible for collecting royalties and field monitoring of Indian leases, can recommend to the Bureau of Indian Affairs that leases be cancelled if lease terms are not being met. Several such

recommendations have been made by USGS during the past year, but the BIA has not cancelled any leases so far.

Tribal investigators on the Uintah-Urday Reservation in Utah discovered that operators had stopped production on some leases for several months, but USGS had not notified the tribes. Lease conditions would define these leases as technically expired, giving the tribes the opportunity to renegotiate for better terms.

In other cases, tribes have pointed out "accounting errors" resulting in large payoffs, often enough to pay the costs of the tribal investigators' work.

Representatives of tribes testifying at Senate hearings earlier this year said they don't intend for their efforts to substitute for the federal government fulfilling its trust responsibility. The government should improve its system and provide financial assistance to the tribes to start their own monitoring systems, they said.

The federal government is beginning to respond. The BIA has organized an oil lease compliance school to explain the responsibilities of the BIA and USGS, teach tribal members how to gauge tanks and check pipeline connections in the field, and tell how to report violations. David L. Baldwin, organizer of the school, said tribes will also be encouraged to write leases that provide for such monitoring.

Meanwhile, the USGS has stepped up its inspection program, ordering more than 165 wells shut down on Indian leases until violations are corrected. USGS inspectors were rarely seen in Indian oil fields before a Colorado newsletter broke the story about oil thefts on the Wind River Reservation. But, according to tribal representatives, "now they're crawling over the hills."

A federal grant is also subsidizing a Council of Energy Resource Tribes project to design a computer accounting system. The service provides the tribes with monthly reports on each lease showing royalties, production, sales, and lease status.

The Wind River investigators don't plan to depend upon either the USGS or CERT to solve their problems. Speaking from his experiences in the investigation, John St. Clair of the Wind River Reservation said, "The bottom line is 'don't trust anybody.'"

— Marjane Ambler

HOTLINE



Robert Buffington

BLM CHIEF RETIRES

Calling it "strictly a staff job" with "no action," Idaho Bureau of Land Management Director Robert Buffington has declined a transfer to Washington, D.C., choosing instead to retire. Asked to step down as state director by BLM Director Bob Burford last month, Buffington further told the *Idaho Statesman* that the reasons for his dismissal remained a

"mystery." It was a political "hatchet job," said Pat Ford of the Idaho Conservation League in Boise. "They were just getting him out." But Burford and the state's congressional delegation say the reason for Buffington's transfer was the widespread dissatisfaction with the state chief among livestock growers in Idaho.

COAL TEAMS COURTED

Assured by the Department of the Interior that its voice will be heard, the Fort Union Coal Team has decided not to protest a federal ruling that doubles their recommendation for coal mining in Montana and North Dakota. "We're very much advocates of the regional coal teams and we sense they will play a very important role in the future," Assistant Secretary of the Interior Garry Carruthers told the *Public Land News* November 2. Final coal-sales targets are due in December, Carruthers said, and the teams will be expected to select an alternative mining scheme and review its environmental and social impacts early next year.

EPA HOT OVER WATER CO.

A wastewater service in Gillette, Wyoming is being assessed a \$12,000 civil penalty by Denver's office of the U.S. Environmental Protection Agency. Jim's Water Service informed the EPA in

July 1980 that it was engaging in the treatment, storage and disposal of waste oil at a site 10 miles east of Gillette which, according to the EPA, is not fully licensed under the Resource Conservation and Recovery Act. The EPA is complaining that the company did not submit a mandatory permit application for disposal of such waste. The company has been ordered to immediately cease disposal of hazardous wastes at the site and either close the site or apply for a permit to build a new facility. Jim's Water Service officials have requested a hearing and intend to respond to the complaint.

OIL SHALE HEALTH

Working in the oil shale industry won't bear any more health risk than plying the conventional petroleum industry trade, several people told a recent medical seminar in Glenwood Springs, Colo. Merrill Coomes, environmental health manager for Tosco Corporation, partners in the proposed Colony oil shale project in western Colorado, said the fact that raw shale is a carcinogen shouldn't pose additional dangers as long as protective gear is used. William Rom, director of the Rocky Mountain Center for Occupational Health at the University of Utah, agreed. He predicted shale mining will be on par with other mining and quarrying endeavors, which have five times as many fatalities and two-and-one-half times as many disabling injuries as the average industry job.



Denver skyline

Viewing the front range crystal ball

In the next 20 years the population of Colorado's Front Range stretching from Pueblo to the Wyoming border is expected to increase by 52 percent. That increase means housing needs will double, municipal water supplies will have to double and 13 or 14 new power plants will be needed to supply energy.

This enormous growth prediction was projected by the Colorado Front Range Project's (FRP) final report entitled, "Program to the Year 2000."

Organized two years ago by Gov. Richard Lamm (D), FRP's nine workgroups, comprised of representatives from the state's public, private and non-profit sectors, analyzed and studied future growth concerns for the 9,000 square mile, 13-county area.

Without planning, Lamm and other Coloradans fear the Front Range, which includes Denver, could turn into a dirty urban sprawl that would be short on transportation, water, land and housing. FRP, which drew to a formal conclusion Nov. 6, offered 146 recommendations concerning the management of energy and minerals, housing, land use planning, mountain areas, open space and agriculture, transportation, government roles and water.

Given the projected population rise, FRP estimated that by year 2000 an additional 6,800 megawatts of electrical generating capacity will be needed for the Front Range's 1.3 million new residents along with 500,000 acres of raw land, mostly agricultural, on which to build 47,000 dwelling units per year. Also, water available for agricultural use will be severely jeopardized because of increasing urban demand. Confronted with these and other projections, and believing that any suggestion of massive change was not "in tune" with the state's current political climate, FRP director John Parr said project participants focused their recommendations on improving existing management structures and fine-tuning state statutes.

Although no major legislation has yet to come from the extensive growth impact study, 1981-82 FRP chairman Lee Ambrose believes the FRP was a catalyst that got the people of Colorado moving toward a common goal and dealing with common problems, together.

According to Ambrose and Parr, the reports and recommendations generated by the FRP workgroups will not sit on shelves collecting dust.

"They will become a part of an ongoing effort in Colorado that will guide our approach to future growth and growth-related issues," Ambrose said.

To pick up where the FRP left off, a private, non-profit corporation — Project Colorado — is being organized. Project Colorado will take the FRP recommendations out of the state's torrid political arena and will expand upon them to include statewide applications.

Describing Project Colorado, 1980-81 FRP chairman John Welles said, it will be "bipartisan, open and participatory; nonadversarial; respectful of factual analysis; confident of the

consensus-building abilities of citizen groups; a stimulator of visions for the future of Colorado and of the action to achieve them."

—Marty Priest

Critics say endrin study biased

A spokesman for the Montana Wildlife Federation said the group believes that Montana's new Pesticide Advisory Council, formed in the wake of an endrin contamination problem, is a "stacked deck" against people concerned about health and the environment.

Wilbur Rehmann, executive director of the group was referring to statements made by representatives of the chemical industry on the 12-member board.

Roland T. Albright, aerial pesticide applicator, said at the first meeting of the council last week, "We haven't really established there is an endrin problem."

And a Billings pesticide distributor, Harold Schultz, said in defense of endrin, "More animals were killed by taking samples than were killed by endrin."

Rehmann took particular issue with those statements. "Some members of the council are too biased to make a fair judgement," he said. The council decided not to seek a ban on endrin.

The council was appointed by state agriculture director Gordon McOmber after endrin used on 200,000 acres of winter wheat to control cutworm began to show up in wildlife. The Montana Fish and Game Commission considered closing duck and goose season in Montana after the state health department said the levels of endrin were dangerous to human health. Instead the commission recommended that a list of precautions be issued to people who might eat contaminated birds.

Endrin is a member of the chlorinated hydrocarbon family related to DDT, but much more toxic. It can cause chromosome damage, birth defects and can produce tumors.

A representative of the Velsicol Chemical Corporation of Chicago, which manufactures endrin, echoed a statement made by McOmber that endrin may be used again on wheat fields if it is necessary.

—Jim Robbins

Pinching PUC power

Several Idaho Republican legislative leaders, critical of what they call "social engineering" by the state's Public Utilities Commission, have succeeded in forming a committee to review the whole range of PUC powers.

PUC opponents have criticized the commission for using its rate-making powers to promote not only energy goals, but social goals as well — inverted rate schedules, enforced conservation measures such as higher hook-up fees, and so-called "lifeline

rates" for elderly or low-income people. However, the Idaho Supreme Court decided in April that the PUC has not exceeded its authority in considering such rate-making criteria as energy conservation and other concepts of best use and resource allocation.

The reason: The 1913 law establishing the PUC gives it the power to establish rates for delivery of services and products based on actual delivery costs. The Idaho legislature has never defined PUC power beyond that brief outline.

So the bipartisan Legislative Council agreed to name an interim committee, consisting of four Republicans and two Democrats, to review those rules — with the apparent goal of restricting the PUC's rate-making power.

Speaker of the House Ralph Olmstead, a Republican who is running for governor, led the push for the review committee and has been one of the PUC's most outspoken critics.

"The PUC has considered other factors, in addition to the cost of services, in making their rate determinations," Olmstead said. "I'm suggesting that the statutes should more clearly define the justification for rate charges."

PUC President Perry Swisher said he doesn't oppose the legislative review because the PUC is a "creature of the legislature." But he warned that restricting PUC flexibility in rate-setting might rebound against some of the very interest groups trying to put on the brakes, especially agriculture.

"If the statutes were so tightly written, for example, that rates must be based on cost of services, every irrigation pumper in the State of Idaho would have a steep increase in his power bill," Swisher said.

"In other words, boil the semantics out of it and the accusation that we are guilty of 'social engineering' is a fair accusation. There are circumstances where, over time, the rulings of the commission have taken into account the economic impact of the pure cost-of-service approach to rate-setting, and that's conspicuously true with agriculture," he added.

Swisher said the PUC's 1981 implementation of electrical power contracts for three regional utility companies with the Bonneville Power Administration — which he said specifically favors householders and farmers — "is social engineering on a grand scale, initiated by Congress and implemented by us."

—Steve Abrens

Interior kills slurry legislation

The Reagan administration has formally opposed legislation before Congress to grant the right of eminent domain to coal slurry pipelines. Interior Secretary James Watt, testifying before the House Interior Committee, said the legislation would go against the administration's policy of "new federalism," designed to return power to the states.

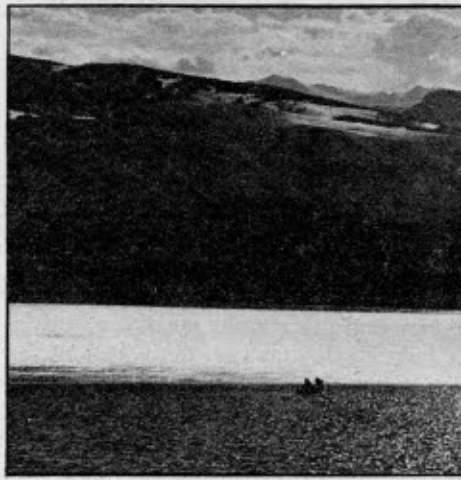
The bill being considered would allow coal slurry companies to condemn private land to secure rights-of-way across it. Slurry companies want the power to overcome the opposition of railroads to the pipelines, which compete for profitable coal-hauling revenue. A number of western railroads have refused to grant slurry lines rights-of-way under their tracks.

According to Rep. Manuel Lujan (R-N.M.), the federal legislation is dead at least for this year. Slurry pipelines will have to obtain rights-of-way under the laws presently existing in each state.

The only currently proposed slurry pipeline in the West is that of Energy Transportation Systems, Inc., which wants to build one from Wyoming's Powder River Basin to Arkansas and Louisiana. Asked what effect the administration's decision would have on his

project, Frank Odasz, ETSI's regional manager, said, "Nothing." ETSI instituted 65 individual cases to obtain passage under railroad crossings, all of which were successful. The last one was completed in 1979. "All we have to do now is 'fill in' between the railroad crossings," Odasz said. "Eminent domain exists in one form or another in every state we go through to allow us to do that with no more than the usual problems. Federal eminent domain is considered to be essential in the East to cross railroad tracks. They have literally hundreds and hundreds of tracks to be crossed."

Slurry pipelines move a mixture of crushed coal and water. ETSI plans to be under construction with its 1,200-mile line by November, 1982. The total cost of the line is estimated at about \$3 billion.



Ray Lake

Wyoming to fund water projects

After years of complaining about federal interference in state water, Wyoming is proposing its own water policy. Gov. Ed Herschler told the Wyoming Water Development Association — a private advocacy group — that he will propose to the legislature the allocation of \$100 million annually for six years from the state's general fund to provide state funding for water projects.

Warren White of the governor's office said they are preparing a series of projects to be studied by the Water Development Commission under a four-phase approach. Phase I is a pre-feasibility analysis; phase II, feasibility studies; phase III, architecture and engineering; and phase IV, construction.

Presently, there are 22 projects, in various stages of this four-phase approach, that have been submitted to the commission for consideration. WDC administrator Mike Reese said, however, that the list of projects the governor will consider includes others not yet before the commission. Reese said that the 22 projects, if all went forward, would cost between \$726 million and \$873 million. The governor is asking for a total budget of \$600 million.

White said that every project being considered would undergo federal environmental review.

He also said that virtually every river in the state is a potential site for a project. Agriculture, municipalities and industries would use the water under payment conditions to be determined after the projects are built. In some cases, the state will require full repayment of the project cost, but the state may subsidize other users.

The projects approved by the governor must be submitted to the legislature. The general fund surplus is estimated at \$100 million annually. White said the decisions will be made by mid-December.

Tom Wolf of the Wyoming Outdoor Council said, "This is Herschler's realization that a third term is going to depend on water development. For the last six years, he's been talking about it, but hasn't done anything."

