

# High Country News