Battlement Mesa

Colorado's rural suburb

by Gary Schmitz

Garfield County, Colo. — Up where Parachute Creek begins to run its course down a narrow valley framed by sheer rock walls, Exxon and Tosco are carving out the nation's first commercial oil shale facility. By all accounts, the \$3 billion project is momentous and imposing.

But 17 miles down the valley, and across the Colorado River from the dusty old town of Parachute, another project is receiving as much attention as the pioneering oil shale endeavor. There, on Battlement Mesa, those same two corporations are transforming gently rolling hills of scrub brush into a city projected to eventually be home for some 25,000 people. It is planned to have 8,000 dwellings, 10 churches and eight schools.

Battlement Mesa is an ambitious effort to deal in one fell swoop with all the physical community needs created by large-scale energy development. Though ground was broken little more than one year ago, the community already has more than 1,500 residents, mostly workers constructing the Colony oil shale facility owned by the two firms. One million dollars a week is currently being spent on Battlement Mesa.

This may be a vision of the future for other areas of the West, as an energy- and mineral-hungry nation moves into heretofore virgin ground and a changing economy pumps jobs out of the industrial East and into the Rockies.

With soaring housing costs and prohibitive interest rates, corporations are coming to the reluctant realization that if the marketplace isn't providing affordable housing for workers — and in many areas it clearly isn't — they must help out.

The concept is not new. Companies in Japan and Europe have long provided housing for various levels of their workforce. Recently, the practice appears to be growing in the United States. Universities are building housing for professors as well as students. Fluor Corporation, the construction giant, is leasing dozens of condominiums near its southern California headquarters, and companies in a variety of fields are following suit.

As the head of the California firm recently told the *Wall Street Journal*: "Corporations are scared to death of the reality that housing is the next fringe benefit for employees. Intuitively, however, they know it's true."

In the Rocky Mountain West, the situation is more acute. Many of the energy sites are remote, far from existing population centers. Where there is a community nearby, it often is too small to handle a rapid influx of workers. Given the speed with which most companies want to construct their energy projects, dealing with housing and related community issues often becomes the first priority. State and local governments, in turn, are increasingly unwilling to let the companies escape responsibility for providing housing, and paying for the community needs generated by an incoming workforce.

Here, in fact, people are already scattered about the hills, living day to day in trailers and tents. Existing towns near Battlement Mesa are straining under a variety of newly found social pressures. Crime is on the upswing. Some say that if industry is serious about the commitment it is now voicing, a lot more needs to be done, especially in the area of human services.

That may be true. But, as Exxon is fond of pointing out, Battlement Mesa represents a commitment far above



The idea behind Battlement Mesa is if people want to live in suburbs, why not plop one down here?

average. It has changed local attitudes about the meaning of corporate responsibility and has forced other companies to upgrade their assistance plans.

"We probably raised the ante (for other companies)," said Charlie Pence, the president of Battlement Mesa Inc., an Exxon subsidiary. Pence, a tall Texan with a long career in land development, says even he has been impressed by the amount of money being spent by Exxon.

But it's not as though the world's largest oil company is giving away the \$275 million that will be spent on Battlement Mesa. Exxon and Tosco will get big tax breaks on the investment. And Pence acknowledges that his company is not planning to take a loss. Mobile homes at Battlement Mesa rent for between \$600 and \$750 a month — a figure that he said reflects the "going rate" in the housing short area.

Pence said he hopes that property sales and rents will work out so that the project "just breaks even."

Others aren't so sure. Another oil company executive recently commented, only half in jest, that "Exxon will probably make more money on Battlement Mesa than it will on the oil shale project."

When Pence heard that, he laughed. "I guess we could turn a profit far down the road" because of land appreciation, Pence said. "Who would ever have guessed that a 25-by-100 foot lot in (nearby) Parachute would be selling for \$25,000?"

For whatever reason, even company men are mouthing the well documented problems that result when housing and other needs are not adequately met. The folklore of boomtowns

— tales of crime, alcoholism, drug abuse and broken families — has been disseminated throughout the West. According to many experts, "socioeconomic impacts," as the jargon describes them, may prove to be the biggest barrier to successfully completing large energy projects.

Denver Research Institute's Jack Gilmore, a leading authority on boomtowns, warns industry that if it doesn't take such problems seriously, a high turnover of employees results, and cost and time overruns are inevitable. Moreover, Gilmore said, "If you don't make it your business to manage these impacts in a way that's acceptable to the community, old residents and new, someone will manage them (in a way that) might not be acceptable to you."

Most of the large-scale solutions promoted to manage community needs are variations on the traditional company town, unearthed and refined for a more sophisticated audience.

While Battlement Mesa officials flatly and repeatedly contend, "it is not a company town," the concept is the same, except for a few significant differences. Exxon and Tosco aren't building the housing; the companies are putting in the needed roads, utilities and community facilities, then selling the improved land to builders. Anybody can live at Battlement Mesa, not just Colony employees.

But unique to this 3,000-acre development is its magnitude — its backers say they know of no similar energy-related project, existing or planned, that approaches its size.

On first drive up the still unfinished road from Parachute to Battlement

Mesa, the uninitiated are often startled.

Wide boulevards are under construction, connecting hundreds of quickly planted mobile homes to apartments and single family homes now under construction. Oversized water and sewer systems are being built with an eye far into the future. A pleasant looking commercial center, complete with drive-up parking, windowed fronts and wood trim has drawn the first of many planned businesses. A supermarket chain just announced plans to locate the largest grocery in western Colorado within the development. An expansive \$5 million-plus recreation complex is now under construction.

The project is dramatic in scale and pace. It is bringing both physical and symbolic change in a big way.

An 18-hole golf course is being smoothed out on the mesa, and oil company officials still laugh that before they arrived, there wasn't a single set of golf clubs to be found within 15 miles.

Battlement Mesa looks like the newer outskirts of many growing cities, though this development is 60 miles east of Grand Junction, the closest population and commercial center. Battlement Mesa resembles a slice of suburbia that somehow strayed too far from its city.

That is no accident. Battlement Mesa was designed in the 1970's, before the suburban trend peaked. Put simply, the idea behind Battlement Mesa holds — that if suburbs are where people want to live, why not plop one down out here to house oil shale workers?

Battlement Mesa Inc., an Exxon subsidiary, inherited the plans for Battlement Mesa from Atlantic Richfield Co. In a \$400 million deal finalized last year,

Exxon received Arco's majority interest in both the Colony oil shale project and Battlement Mesa community project.

Exxon and Tosco have made no big changes, so far, in the development plans.

While some consider Battlement Mesa to be the state-of-the-art, others see serious flaws. The blueprint for the ultimate "company town" is by no means finished.

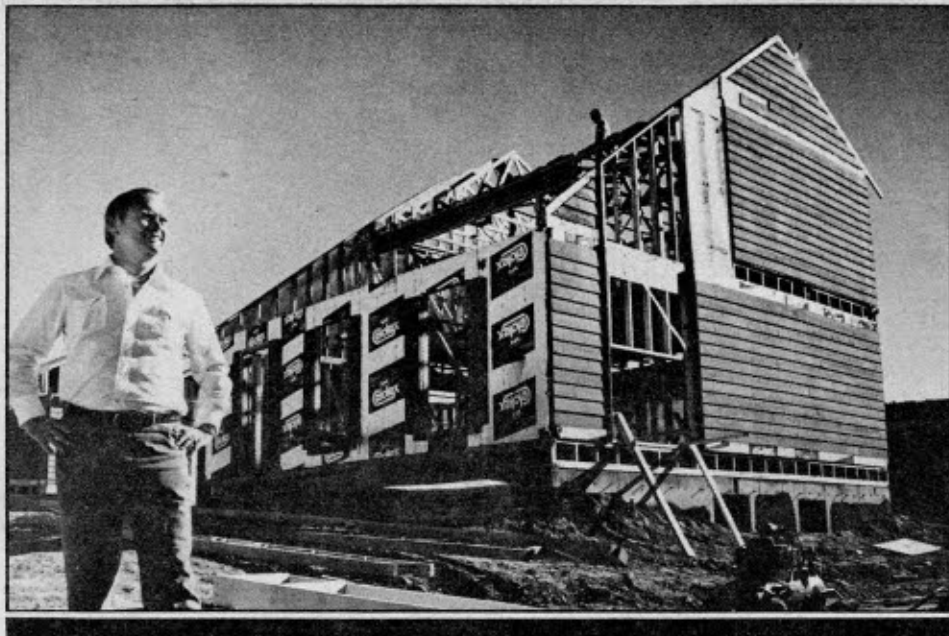
A little ways down Interstate 70, another huge corporation interested in tapping the oil in western Colorado shale, is laying the ground for a new community far different from Battlement Mesa.

Chevron, a subsidiary of Standard Oil of California, is now seeking permits for a shale plant twice the size of Colony, one that would cost \$6 billion and produce 100,000 barrels of oil a day. Chevron is also at work with DeBeque, a sleepy farm town that lies at the end of the Clear Creek Valley, near which the firm is planning to mine its shale. DeBeque is expected to quickly lose its rural innocence, and grow from a present population of about 300 to 27,000 within 15 years.

Chevron's Clear Creek project is years behind Exxon and Tosco's Colony project, and has no need to immediately throw up a housing project like Battlement Mesa. So the company has more time to talk and to plan.

Chevron came into town after announcing its staggering project, with a pledge to "do things differently" from other oil companies. Shortly thereafter, the firm signed an agreement with DeBeque officials that commits it to working with the town at every stage of its plans.

Work so far has revealed a concept



"Who would ever have guessed that a 25-by-100 foot lot in Parachute would be selling for \$25,000?"

— Charlie Pence (above), President of Battlement Mesa

decidedly different from that of Battlement Mesa. Whereas Parachute was bypassed in favor of uninhabited pastureland to the south on Battlement Mesa, DeBeque will be the center of Chevron's new city.

The question of whether to build a new town from scratch or work with existing communities is one likely to be asked at other energy boom areas in the future. More ideological planners say that if any semblance of community is to be preserved, existing towns should be added to, not sidestepped. That, of

course, has its problems. Roads and utilities are not easily altered in older towns. Politically, even rural and conservative residents have been known to start bickering over the growth issue once the bulldozers start rolling.

Gene Harrison, the project manager for Chevron, has been spending a lot of time quelling fears in DeBeque. Harrison said he is committed to building a new city out of the small town and "not hurting anybody" in the process.

He admits he is not your average oil executive, and attempts to prove it by

using calming phrases. "We're not trying to shoot off a rocket here, we're trying to grow a tree." His vision for the new DeBeque is of a "new age" version of the small villages of England, where Harrison lived before coming to Colorado.

In contrast to Battlement Mesa, Chevron's town will be built for compactness, not expansiveness, Harrison vows. Walking, not driving, will be the rule, housing will be clustered and commercial centers will be planned accordingly.

"We're trying to set Chevron up here in the community of the 1990's," Harrison said. "Then, we will be more resource short than we are now. Everything is going to be more expensive, especially energy."

Transportation fuels like gasoline will be more expensive in the future, Harrison figures — the fact that oil shale is being developed seems to bear this out. Thus, workers of the 1990's will be more interested in reducing commuting costs and time than are workers today.

It is still too early to make predictions on Harrison's plan. "Maybe I'll be able to sell it, maybe I won't," he conceded.

Up the road, Pence of Battlement Mesa looks on with interest.

"My guess is that he'll do well," Pence said. "But he is working against some realities of developing. Planning commissions are very sensitive to densities. There needs to be a lot more public acceptance of these ideas before they come about."

"It's hard to say," he added. "Maybe Gene's timing is just right."

Prototype for Battlement Mesa

ARCO might makes Wright from scratch

Wright, Wyo. — "What first struck me, the town was clean," said Cathy Gunzenhauser, who came here two and a half years ago. "I've got kids in school, and I'm impressed with the school system...I think it will probably work."

Wright, Wyo., has been in the works for five years now, and in many ways it prefigures the big development being built from scratch on Battlement Mesa in Colorado. The reason for the resemblance is simple: Wright was developed by the Atlantic Richfield Corp.'s Community Planning Division, headed by mastermind Bob Huff, the same folks responsible for conceiving Battlement Mesa.

Exxon bought ARCO's interest in Battlement Mesa and nearby oil shale deposits last year, but their officials are proceeding along the lines drawn by ARCO.

Wright is ARCO's pioneering effort in the community planning field. It was built to provide homes and pleasant surroundings for employees at ARCO's Thunder Basin Mine, which produces from the large, shallow coal seams here on the nearly featureless plains of eastern Wyoming's Powder River Basin.

Wright is a company town — owned primarily and run by Housing Services, Inc., which, in turn, is wholly owned by ARCO. ARCO started with 744 acres bought from rancher Lester Wright, who still lives in the area. Now it has bought another 2,000 acres across the highway, although officials say they have no specific plans to use the additional acreage.

It is a town without history. You cannot read its life from its architecture, which is all new, nor from its growth, which is so orderly there is no telling what came first. It has a district near the highway packed with trailers, a cluster of apartments, a group of condominiums, some duplexes, and moving back from the highway, winding streets of

single family dwellings. On a hill to the south, with a panoramic view of, well, nothing, sit the finer homes, many belonging to ARCO management personnel.

Streets are wide, traffic scarce. There are many empty new houses, but, real estate agents point out, very little housing turnover. The problem is not that anybody has left — rather, the slumping coal industry has failed to bring a steady stream of workers, and the housing construction is ahead of demand.

At the grammar school, which serves 292 children, the kids have a large playground with shiny new equipment. A high school is scheduled for completion in September, 1983 — for 1982, children of high school age are shipped to Gillette, 50 miles away.

ARCO's reasons for creating Wright are obvious — a community near the mine creates stability. "Turnover at Thunder Basin would be more like 40 percent if it weren't for Wright," said Gary Vandenberg, of Housing Services, Inc. Instead, turnover is about one percent per month.

Huff said that ARCO figured the alternative — a long commute for workers from Gillette — would have meant absenteeism during bad weather, broken families, a strain on Gillette's already-overburdened water and sewage systems.

Nor is the company likely to lose money on the project. Other mines in the area are scheduled to open in the next few years, oil and gas is sparking interest in the area and a coal slurry pipeline could be gurgling through town in the next decade. Most of the workers on these projects are gravitating toward Wright.

Housing Services, Inc., sells to developers, who then build within ARCO's guidelines and re-sell to individuals. Some residents of the town claim prices are more than 10 percent higher in

Wright than in Gillette, but developers contend they have taken a beating because growth has not lived up to expectations.

Times may be less than perfect for developers, but Vandenberg, of Housing Services, Inc., sees more growth ahead. "ARCO towers," a big 32,600-square-foot company building, is under construction; a dentist and two optometrists have moved to Wright; a motel has been proposed; and company officials predict a population of 7,500 by 1987.

ARCO has an incentive program encouraging employees to buy in Wright. Depending on the length of time they stay with the company, the subsidy grows. The workers sometimes ask if, 10 years down the road, the high price of a Wright house can be recovered. Vandenberg confidently predicts a 50 year life for the town.

There are some problems, however. One is that the town still struggles for an identity — a problem that some feel would be alleviated by incorporating. Though ARCO encourages such a move, the tax base must grow considerably before it will be possible. Second, there is a decidedly naked strip of land up the town's center, an alleged park. "It's difficult to grow grass in Wright," acknowledged Vandenberg, though he says they have plenty of well-water.

And finally, there are the twin problems known to energy boomtowns everywhere, regardless of the layout: Loneliness and boredom. Even the developers feel that.

"On weekends if you don't have work around the house," said Vandenberg, "there's nothing to do." There are amenities like a gym and olympic size pool, but, said Vandenberg, who moved here from California, "I'm the only one there in the mornings using it. "I volunteer for all sorts of things," he said. "But my wife's homesick."

— Geoffrey O'Gara

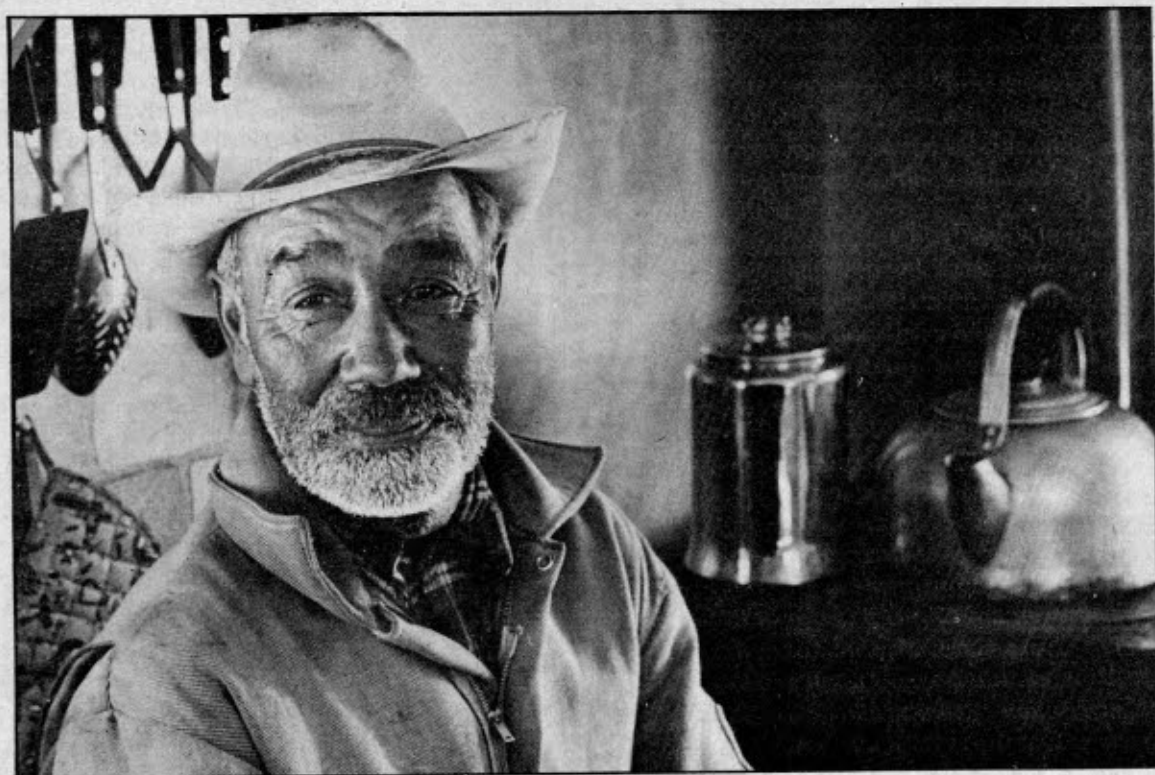


PETROGLYPH NOTECARDS

Brown ink on sandstone-colored paper. No greeting. Set of 20 cards with envelopes (10 of each design). Send \$5.00 plus 95¢ postage per set to Kathy Bogan, HCN, Box K, Lander, Wyo. 82520. Wyoming residents add 3% sales tax. All proceeds go to High Country News.



People "as rugged as the la



"Some say there is no difference in sheep. But I can tell them one from the other. I could not do the same with cows." Justo Mofin, sheepherder, Rangely.



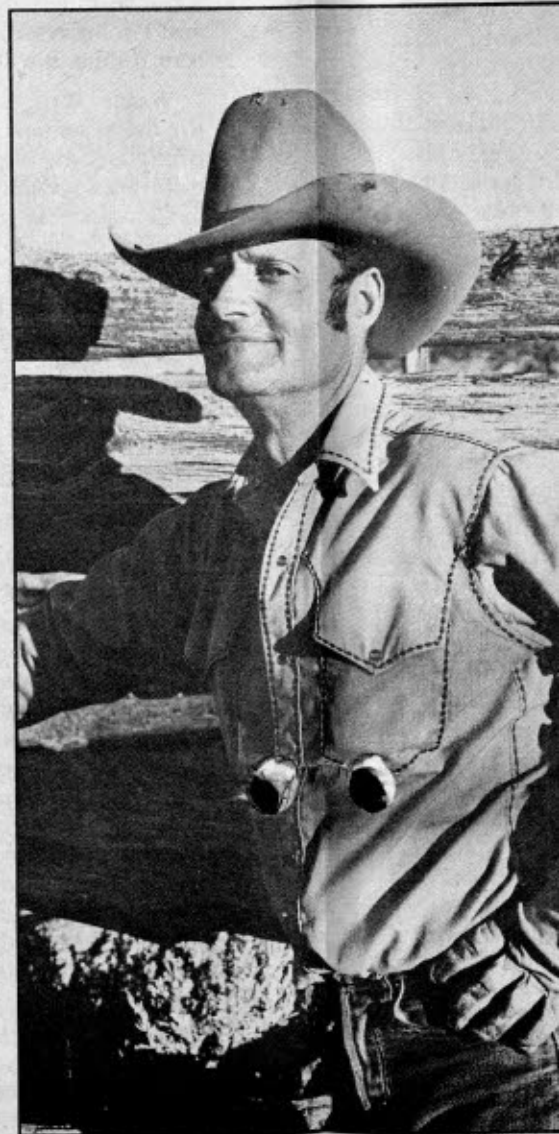
"I've got notbin' but old wrecks around here. The kid's the only thing that's not on it or dead." Mace Cox and son Danny, Rangely.



"This dry old country...it promises you everything and gives you notbin', or it promises you notbin' and gives you everything." Robert and Ocie Young, Squaw Point.



"I put up 1500 quarts of things last year so the family wouldn't starve." Ruth Kirby, Rangely.

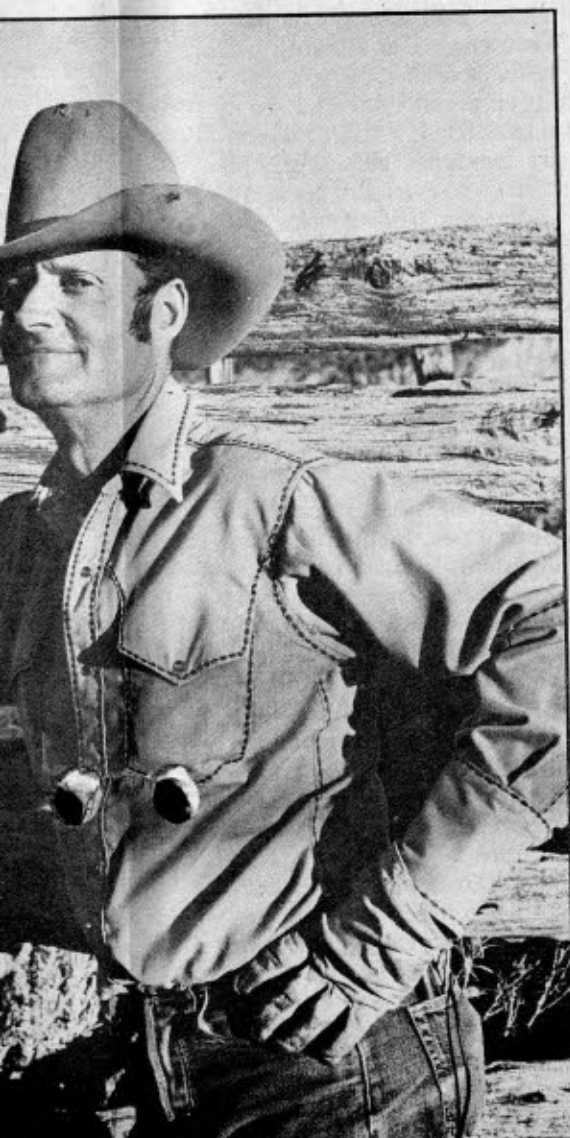


"When I die I want my hide tanned and made into a saddle. That way I'll always be between the two things — a good horse and a beautiful woman." Minford, Elk Springs.

the land itself"



the kid's the only thing that's not on its last legs



want my hide tanned and made into a woman's riding
ay I'll always be between the two things I love the most
se and a beautiful woman." Minford Beard, rancher,

Story and photos by Nancy Wood

Craig, Colo. — The land is deceptively calm. About five thousand square miles is a wind-blasted no-man's land where rivers like the Green and Yampa have cut deep gashes through the sandstone where dinosaurs once roamed.

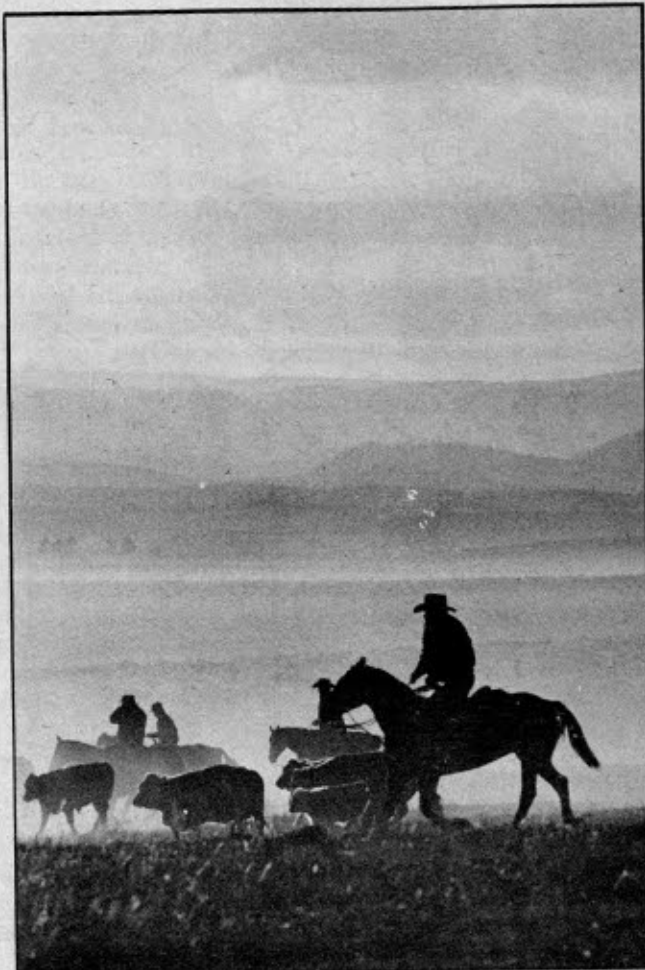
South along U.S. 40 there is hardly a sign of civilization. A few small towns with names like Maybell, Lay, Elk Springs, Massadona, Blue Mountain, Dinosaur. A few huge ranches where it takes as much as a hundred acres to feed a single cow. It's a land of frontier tradition and tall tales, too.

Butch Cassidy hid out here for years. It was also the scene of bloody cattle and sheep wars, perennial cattle rustling, bank robberies, regular hangings, and shoot-'em-up cowboys. Until recently, thousands of wild horses roamed the sage flats and deep washes until the Bureau of Land Management hired a bunch of local cowboys to round them up for "humane" disposal or for adoption.

Beneath the surface of Colorado's last frontier another kind of drama is emerging. By the time it's through, the land will be permanently changed and the die-hards who have lived in a way as rugged as the land itself either tamed or displaced.

Around Craig, which until a few years ago had a population of about 500 and was a quiet little cow town, the coal mining boom is on. More than 2000 workers and their families have arrived and with them a whole new set of problems. In three years, crime has risen almost 1000 percent, reason enough for natives to start locking their doors and grumbling about hoodlums, hippies and plain old newcomers who are bound to ruin not only the once-pristine air and water, but all of the old values as well.

A hundred miles or so farther south, the oil shale industry is rapidly displacing the same sort of life. Energy companies are gobbling up old family ranches, pouring concrete, and blasting holes in the ground almost as fast as the people can pack up and move. Towns like Rifle and Meeker are facing the onslaught with little knowledge of how to deal with big city problems. It's the end of an era here, a traumatic leap from a frontier mentality to a space age technology in the span of a few short years.



But along the back roads of this still-wild country a handful of people cling to the only way of life they've ever known. There are men who still hunt wild horses that the BLM failed to find, others who trap coyotes for a living, still others who ranch the rugged terrain the way their fathers and grandfathers did; there are also women who've learned to accept hardship as a fact of life. They still put up vegetables in summer, make their own clothes, and drive a hundred miles to the store. Out here there is even a one-room schoolhouse at a remote bend in the road called Brown's Park where the Wild Bunch used to hang out; there are aluminum-covered Conestoga wagons where sheepherders live in a way virtually unchanged for a century or more.

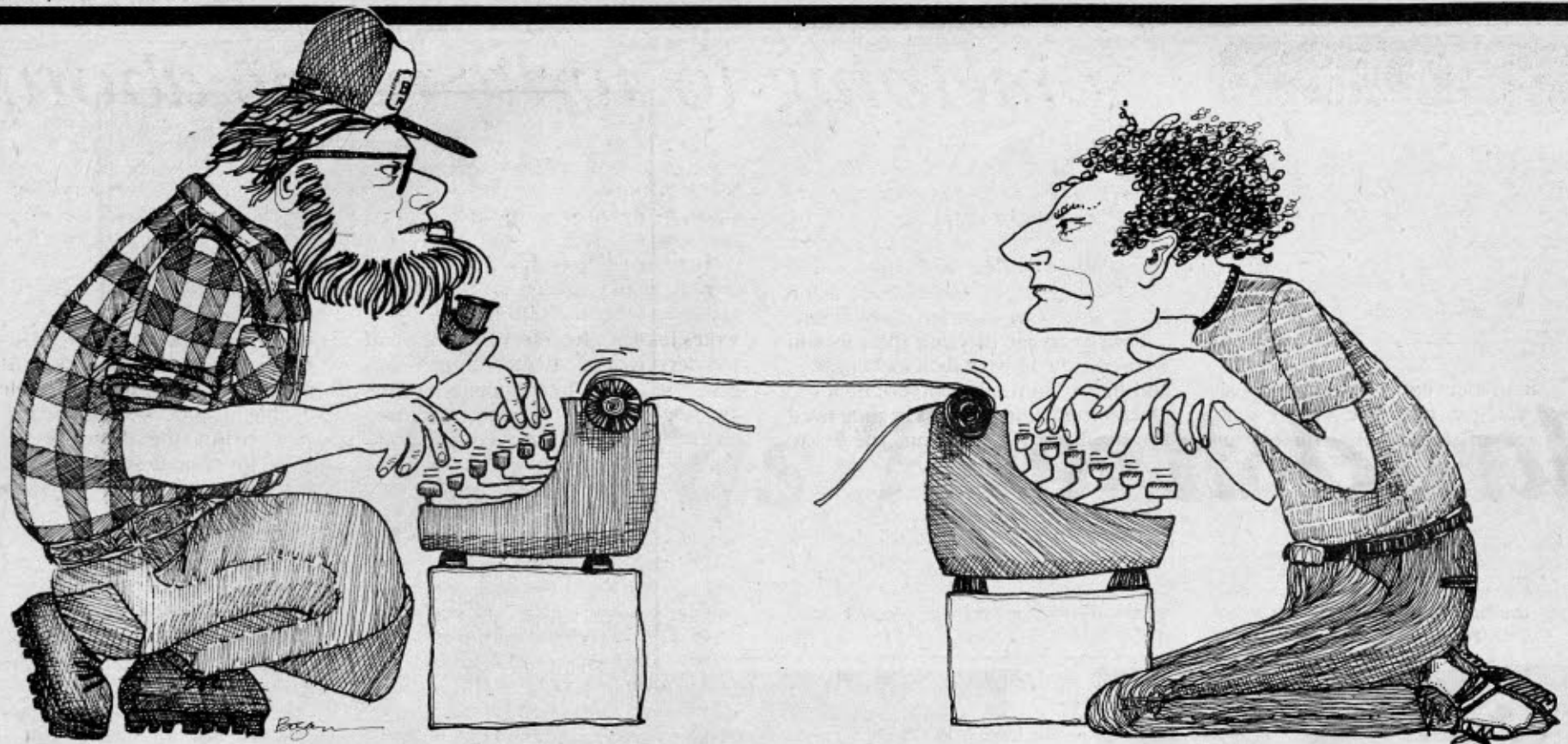
But even among this hardy, stubborn, almost romanticized group there is a sense of doom. Kids are no longer willing to work the family ranches because they can make more money in the Rangely oil fields. And with the price of cattle the lowest in many years, ranchers are going broke, forced to sell out to corporations, Arabs and absentee millionaire owners looking for a tax shelter.

As one old timer put it: "When people my age and a little bit younger die off, there's nobody around who'll know the life we lived. There's no way. I don't know if we were any better having lived that type of life. We just have knowledge of our own time. That's all you people will have. You'll have knowledge of a different time."

Nancy Wood is a freelance writer and photographer in Colorado Springs, Colorado. She is the author of *Grass Roots People*, published by Harper & Row, New York, from which this article is excerpted. It was paid for by the High Country News Research Fund.



Boyd Walker and his ranch along Vermilion Creek, Brown's Park.



Small town editors shoot it out

by Michael Moss

Paonia, Colo. — In the upper reaches of the North Fork Valley, just west of McClure Pass and just south of the lava-rimmed Grand Mesa, sits the town of Paonia.

There are for the 1,425 rural mountain residents, one supermarket, one savings and loan, one insurance agent and auto repairman, one tablecloth restaurant and one purveyor of fine wines. But there are two weekly newspapers, with two distinct editorial policies, and two very different approaches to covering the local news.

Their kind of shoot-it-out journalism is a weak holdover from the combative 19th century style made famous by Mark Twain. The town of Durango to the south in 1882 offered its 3,500 citizens three weeklies and four dailies. Editorial brawls in Main Street were not unheard of. The Paonia press today spews more smoke than fire.

The papers are a rarity, however, in an era when even the nation's capital has lost a competing press. In Paonia, where King Coal is racing Reddy Kilowatt for turf in the valley's famed fruit orchards, they reflect the conflict over growth issues facing so many communities in the Rocky Mountains rich with energy sources.

Paonia is on the edge of the energy boom. Its motels house tourists and not oil field workers. Its streets have few pickups with metallic glint and stereo sound. Its children attend class in permanent buildings taught by teachers who guided their parents.

The spillover, however, is already evident. Some roads are pitted by coal truck traffic. Social service agencies are getting more calls. The donut shop owner no longer recognizes half of the patrons.

With only one future to choose, and little time to choose it, Paonians have two different printed opinions to select from. Which view they'll agree with, and whether they're even paying attention, are more matters of opinion and fodder for editorial fray.

The Paonia papers, certainly, are pulling few punches.

"I'm a throwback," said John Ponce, filling his pipe with Borkum Red Cherry. "I'm a hundred year old man. And my style of journalism is unlike that of any other newspaper in Colorado."

Ponce, with business help from his wife Linda, runs the *Paonian Herald*. With his subscriber list stretching to reach 2,400, he's the underdog, bowing to his rival on circulation, advertising and, many feel, journalistic quality. Like

his logger's dress of suspended blue jeans and checkered flannel, with an expanse of beard to match, it's a role with which Ponce is comfortable, and in fact has groomed for himself.

Around him two desks, a typesetter and office equipment occupy what once was the garage of his home on Second Street. Above his desk are antiques he has scavenged from the hills. Behind is a collage of wall decorations dominated by a poster of Lou Grant exclaiming: "A letter to the editor is democracy in action. Get in the act and write."

Ignoring the pre-season Denver Bronco game on the radio, Ponce puffed and said if you're one of the silent majority by his definition, in Paonia you'll read the *Herald*.

"I mean that nebulous, middle to upper middle class group of shopkeeping, blue collar — whatever — who've been here for 25 years getting socked, paying their dues and taxes, and not really saying a hell of a lot," he said. "People who will privately speak out over coffee at the diner, but who would never stick their hand up to be counted if the KKK was running through town."

A Paonian for only three years, just turned 31, and yet to turn a profit on the *Herald* or attract any sizeable income tax, Ponce admitted he ill fits the majority stereotype. Yet he believes he speaks for them, and if he can, riles them up to be counted. It has earned him a reputation among his rival's readers as a "joke," a "demagogue," and as a man who, said health food store owner Buzz Burrell, makes Interior Secretary "James Watt look like Rachel Carson."

Ponce may be a joke, said George Gault, but few people are paying enough attention to laugh. "Nobody can read in this county," said Gault, whose periodic cynicism comes with his job as county planner down valley in the seat, Delta. He blames the peculiarity not on illiteracy, but on a bad case of public apathy.

Marty Cook, despite the optimism gained by cradling four-week-old Shelley on her living room couch, said she has to agree. How many people, she wondered aloud, really bothered to go through that carefully conjured editorial on sales tax redistribution, or the discourse on the Sagebrush Rebellion and federalism, or last week's lengthy analysis of revenue bonds.

"He's more concerned that the weather last night is going to hurt his crops," she said of the average reader. "When he does pay attention, it's on the small things — the sports, events and social affairs."

Marty, along with her husband David, runs the *North Fork Times*. Boasting 3,400 readers, it is the *Herald's* larger, better established rival.

Like Ponce, the Cooks are comfortable with their role. They came from St. Louis last winter — he a lawyer, she a nine-year veteran teacher of high school journalism. With an office on Main Street and a staff double that of Ponce's, they carry a respectability in the town their modern home overlooks.

"People have tagged us as pro-growthers and no-growthers," said David Cook. "One week we'll get smiles, the next frowns. But regardless of editorial stands, we strive for fair, accurate reporting."

Apathy may kill their readers' appetite for the meatier subjects. But once they reach an opinion on the most complex of issues, there's a spirit here that leads Paonians to hold on firmly. Gault called it a conservatism that prods Paonians to "jump on the first bandwagon that comes along and stick with it even if it gores them." Resident carpenter Howard Robinson calls it "fundamentalism," and it's why, he says, Paonia made Ripley's *Believe It or Not* for setting a per capita record with its 20 churches.

It matters here whether you attend the red brick Friends Church or the redwood-paneled Sacred Heart. And it matters, says Ponce, whether you read the *Herald* or the *Times*.

By day in Paonia, coal trucks rush to meet waiting trains, while by night, the hillsides glimmer with lights leading swing shift crews to the mines. This is coal country, more than once called Little Appalachia. Nearby Somerset, in fact, was named for a coal mining town in Pennsylvania.

The North Fork Valley is also cattle country, with tiny western gems like Austin — known largely as a mailing address for the 58 miles of rural mailboxes it services; Cory — named after the postmaster's wife in whose kitchen the postal business started in 1902; Hotchkiss — an enclave of painters and potters and stoneworkers.

It's also orchard country. The valley's golden delicious apples, sweet cherries, pears and J.R. Hale peaches — all equally spared a killing frost blanket by dawn breezes the locals call "million dollar" winds — swept the 1893 Chicago World's Fair and today compete handily even with California fruits.

It's the established home of miners and small business families. It's the new home for a wave of alternative lifestyle people and retired West Coasters.

The myriad of forces in Paonia — coal and the crops, young and the old, working and the jobless — defy stereotyping. In the papers you can find side by side advertisements for Colorado Consolidated Coal Company and Be Here Now Natural Foods, Molly's Daily Bread and Grand Mesa Television.

Debates flare over mosquito spraying, road construction and unions. For Ponce, it's a gold mine of editorial controversy.

For an arch rival, Ponce has chosen W Mitchell (no period after the W), who as the liberal mayor of Crested Butte just 30 miles by dirt road over Kebler Pass, epitomized the "we got ours — screw you" elitist attitude Ponce derides. In one memorable editorial last August, Ponce intoned that AMAX Company officials were correct in thinking that Mitchell had opposed their molybdenum mining efforts once too often. Next to a photo of Mitchell, who in a wheelchair bears handicaps including startling scars from a severe fire accident, Ponce headlined: "Burned once too few."

Three months earlier he warned that unless new powerlines are approved by the Delta commissioners, there would be "rolling blackouts" and the "brightest thing visible on the road down to Delta would be the moonlight glint of gun barrels from the backs of pickup trucks."

Ponce ran front page stories for weeks blasting a county commissioner who let slip the gaff that coal miners needed more than average social service because they were drunks and beat their wives, an opinion the commissioner unsuccessfully tried to retract. In other news stories he editorially debunks the economics of the valley's agricultural industry.

Ponce also does not restrict himself to the paper. He personally hosted a negotiation session between U.S. Steel and the federal Environmental Protection Agency when it became apparent the agency's air quality rules might shut down the Salt Lake City mill, drying up the market for Paonia's ore supplies. And during a recent city council meeting, Ponce repeatedly interrupted to ask questions, jest with the commissioners, and even debate the merits of the issue being discussed. In contrast, the *Times* reporter sat silent.

"You're not going to get conservative people to comment publicly unless they're hot," said Ponce, defending his style. "And that's one of my goals, to get them hot. One hundred years ago a man like Mark Twain could write, 'Hang the

BOOKS

No Time But Place: A Prairie Pastoral by Jeff and Jessica Pearson, 1980; \$16.95, hardcover; 285 pages. McGraw-Hill Book Company.

Review by Michael Moss

Writing about home is a delicate business. You can bore the reader with domestic platitudes, or irritate your community with firm honesty; sell books, or keep friends.

A few writers brave the danger, including Carol Bly, who with uncensored criticism examined her home — Madison, Minn., population 2,242 — and life in the rural Midwest in *Letters from the Country*.

She found holidays plagued by extended-family get-togethers, in which Rice Krispies bars mingled with dull conversation; artistic creativity stifled by cynicism; public opinion set not by personal honesty but by the correctness of a stance; feelings repressed from the first day in school onward; relief when blizzards closed out the world, leaving the nuclear family to its own weave of closeness.

Wendell Berry probably also gets cold stares (or secretive nods of agreement) from neighbors for his revealing

Judge. He could rave and lambast and compare him to a horse's ass. And the people would love it."

No issue has divided Paonia more than the recent proposal by the Atlantic Richfield Company to double the valley's coal production by opening a new mine just east of town. Again, for Ponce, it has been a hot ticket for unabashed editorials.

"Had ARCO come in as the Joe Smith Coal Company, they would have been mining coal 18 months ago," he said. "But they came in as multi-national energy corporation ARCO and it was like year-round elk season here.

"The call to arms went out across the nation, and almost like that Diablo Canyon nuke thing. License plates of every color, name and number came into town with people eager to work in opposition to ARCO.

"The interest in this thing defies two facts. ARCO's proposal is not that big a deal; it got a two line mention in *Coal Age* magazine. And second, this is coal mining country."

While Ponce cheered the mine plan, the Cooks were uneasy. They questioned the mine's benefits and its possible impacts on the groundwater that feeds the valley's orchards. Subsidence could crush the aquifer's delicate system, they — and some farmers — feared. There are both court suits and administrative appeals flying in Denver and Washington, D.C., over the issue.

The Cooks' doubts, in contrast to Ponce's boosterism, have been cast in reserved tones. That may be due to their newness to Paonia. The previous *Times* editors, Ed and Susan Marston, emigrated to Paonia in 1975 from New York City. They waited a full year before adopting their eventually strident editorial stands that, with few exceptions, sided with Paonia's young, the fruit growers and those cautious of change.

Ponce's predecessors, in turn, took even harsher stands. Damon and Linda Hubbard ten years ago in a column called the "Hell Box" opined against gun control and said the number one pollution problem in town was hippies: "Poor white trash, long-hair creeps, filthy, unkempt and stinking."

The Cooks, however, prefer to attribute their middle-of-the-road posturing not to newcomers' shyness, but rather to a perception that the growth questions Paonians are grappling with are too complex for simple editorial solutions.

Planner Gault shares their taste for

inspections of the rural East. And so Harry Caudill, for his masterpiece, *Night Comes to the Cumberlands*.

Writing about someone else's home is a similarly delicate affair, especially if you fall in love. Jeff and Jessica Pearson fell in love with someone else's home.

Four years ago they quit their jobs in Denver — he a lawyer, she a sociologist — and moved to rural Colorado, near the Oklahoma border. For a year they lived the rural life. Jeff went into the fields, and took coffee mornings at the cafe. He opened a part-time law practice. Jessica went to Tupperware parties and classes in Christian Womanhood and she substitute taught. They both attended church dances and high school games, and both interviewed over one hundred residents, taping sessions of two to fifteen hours.

What they found, on the western edge of the Great Dust Bowl, is a people who have endured; who have adapted; who, with "plodding, unsentimental and ahistorical souls, have built a life in which surviving is a sweetly morbid experience."

Such mixture is also found in *No Time But Place*, which strives to balance emotion with honesty. Their portrayals of rural life are startlingly clear.

His is a world of tool-littered pickups, burning crops, cafe gossip, tobacco and

the intricacies of the growth debate — a debate raging in other communities just north of Delta County in the oil shale country of northwestern Colorado. Cities like Grand Junction, population 80,000, where the motels are permanently occupied by workers plying the energy trade; towns like DeBeque, population 250, on which Chevron Oil Corporation plans to overlay a synthetic fuels-based community of 2,500 people sometime in this decade.

In Paonia, where retail sales and employment rates have held steady for decades, growth per se is not the issue. "Everyone wants jobs," said Kathy Hopkins, manager of Paonia's community radio station. "The question is what kind of jobs."

With one answer is Roger Blouch, one of several staffers for a group called Club 20, which since its start in 1953 has promoted economic development for Colorado's 20 Western Slope counties. Today the emphasis of Club 20 is on energy-related enterprise. "Our biggest crop in Delta County is young people, who we export more of than any other county in Colorado," said Blouch, a Paonia landowner and former real estate salesman. "Sure I'm for agriculture, and the small businessman. But we've got to get new jobs wherever we can get them and energy these days looks like the best bet."

With another answer is Craig Sabatke, the young head of a not-for-profit consulting firm called Forward Delta County. To Sabatke, as well as planner Gault, the danger of Club 20's reliance on energy growth is a "hollow economy" — one that may roll along fine, racking up new points in employment and tax bases, until one day busting with the inevitable decline in energy production.

The solution, he said — and he has reams of statistics to help prove his point — is to diversify the economy by creating new jobs not related to oil or natural gas or uranium or coal or oil shale or any other nonrenewable energy source. Sabatke wants to see new jobs in tourism, agriculture, and small retail or wholesale business. To further boost his point of view, he has collected data that shows many of the county's 1,000 unemployed aren't qualified for coal mine or power plant jobs.

Lined up like corner gas station rivals, the Paonia press has chosen sides — the *Herald* for Blouch and energy; the *Times* for Sabatke and alternatives. But the readers of neither paper throughout

evenings in front of the television console, writes Jeff. Men's lives are traced through the harvest, around the cafe tables, to the bank.

Hers is a world of children, hot meals, seeping dust, catalog shopping, and glasses of iced tea with the Avon lady, writes Jessica. She traces their lives and wonders where all the romance has gone. "It's plain. Into shopping in town and fetching the mail; into visits and children and sales; into crinoline and organdy dresses and pastel curtains and porcelain figurines; into cooking and cleaning and diapers and detergents; television, prayer meetings, velveteen divans and wall-to-wall shag; muddy boots in the foyer and blood-spattered branding jeans in the hamper; overcooked meat and lard on the griddle."

Describing the town's feedlot, the authors are just as vivid: "Those who start healthy rarely stay that way, for the feed lot is really a ghetto, albeit a well-fed one. The most gluttonous heifers suffer prolapsus: their uteruses pop out and hang, pink and bloody. Some steers pop their anuses. Others somehow excite their neutered penmates and are ridden until their backs break. The dried ground cover of dirt and manure, inhaled, causes respiratory diseases. Abscesses and infections arise from crowding and scraping at the feed

the area, say many observers, are listening. Said a frustrated Sabatke: "In Delta County, you're either for it or against it. The facts just don't matter."

Ponce agreed and said that's what he's trying to change. "There are people here with an axe to grind," he said. "And I say let them grind them out in public. If it gets into name calling, that's fine. At least somewhere in that the murkiness will clear and their philosophies will be heard."

Ponce gives lots of room in the *Herald* to Blouch, who defends his often strident guest editorials and letters by asking, "Why can't citizens get up and hoot and howl? Married people do it. It polarizes things for a while, but it also blows all the plugs out and opens the lines of communication."

Change rocks Paonia like too many birds on a powerline. The only fruit pro-

bunks and along the pen fences. Acidosis is common. Fermentation in the rumen goes awry, and alcohol manufactured to absorb it causes drunken stumbling."

Through seventeen interviews in the style of Studs Terkel (author of *Working and Division Street*), they show plainly the people of rural Colorado. And despite drugs, the addiction to television, the high school varsity game and its fervent civism, the divorces and Main Street dragging, despite these they find a place to love — a place that is home to its residents.

They even find revolt when in 1977 at the end of their stay, neighbor Karl Billings started the American Agricultural Movement, which sent lines of four-wheel-drive tractors through the nation's capital asking for 100 percent of parity for their crops.

In opening, they urge the reader to "imagine now this land where few outsiders venture. Imagine the winds, the droughts, the fine granules of dust in the food. Imagine the people, the grease and starch in the diets, the hellfire in their religions, the determination in their eyes, the urgency of their cheers for the team." In leaving, at the end of their year's commitment, they sigh, "Hello, time. Good-bye, place." The reader, too, will leave a place.

cessor shipped his last box of cherries this summer. Besides ARCO, energy-related development includes a trio of projects by the Colorado-Ute Electrical Association — a coal-fired power plant down in Delta; a new reservoir near Paonia; a new powerline running 115 kilovolts right through the North Fork Valley.

Some are unaffected, even unaware. "What changes?" asked Pam Bliss and Manet Holvoet, who left the *Herald's* employ before Ponce's time to start an advertising-only paper.

To all, however, the Paonia press reaches out. The *Times* with its careful facts; the *Herald* with its raucous ravings. Rivals they remain, but also, perhaps, cohorts in a conspiracy to incite a sleepy citizenry to play a role in their future, while time remains for public choice. □

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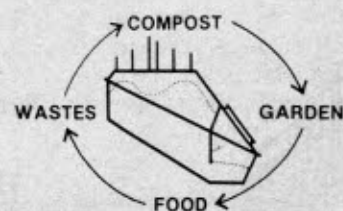
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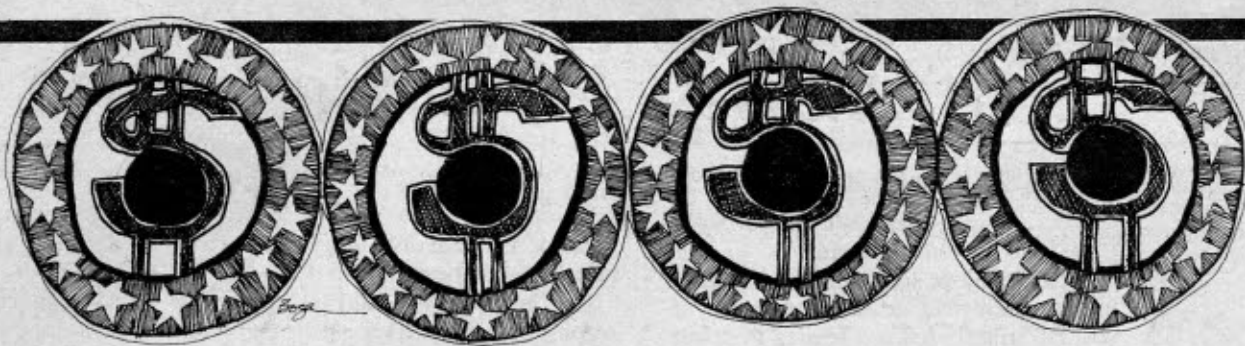
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Colorado legislators target taxes

by Michael Moss

In a few weeks a number of women and men throughout Colorado will cease their holiday revelry, journey to the state capitol, pull up their chairs and take up the business of legislating.

How long they'll stay and what they'll accomplish remains to be seen. Many are hoping the session will be short and sweet; their New Year's resolution will be to get re-elected in '82. But a few burning issues are likely to demand their attention. And, combined with political maneuverings in other forums — on the ballot and behind task force doors — they may forge several new policies for the Centennial State.

Coping with growth will top the agenda. Colorado is nearing the three million population mark, up 31 percent from a decade ago with a growth rate just behind Idaho, Utah and Wyoming. Over two-thirds of its people live along the Front Range, in cities and suburbs stretching from Denver north to Ft. Collins and south to Colorado Springs.

Colorado ranks 26th in total federal outlays and collects the fifth largest share of the Department of Interior's expenditures. Its share of the Rocky Mountains attracts miners and tourists, lured by the wealth of the Climax molybdenum mine or the wonder of the Garden of the Gods. A growing industrial and financial base in Denver helps give Colorado the 10th largest median family income in the country.

Its voters defy stereotyping. They'll cast their ballot for Ronald Reagan, while returning to the Senate Gary Hart, a liberal Democrat unsuccessfully hit-listed by the New Right in 1980. Over one-third of the voters register Independent, last year giving John Anderson one of his biggest votes in the presidential election.

True to the Jeffersonian tradition of an amateur legislature, Colorado's legislators will be leaving behind in January a myriad of professions — banking in Nor-

wood, switching railroad tracks in Commerce City, selling real estate in Greeley. Most are male, white, of substantial income, with business backgrounds and for now at least, solidly Republican in both houses.

They share a conservative bent that has brought conflicts with Gov. Dick Lamm, a Democrat who came of political age in 1972 fighting for environmental causes. Lamm's legislative dream — to prepare for energy growth by careful planning and increasing the mineral severance taxes — has been consistently rebuffed by the legislature.

Boosting the state's mineral taxes, now some of the lowest in the region, is again likely to confront Colorado lawmakers. Agenda items in the upcoming session, a "short" one, are limited to the Governor's choices. Despite its political volatility, the severance tax rate is likely to be included, said Sue O'Brien, Lamm's press secretary.

Basically working toward the same goal is a broad-based citizen's political group, IMPACT, which hopes to put on the 1982 ballot an initiative that sets a higher metallic and energy minerals severance tax. As now proposed, it would require the General Assembly to set a minimum seven percent rate, and spend at least 75 percent of the revenue on direct aid to communities, for programs such as education, transportation, and open space management. The balance would be placed in a perpetual fund to help create new jobs and economic development, with the interest to be spent on energy conservation efforts.

The Western Slope pro-development group Club 20 will oppose increased severance taxes, unless money can also be levered to help communities deal with current growth problems. "Severance taxes won't start kicking in revenue for ten years, when the oil shale industry really gets moving," said Club 20 director John Vanderhoof in Grand Junction. He again expects to lobby for a joint federal-state financing authority that would assure enough general tax

funds to back revenue bonds for community development, repayable once severance tax money rolls in.

Also vying for a spot on the 1982 ballot is a bottle bill, which would require a 5 cents refund on bottles and cans and set a 1 cent handling charge for all containers; pop top cans would be banned. Gov. Lamm is backing the initiative, but it is opposed by the Colorado Association of Commerce and Industry which successfully defeated a similar attempt two years ago and helped repeal the state's litter law in 1979.

While the legislative and ballot agendas will be combative, task forces and citizens' forums will be meeting throughout the state and help resolve a host of issues. Citizen involvement is a hallmark of Colorado politics.

On the Western Slope, Club 20 will be looking for ways to save the agricultural industry from the havoc of energy development, said Vanderhoof.

In the central Rockies, the Northwest Council of Governments plans to continue fighting transmountain water diversions (with which the Front Range drains Western Slope watersheds), set up a mobile communications van for isolated communities, start the nation's first high altitude clean lake study at Dillon (looking in part for acid rain damage), and find new ways to transport people among Denver, Grand Junction and other towns.

On the Front Range, Citizens Against the Lowry Landfill and the town of Aurora will be looking for new sites and recycling alternatives to remove the hazardous waste dump from their backyard. Others will keep trying to remove the Rocky Flats nuclear weapons plant from its near-Denver perch.

A new Lamm-initiated forum called the Water Roundtable will spend six months looking for water supply solutions for the Front Range, while a private research group called Project Colorado will look at other Front Range problems.

The legislature last session managed to enact a new water project financing board some call "Colorado's Little Bureau of Reclamation," which will have \$30 million to finance new dams. Transportation programs also got more money, although a separate agency remains a Lamm goal. Minimum stream flow rules were redesigned, potentially weakening the state's progressive program to protect aquatic habitat. Some mechanisms for resolving the hazardous waste siting quandaries were set up.

However, Democratic legislators and the Governor said it was a "relatively unproductive session," according to spokeswoman O'Brien. "We tried to stay out of head-to-head confrontations."

Much of the legislature's attention will remain on the politically bloody battle to reapportion the legislature, redrawing lines to reflect new population patterns. The fight has caught the eye of the newly-formed Political Action for Conservation, which is working to help shape the new districts to the advantage of environmentally-conscious state office candidates.

Colorado's leading conservation group, the Colorado Open Space Council, will be directing most of its eight staffers on national issues, including wilderness preservation, oil shale management and wild and scenic river protection. The Clean Air Coalition will be rallying Coloradans to help defend the Clean Air Act.

Generally, though, 1982's major political issue will be getting or staying elected. Lamm, though still uncommitted, is expected to run for a third term; state legislature races could tip the balance of party powers to the Democrats; and predicts Nick Frangos, who's been serving up food and drink to Capitol Hill politicians since 1958 and is as good a political forecaster as anyone, "nobody will want to create any waves."

Todd Engdahl contributed research to this story.

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NOTICE OF PUBLIC HEARING

Pursuant to the Federal Safe Drinking Water Act (Public Law 93-523) and the regulations pertaining to the Underground Injection Control Program (CRF 40, Parts 122, 123, 124 and 146), and the Wyoming Administrative Procedures Act, a Public Hearing will be held on Tuesday, December 15, 1981, in the House Chambers of the Capitol Building in Cheyenne, Wyoming, starting at 9:00 a.m., jointly by the following State agencies:

Department of Environmental Quality
Oil and Gas Conservation Commission
State Engineer, and
State Geologist

These agencies will hear public comments on the proposal by the State to adopt an Underground Injection Control (UIC) program and to seek program approval from the Environmental Protection Agency (EPA).

The EPA has developed minimum requirements for State programs to protect underground sources of drinking water from endangerment by the subsurface emplacement of fluids through well injection. A mechanism has been provided for States to administer the program. The application by the State to assume primacy is predicated on a coordinated program by participating State agencies. Regulatory responsibility for injection wells is proposed to be divided as:

DEQ/Land Quality Division and Water Quality Division - in situ mining operations.
DEQ/Water Quality Division - waste disposal and recharge wells (other than wells related to oil and gas operations).
Oil and Gas Conservation Commission - oil and gas field injection wells and hydrocarbon storage wells.
State Engineer - geothermal production wells, including wells for aquaculture and heat.
DEQ/Water Quality - all remaining miscellaneous injection wells to be regulated under the UIC program.

Consideration will be given to the proposal by the DEQ to assume primacy for the UIC Class I, III, IV and V wells, and consideration of the proposal by the Oil and Gas Conservation Commission to assume primacy for the UIC Class II wells.

The texts of both proposals are available for inspection in the offices of DEQ at 1111 East Lincolnway and 401 West 19th Street, Cheyenne, Wyoming; Lander District Office, 210 Lincoln, Lander, Wyoming; Sheridan District Office, 2161 Coffeen Avenue, Sheridan, Wyoming. In the offices of the Oil and Gas Conservation Commission at 123 South Durbin, Casper, Wyoming; in the offices of the Public Land Commission at 2424 Pioneer Avenue, Cheyenne, Wyoming; in the offices of the Wyoming Geological Survey, Geological Survey Building, University of Wyoming at Laramie, Wyoming; and in the office of the County Clerk in each county in Wyoming.

All persons desiring to be heard in this matter are notified to appear at the designated time and place. Oral statements will be accepted at the time of the hearing, but for the record, written statements are encouraged at the time of the hearing or prior thereto. Written statements will be accepted for a period of fifteen (15) days after December 15, 1981.

Those who wish to make a presentation are requested to notify the DEQ or the Oil and Gas Conservation Commission. Notification and statements mailed in advance should be addressed to:

Director, Department of Environmental Quality	Oil & Gas Supervisor
Equality State Bank Building	Oil & Gas Conservation Commission
401 West 19th Street	123 South Durbin (P.O. Box 2640)
Cheyenne, WY 82002, or	Casper, WY 82602

Additional information can be obtained from the Director, Department of Environmental Quality and the Oil and Gas Supervisor. A copy of the submission by the DEQ or any part thereof, can be obtained from the Director at a cost of 15¢ per page. A copy of the submission by the Oil and Gas Conservation Commission can be obtained from the Supervisor, at no cost or at a cost determined by the Supervisor.

BULLETIN BOARD

WYOMING WATER TALKS

The Stage III water project, groundwater research, and Gov. Ed Herschler's proposed water development package will highlight the Dec. 3 meeting of the Wyoming Water Development Commission, starting 10 a.m. in the State Engineers Conference Room, Barrett Building, Cheyenne, Wyo.

WATER RULE CHANGE

The water resources planning rules for a variety of project design, deauthorization and public participation programs have been revoked by the U.S. Army Corps of Engineers. The announcement was published in the Nov. 11 *Federal Register*, or is available from James Johnson, Planning Division, Directorate of Civil Works, Corps of Engineers, HQ, USACE, Washington, D.C. 20314.

IDAHO COMMENTS REQUESTED

Bureau of Land Management planning criteria and alternative land use recommendations for five wilderness study areas around Juniper Mountain and the North Fork Owyhee River in Idaho will be reviewed in two public meetings. The meetings will be held at 7 p.m. on Nov. 19 in the Boise BLM office, 3948 Development Ave., and on Nov. 20 at the Owyhee County Cooperative building, Hwy. 78, Marsing, Idaho. Written comments on the plans will be received until Dec. 5 at the Boise office.

COMMENT ON WASHAKIE

The draft environmental impact statement for oil and gas exploration and leasing within the Washakie Wilderness is available for public comment. The deadline for comments is January 22, 1982. Only a few copies of the entire draft were prepared due to high printing costs, but the U.S. Forest Service said they prepared an 18-page summary in lieu of the entire draft and that is "easy to review and will meet the needs of many people." Copies are available at the Forest Supervisor's office, P.O. Box 961, Cody, Wyo. 82414; Clarks Fork Ranger District, P.O. Box 1023, Powell, Wyo. 82435; Greybull Ranger District, 2044 State, Meeteetse, Wyo. 82433; Wind River Ranger District, P.O. Box 186, Dubois, Wyo. 82513 or at the Lander Ranger District, Hwy. 287 West, Lander, Wyo. 82520.

OF WOLVES AND MEN

Barry Lopez, author of *Of Wolves and Men*, will give a lecture at St. Cajetan's Church, Auraria Campus in Denver on Dec. 5 at 7:30 p.m. Tickets are \$4 and can be obtained from the Wilderness Workshop of the Colorado Open Space Council, (303) 399-9453.

GUIDE TO ENERGY

Uncertain where to turn for energy-related information? The National Center for Appropriate Technology is offering a free publication that lists more than 30 brochures, guidebooks, bibliographies, education materials and other titles on energy. Write NCAT at P.O. Box 3838, Butte, Mont. 59702.

ARTS NOMINATIONS

The deadline for nominations to the Wyoming Governor's Awards for the Arts is Dec. 15. Any individual, community, public or private organization or corporation which has made a significant monetary or service contribution to Wyoming's cultural resources are eligible for nomination. Send a one page summary of the nominee's achievements and contributions and other pertinent information to Governor's Awards Committee, Wyoming Council on the Arts, Capitol Complex, Cheyenne, Wyo. 82002.

COAL IN UTAH-COLO.

How much coal to extract from public lands in the Uinta-Southwestern Utah coal region is being reconsidered by the Regional Coal Team and public comments are being solicited at four meetings: Nov. 30, Grand Junction, BLM District Office; Dec. 1, Kanab, BLM Office; Dec. 2, Price, Gomer Peacock Rm., Main Blvd., CEU; Dec. 3, Salt Lake City, University Club Bldg., 13th Floor Conference Room. The first three meetings begin at 7 p.m., the latter at 1 p.m. For more information: Max Nielson, BLM, 801-524-5326.

BIGHORN CANYON

The final general management plan and environmental impact statement for the Bighorn Canyon National Recreation Area has been completed. If you would like more information about the plan contact the Bighorn Canyon National Recreation Area, National Park Service, P.O. Box 458, Fort Smith, Mont. 59035.

OWN YOUR ENERGY SYSTEM

Rural electric cooperatives give consumers direct participation in the operation and management of local energy systems. They are also consumer owned. To learn more about the consumer's role in such co-ops, attend a utility workshop on Dec. 5 and 6 at Friendship Hall in Montrose, Colo. The session is co-sponsored by the Colorado Energy Advocacy Office, Western Colorado Congress and Mexican-American Development Association. The \$5 registration fee covers participation in the workshops, panel discussions and a work session with national utility experts. For more information call the Colorado Energy Advocacy Office, (303) 852-3291.

WINTERIZE COLORADO

Colorado Governor's office has launched a low-cost, do-it-yourself, energy-saving public education drive. "Priority 4 — Winterize," is a program to be aired on Denver's Channel 4, Nov. 30 through Dec. 4, emphasizing ways to cut energy costs and lower utility bills. "Priority 4 Packets" are available by writing the Colorado Office of Energy Conservation, 1525 Sherman St., 4th Floor, Denver, Colo. 80203. Free energy-saving workshops will be held Dec. 5 and Dec. 12 in Denver, Ft. Collins, Colorado Springs, Pueblo and Grand Junction. For information, contact the Office of Energy Conservation at the above address.

BETTER THAN WALT DISNEY

If you're interested in television programs on wolves, grizzlies, wild dogs, otters and other wild animals, write your local public broadcasting system station and ask the program manager to cast a yes vote for the "Wild America" series. This is an opportunity to voice your program preferences for PBS. In Colorado, contact the program manager at KRMA-TV, 1261 Glenarm Pl., Denver 81004, (303) 892-6666 or KTSC-TV, 220 Bonforte Blvd., Pueblo 81004, (303) 543-8800. In Idaho contact KAID-TV, 1910 College Blvd., Boise 83725, (208) 385-3344; KUID-TV, Radio TV Center, Univ. of Idaho, Moscow 83843, (208) 885-6723, or KBGI-TV, Box 8111, Idaho State Univ., Pocatello 83201, (208) 236-2857. In Utah contact KBYU-TV, C-306, Brigham Young Univ., Provo 84602, (801) 378-5298 or KUED-TV, 101 Music Hall, Univ. of Utah, Salt Lake City 84112, (801) 581-6336.

ADOPT-A-WILD

Become a parent and watchdog for a wilderness study area by participating in the Sierra Club and The Wilderness Society's "Adopt a Bureau of Land Management Wilderness." The program was developed to encourage individuals and groups to monitor wilderness study areas during BLM review. For information in your state, write: Mike Scott, 1657 Pennsylvania St., Denver, Colo. 80203; Chris Yoder, Box 552, Boise, Idaho 83701; Jim Catlin, 736 S. McClelland, Salt Lake City, Utah 84102; Bruce Hamilton, P.O. Box 1078, Lander, Wyo. 82520; Bill Cunningham, Box 1184, Helena, Mont. 59601.

UTAH AIR REGULATIONS

A public hearing to review the air conservation regulations and Utah's implementation plan for control of fluorides from existing phosphate fertilizer plants and changes in opacity limitations will be Dec. 10 in the Salt Lake City Library, 209 E. 500 South, Salt Lake City. The meeting will begin at 6:30 p.m. and will continue until everyone has been heard. Written statements are encouraged and should be sent before the hearing to the Utah Air Conservation Committee, P.O. Box 2500, Salt Lake City 84110. Persons from outside the state must request to make a presentation by no later than Dec. 7 at the above address.

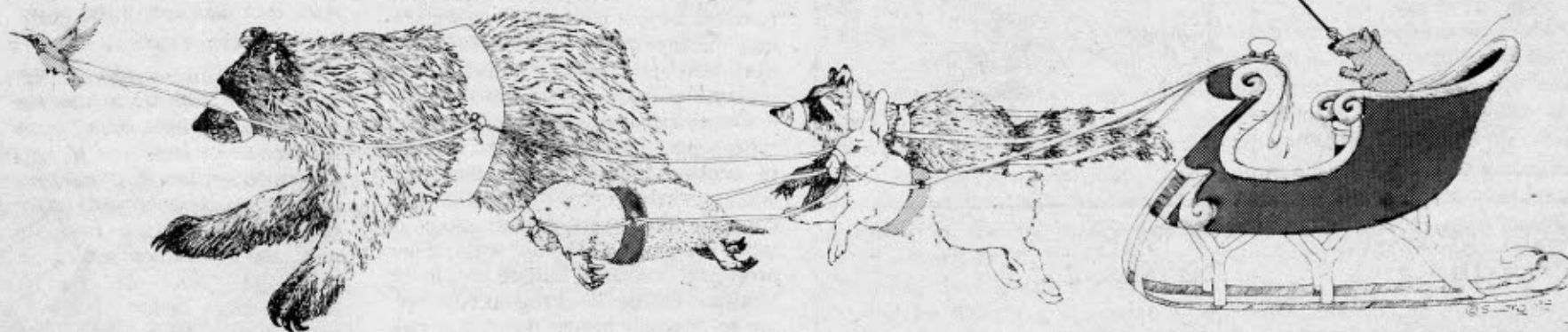
WYO. QUALITY HEARINGS

Proposed changes to Wyoming's air and water quality rules will be open to public comment at a Dec. 7 meeting beginning 10 a.m. at the Medicine Bow Room, School of Extended Studies, University of Wyoming, Laramie. The Wyoming Environmental Quality Council will discuss revising control measures on coal handling systems for FMC Corporation, modifying the permit process for wastewater facilities and public water supplies, and new rules for the same.

GEOTHERMAL FOR INDUSTRY

The Wyoming Geothermal Commercialization Office is offering a free packet of materials on the use of geothermal energy in Wyoming industries. For a copy of the packet write the WGCC, P.O. Box 4096, University Station, Laramie, Wyo. 82701 or call (307) 766-4820.

'Twas the month before Christmas...



...and all through the West,
Myriad creatures were stirring, they were cold and distressed.
The grizzlies and mule deer and ferrets black-footed
Looked in wonder at plunder, and asked: How'd they stood it?

James Watt in his fervor and Big Oil in its zeal
Were increasingly leasing the great Commonweal.
The rigs and the draglines arose such a clatter,
We sprang to our typewriters and started to batter.

Out of their beds jump your friends in a panic,
Tear open the mailbox in a state nearly manic,
When what to their wondering eyes should appear,
But a sixteen page paper, with prose fair and clear.

On Utah, Wyoming, Montana, New Mex,
On endrin, on Exxon, on shale and BuRec.
On cows, Colorado, on overthrust belts,
On ecotage, wetlands, on land trusts and pelts.

On Idaho, tailings, on solar and peat,
On things that you plant and things that you eat.
On smelters, and elk bugles, on gas and more such,
On BLM, EPA, Burford and Gorsuch.

So spring to our sleigh, give your friends a subscription,
And the issues will fly full of photos and diction.
To readers and revilers, whom we please or offend:

"Merry Christmas to all, and to all HCN!"



High Country News holiday gift subscriptions are \$15 for the first gift and \$12 for each additional gift. To order, use the envelope enclosed with this issue or the coupons below. Write the names and addresses for any other gift subscriptions on a separate piece of paper. Mail with your check to HCN, Box K, Lander, Wyoming 82520. Discount price applies to new subscriptions only.

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LETTERS

ACID RAIN

Dear HCN,

I've been meaning to write to you for a while now, after reading the article "Clean Air Act — sickness and health or profit and loss" (HCN, 10/16/81) by Dan Whipple. His view of the current controversy over the act and its likely effects on air quality in the Rocky Mountain West is quite lucid, but, when it comes to the subject of acid rain, Whipple is downright *wrong*.

First, rather than "several" lakes being damaged by acid deposition in the U.S. and Canada, the real facts are certainly cause for panic and anger. Already tens of thousands of lakes have been damaged — many made sterile — in northern Europe, the U.S. and Canada. The soft waters of the granite Canadian Shield in Canada are already for the most part more acidic by a factor of 10 and in places of 100 or more. The ecosystem in the granite provinces is extremely vulnerable to the increasingly acidic precipitation falling on us.

The full extent of the problem is not yet known but, when it is, it will be too late to do anything about it at all. Furthermore, crop research has shown that a drop of pH from 5.5 to 4.5 — already experienced in snow and rain all across the northern tier of U.S.-Canada borderlands — has reduced yields of soybeans, corn, etc. Organic gardening magazines are already promoting more acid resistant green bean seeds for home gardens in the U.S. in order to combat the effects of low pH on home gardens.

Major international diplomatic negotiations are going on in Europe and between the U.S. and Canada because of the transfer of pollutants across national

boundaries and the ensuing nationalist feelings about non-neighborly conduct.

Here in Wisconsin, the problem is widely acknowledged and the state government and the electric utilities are conspiring in a two year \$5 million study to determine the exact extent and cause of the dramatic drop in pH of rain and snow over our state. Average snow-pack on soft water (frozen lakes) in central Wisconsin had a pH of 4.0 in 1980. This is below the level at which any fish will survive should the entire lake reach this low pH.

The Europeans have known about this acid rain problem since the late 1940s and have watched more and more of the Scandinavian lakes die as German and English generated oxides of sulfur and nitrogen bring airborne death. The research has been all but ignored by U.S. scientists and especially by the U.S. government.

In fact, the Clean Air Act in its strongest form *never* adequately addressed the acid problem because SO₂ and NO₃ are not defined as primary pollutants. Perhaps the more alkaline soils in the West have allowed Whipple to overlook the seriousness of this problem. At any rate, several tens of thousands of lakes is a more likely number for those damaged to date.

As an important voice for environmental sanity in the West, HCN has the responsibility to get on top and stay on top of this issue.

Robert Litzgau
Milwaukee, Wisconsin

MISSING THE POINT

Dear HCN,

We were glad to see the *High Country News* covering an issue of great importance in the Powder River coal fields, the Tongue River Unsuitability Petition (HCN, 10/30/81). We do feel

however that you have done the petitioners a great injustice by assuming that the petition evaluation document does not support our allegations. In fact, particularly in the area of hydrology, the PED points out that:

1) On Otter Creek, "An increase in total dissolved solids (TDS) to the predicted levels would render the alluvial water unfit for livestock use."

2) With respect to the shallow Tongue River member aquifers vital for local agricultural and domestic use after mining: "This change in quality would result in shallow groundwaters in the Tongue River Member that, while considered good for livestock watering before mining, would be considered unfit for such use after mining."

3) With respect to the alluvium of the Tongue River: "These TDS levels present a very high salinity hazard for irrigation although it would be considered fair for livestock watering."

4) The modeling for salinity in Tongue River identified that at intensive mining levels and with some increase in irrigation, at lower flow rates, "the salinity hazard for irrigation would be high to very high throughout the entire growing season."

5) The PED completely ignores the effect that such a high salinity rate would have on the aquatic ecosystem of the Tongue River.

I just want to emphasize that the document substantiates our allegations. Moreover, the PED did not consider large withdrawals for municipal and industrial uses that cannot be avoided should the mines open up; nor did it factor into the equation the effects of mining 30-50 million tons of coal annually upstream from the petition area.

The other major allegation we raised in the petition is the feasibility of reclaiming lands in the petition area because of salts, sodium, shallow soils and a shortage of suitable burial materials.

Since the long-term technological feasibility of reclamation in this region remains a moot point and will for several more years, the critical consideration here is economic feasibility of reclaiming lands in the petition area. Recognizing that materials handling represents 70 to 95 percent of the cost of reclaiming strip mined lands, all accounts indicate that the petition area contains the worst combinations of salts, sodium, and shallow soils of any proposed or existing mining area in the Montana Powder River region. Attempting to specially handle these materials will impose major increases in the cost of mining coal that is relatively low in BTUs and has high sodium levels that make it difficult to burn in boilers.

The PED found that petition area coal is highly substitutable and only marginally competitive, despite the fact that the model assumed existing transportation facilities and existing mining equipment in the petition area. The cost of construction for these facilities and equipment in mid-1980 dollars further undercuts potential marketability of that coal.

The Tongue River Railroad promoters have consistently said they will seek federal loan guarantees to finance the project which evidences their jitters over the economic viability of area coal.

The Powder River Basin is currently at approximately 70 million tons overcapacity, and the electrical generating capacity in its market areas is at 40 percent over peak demand! I haven't even begun to factor in the cost to agriculture, and the socioeconomic liabilities of industrializing this very remote area. It seems ludicrous to open up this sub-basin of the Tongue River.

None of the opponents of the petition presented pertinent arguments on these points. Their arguments seem to be centered around three points:

1) That present reclamation laws

are adequate to replace the land to its original or better condition.

2) That the property right of coal owners who wish to right their coal is greater than the property right of downstream neighbors who wish to preserve their agricultural lands.

3) That a piecemeal, site-specific approach be used to study the effects of each mine, rather than conducting an overall comprehensive analysis of the accumulated effects of several mines within the petition and surrounding area.

Mean stream flows are meaningless to the irrigators below the petition area. Low steam flows coincide with the most vital irrigation periods. The salinization of the Tongue River would appear slowly over decades, but would be irreversible over centuries and possibly millennia.

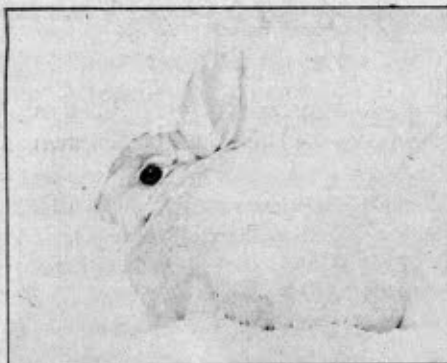
We feel that *High Country News* missed the point.

Art Hayes, Jr.
Birney, Montana

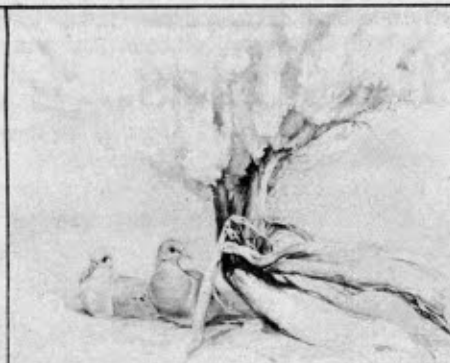
(Ed. note: The paragraph in the HCN article to which Art Hayes, Jr., objects refers broadly to "allegations raised in the petition," and said the evaluation "seemed generally to agree" with energy companies' claims that the petition failed to support those allegations. The petition evaluation document concluded, among other things, that "potential for reclamation success in the petition area is good," that "the conclusions do not support the allegation that large-scale saline seeps will develop after mining," that "although highly saline and sodic soil and overburden materials occur in the petition area, significant volumes of suitable soil and overburden materials also occur, (which) contradicts the allegation that there are inadequate materials for revegetation." These conclusions contradicted allegations in the petition document. Of cumulative impact on the Tongue River from upstream mining, the PED said "It is not possible to draw a conclusion at this time."

The one area where the evaluation gave some support to rancher complaints was in its review of water quality problems; but even there, Hayes quotes do not tell all. After acknowledging that salinity would render Otter Creek's alluvial water unfit for livestock, the evaluation went on: "However, the current practice of impounding higher quality spring water runoff for use later in the year could still allow for irrigation and livestock watering." Acknowledging that mining would render shallow groundwaters unfit for livestock watering, the document added "alternate sources of waters are available below the Lebo Shale." In almost every case where the evaluation document seemed to support the ranchers' allegations, it also suggested alternatives, albeit costly and possibly impractical ones, which would prevent "a substantial loss or reduction of long-range productivity of renewable resource lands." Such a potential loss is the basis for the ranchers' allegations.

Our reading of the document as leaning more toward energy companies' conclusions than ranchers' should not be interpreted as support for that document's conclusions. Hayes and other ranchers have repeatedly pointed out that crucial effects were not analyzed or that conclusions are not supported by data. But to selectively report those sections of the evaluation that lend some support to the ranchers would perhaps leave readers with an inaccurate impression that the Montana Department of State Lands and the U.S. Office of Surface Mining fully intend to block energy companies from mining in the Tongue River Valley.



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OPINION



Five Pockets, Washakie Wilderness

Congress puts on a bad Act with wilderness backdrop

How our government decides whether it is right or wrong to explore for minerals and energy in America's wilderness areas is a drama that shouldn't be missed. Every junior high political science class should tackle this one; it is The System in action. Not since President Richard Nixon began impounding funds that Congress wanted spent have we seen such revealing confusion over which branch and which layer of government should take responsibility.

Should we feel comfortable knowing that Rep. Samuel Gejdenson, a freshman congressman from Bozrah, Conn., is one of 22 representatives who can decide for Congress and the public lands management bureaucracy what goes on in wilderness? What does he know about wilderness?

Does it make sense that Ray Hall, the Shoshone National Forest Supervisor, a career forester from Missouri, becomes the nation's most prominent interpreter of what Congress intended in the Wilderness Act of 1964, a piece of legislation rife with internal contradictions?

In the environmental impact statement issued as the first step toward leasing as much as 13 percent of the Washakie Wilderness for oil and gas development and opening 88 percent of it to exploration, these contradictions are presented in adjoining paragraphs. If the Forest Service dared have a sense of humor, the provisions would have been labelled Mutt and Jeff. Instead, they are presented solemnly, straight-faced, daring the reader to laugh at the absurd.

First there is section 2(a) of the Wilderness Act, which states wilderness areas shall be administered "for the use and enjoyment of the American people in such manner as will leave them unimpaired for future use and enjoyment as wilderness..."

Then there is section 4(d)(3), which allows mineral exploration and leasing in wilderness areas, "transmission lines, water lines, telephone lines," and anything else necessary to prospect and produce; it requires only "restoration as near as practical" of disturbed wilderness.

They've lived for years in the same house, but like an estranged couple, these two provisions have done their best to avoid contact. Still, there are those obligatory public appearances in any marriage, and here they are together in the Washakie EIS, making everyone else feel uncomfortable.

Students who want to understand our government of checks and balances should take note for two reasons: First, it is important to discover the sort of looney and contradictory compromises our Congress often makes when opposing lobbyists are threatening to break both arms. Second, watching our branches of government toss this hot potato back and forth provides a textbook on our way of governing: Congress dumps it on the plate of the executive branch bureaucrats; the bureaucrats interpret the uninterpretable and wait passively for the courts to write their own law; and then Congress will assuredly howl that the courts are trying to legislate.

Immediately before us are two cases of leasing or proposed leasing of wilderness — in the Capitan Wilderness in New Mexico and the Washakie Wilderness in Wyoming. Last week moves were made to exercise an obscure provision of the 1976 Federal Land Policy and Management Act which allows either the House Interior and Insular Affairs or Senate Energy and Natural Resources Committees to with-

draw public lands from energy development in an "emergency" (see Western Roundup, p. 2). Three Montana wilderness areas have already been withdrawn under this provision.

Whether such committee-wrought withdrawals are made on a case-by-case basis, or for the entire wilderness system, there is a serious constitutional question that — here we go again — will be tested in the courts. One ought to note, at any rate, the peculiarity of a Connecticut freshman like Gejdenson on House Interior playing such a disproportionate role in the management of public lands in the West.

Rep. Manuel Lujan, a New Mexico Republican with no obvious "environmentalist" stigma (he voted against withdrawing the Montana wildernesses, in fact), who happens to be the top-ranked Republican on the House Interior Committee, exploded when he heard that leases had been let allowing underground slant drilling into the Capitan Wilderness in his district.

The entire Wyoming delegation — like Lujan, Republican conservatives not known for tree-hugging — has objected vehemently to leasing in the Washakie.

Here we might try to construct a syllogism. Major premise: Congress must decide whether to block mineral exploration of wilderness areas, and traditionally bows to the wishes of legislators from affected states on wilderness questions. Minor premise: When leasing for oil and gas has been broached for wilderness areas, members of Congress in affected states strongly oppose it. A logical conclusion might then be: Congress should ban mineral and energy development in designated wilderness areas nationwide.

The built-in contradictions of the Wilderness Act can be tackled wilderness-by-wilderness and state-by-state; each acre can have its own piece of legislation. The contradictions can be wrestled with in forest supervisors' offices, in regional offices, in the Interior Department in Washington, D.C., in the White House and in the congressional committees. Then they can start making appearances on court dockets around the country. Our students will see all the fine detail of the U.S. government in action, unending action, redundant action.

Hopefully the students, after a few years of this, will ask the obvious question: Why doesn't Congress clarify its purposes in the Wilderness Act?

Ray Hall thinks it is necessary. Alice Frell, public lands specialist with the Rocky Mountain Oil and Gas Association, says Congress should do so. So does Bruce Hamilton, Northern Plains Representative of the Sierra Club. Obviously, each hopes for a different kind of clarification. We happen to agree with Hamilton that the small amount of protected wilderness extant should be sacrosanct; if the future energy emergency conjured up by developers ever occurs, a simple act of Congress could change the Wilderness Act in an afternoon.

But the lesson to be learned in those political science classes should be: track the contradictions to their source. And the trail leads back to Congress. The likes of Rep. Richard Cheney (R-Wyo.), who say they want wilderness protected but fight against efforts to do it through the House Interior Committee, should be responsible for leading the fight to amend the Wilderness Act. Let us see some corrective legislation, and let us see how the big talkers vote.

It is time to clean up our wilderness act.

Denver muddies water policy

by David Smyth

Water is thicker than blood, and water policy is thicker than mud. This variation on the old adage applies to the Denver Water Board (DWB) and its ongoing battles with consumer advocates, environmentalists, and residents of Colorado's Western Slope.

Critics charge that the DWB is unregulated and uncooperative with local governments affected by its projects and policies. They further charge that DWB has reneged on commitments to improve public disclosure and water conservation, and that it forces long term customers to subsidize expensive new growth.

But DWB spokesman Edward Ruetz said that the DWB charges the lowest possible rates while maintaining good service, and has improved relations with its neighbors and foes.

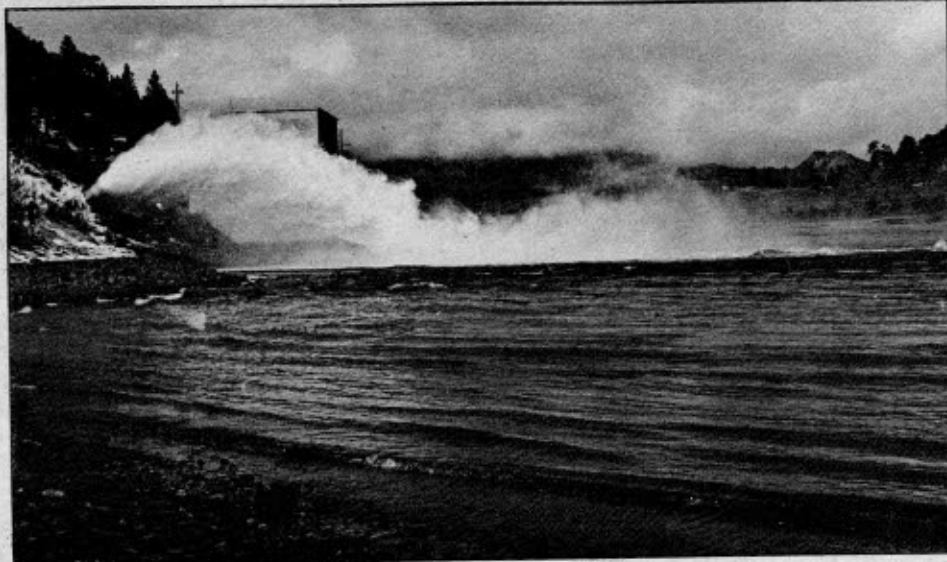
The DWB serves over a million people — over half the residents of Colorado's Front Range, the urban corridor extending from Ft. Collins to Pueblo. Of those million customers, roughly half live in the City and County of Denver; the rest are served by 100 separate contracts, according to Ruetz.

Ironically, the DWB's power and influence stem from an early attempt to make Denver's water utility more responsive. Denver residents, feeling the privately owned water company exerted undue influence on the city council, voted in 1918 to create a self-supporting agency, financially separate from the city government. The five commissioners were appointed to six year staggered terms by the mayor. "The idea was to remove water service from politics," said Ruetz.

That concept of apolitical operation might have worked for a time, but when Denver began to boom in the 1960s, the DWB found itself providing water to new residents, many of whom lived in posh, sprawling suburbs. The DWB, as a consequence, found itself engineering new water projects on Colorado's Western Slope to quench the Front Range thirst.

Denver has obtained water from the Western Slope for 50 years, but the conflict over its policies reached crisis proportions in the mid-1970's with the Foothills Project, a dam, reservoir and treatment facility now under construction on the Eastern Slope in rugged Waterton Canyon on the Platte River. As lawsuits spawned countersuits, Rep. Tim Wirth (D) intervened and helped mediate the so-called Foothills Settlement. The settlement contains three major provisions intended to avoid future conflicts. It has met with limited success.

One section of the settlement called for a formal procedure of public notification and participation in decision-making. This led to formation of a Citizens Advisory Committee (CAC) which includes task forces on various issues.



West to east water diversion, such as the Big Thompson project on Mary's Lake near Estes Park, shown here, is the traditional solution to watering the Front Range.

John Bermingham, a Denver lawyer who served as chairman of CAC feels the committee has failed to fulfill its title. Bermingham pointed to a request made by CAC a year and a half ago for a detailed report listing the DWB's water demand forecasts and future projects, including lead times, environmental problems, costs and components such as roads, diversion structures, dams and pipelines. The DWB wrote a lengthy report, submitted it to its lawyers and then said it didn't know if it would ever release the report to CAC, said Bermingham.

Instead, the DWB provided a 10-page summary that contained no new information. The report was written merely as an update on the status of the DWB's water rights for Gov. Richard Lamm's newly formed Water Roundtable, said the report's author, James Sanderson. Bermingham and other consumer and environmental advocates say that the DWB largely sidestepped CAC participation in setting the new rates that go into effect next February.

The DWB also agreed, under the Foothills settlement, to coordinate with other governmental agencies in its project planning. But the DWB ran afoul of the U.S. Forest Service by changing some of the rights-of-way on another water diversion, the Williams Fork Project, resulting in an indefinite delay.

A federal judge ruled that the DWB must obtain permits for the project from Grand County; the DWB has appealed that decision. Spokesman Ruetz said that the Colorado constitution confers special home rule rights to Denver government which were transferred to the DWB at its inception. The rights form the basis for the DWB's refusal to comply with other counties' planning processes. Ruetz said, however, that the DWB has met often with local officials to discuss its projects.

The DWB refused to sign a third section of the Foothills settlement under which numerous federal agencies including the U.S. Forest Service, Bureau of Land Management, Environmental Protection Agency and the Army

Corps of Engineers agreed to produce a comprehensive environmental impact statement that would study the impact of Denver's transmountain diversions.

But the federal government appears to be backing out. Craig Rupp, Regional Forester at USFS, said "I doubt that we'll do a comprehensive EIS on anything. Maybe it ought to be done, but it's a case of who should do it. The problem with water management is that the federal government doesn't have the authority. It (water management) is a function of state government."

However, Rupp said that any new transmountain project will require an EIS. Some officials and environmentalists say the effects of any single project might not be overwhelming, but that the cumulative impact of the five major proposed transmountain diversions (three of which are the DWB's) could be devastating.

"Twenty percent of all water in a six-county area (of the Western Slope) is now diverted to the Eastern Slope. This will rise to 50 percent by 1995 if the other projects go through," said Thomas Elmore, the water quality project director for the Northwest Council of Governments. Elmore administers a water quality program for the town of Vail and said that past transmountain diversions have dried up several streams. Officials at the DWB, Aurora and Colorado Springs deny this.

Perhaps the most controversial of the DWB's Western Slope proposals is the Eagle-Piney Project, part of which would require building permanent roads and several diversion structures in the Eagles Nest Wilderness Area northwest of Dillon. The cost is estimated at a half billion 1980 dollars and would take 20 to 25 years to complete after the water rights have been adjudicated. The DWB applied for the rights in the mid-1950's; some of the rights were denied in the mid-1970's and the DWB is appealing the decision, according to Ruetz.

Colorado Springs and Aurora, the state's second and third largest cities, will have a much easier time building their Homestake Phase II project in the Holy Cross Wilderness Area southwest of Vail. When Congress created the area last year it specifically exempted the project from the usual ban on development (an unprecedented move) in exchange for a promise that the project would be constructed in the least damaging way feasible.

A Forest Service environmental assessment is under way and Rupp said a full EIS will be written.

Water conservation is another sore point between the DWB and its critics. The DWB's customers used an average of 213 gallons per day in 1980 and the DWB plans to bring this usage below 200 gpd in the next few years. By comparison, the city of Aurora used 140 gpd in 1980. Ruetz, however, cautioned

against comparing the two systems because not all of the DWB's customers are metered, whereas all of Aurora's are.

Last summer, Aurora instituted an inverted rate structure which charges a low rate for basic needs and raises the price for additional water. The DWB uses a declining block rate that does just the opposite. The DWB's rate structure offers "no incentive for people to think about how much water they're using," said Daniel Luecke, staff scientist for the Environmental Defense Fund (EDF).

Since 1957, all DWB taps were supposed to be metered, but meters were never installed in 88,000 homes, Ruetz said. A 1980 EDF study argued that for every two meters installed enough water would be saved to add a new customer. But Ruetz said the EDF conservation proposals were untested and couldn't be relied upon. "It will take effective conservation and development of additional resources if we are to maintain the quality of life, which includes lawns and gardens. But we might have to compromise on that to some degree," he said.

Aurora has a lawn permitting program that limits the area of a lot that can be planted with grass, according to Pete Smith, water division chief of Aurora's utilities department. The DWB "is in a little bit different situation from Aurora because they (the water department) are part of the city government and can work with the zoning department. We are separate from the government and with the number of communities we serve, they would see it as an undue interference," said Ruetz.

The EPA is helping the DWB build a unique treatment plant that could recycle sewage into potable water. If a demonstration plant succeeds, a commercial plant could be brought on line in 20 years and provide about 15 percent of Denver's needs, said Ruetz. Bermingham said that if more conservation, a few small new projects and the recycling plant are used, "we won't have to go to the mountains for 30 to 40 years" for a major new project such as Eagle-Piney.

"We have been moving in the direction of making growth pay for itself since 1972 or 1973, but we're not fully there yet," said Ruetz. The DWB charges higher rates to its suburban customers as well as levying heavy tap fees on new homes and businesses.

Bermingham said the newcomers still are not paying their fair share. He cites the 1980 DWB annual report which states that \$10 million was collected from Denver residents above what was needed for normal maintenance in their part of the system. Much of this money will be used for new projects, according to Bermingham. "It seems they're (the DWB) getting an interest-free loan to benefit the suburbs," he said.

DWB officials declined to discuss whether Denver residents are subsidizing system expansion. Terry Scott, DWB manager of rates, said, "I wouldn't want to conjecture about that," adding that the issue has not yet been studied by the CAC. However, Scott said the DWB showed it recognized that tap fees could be higher when it raised fees 50 percent in the latest rate hike, taking effect next February.

Scott said homebuilders objected to the hike. "We don't want it to be so expensive they can't sell their homes. There are benefits from growth as well as costs," he said.

Those costs could be mounting even more dramatically as old wells, which supply some suburbs, dry up. An ongoing study by the DWB, some suburban counties, the U.S. Geological Survey and the Colorado Division of Water Resources indicates a dramatic lowering of water levels and quality in some Front Range aquifers.

Presenting: December 11

High Country News takes a close look at the comatose uranium industry to see if the geiger counters are still ticking, and presents the second profile in our series on public land managers: Russell Dickenson of the National Park Service. Readers will also fly with Idaho's backcountry mailman and people into the cloakrooms of the region's legislatures to see what they're planning for 1982.

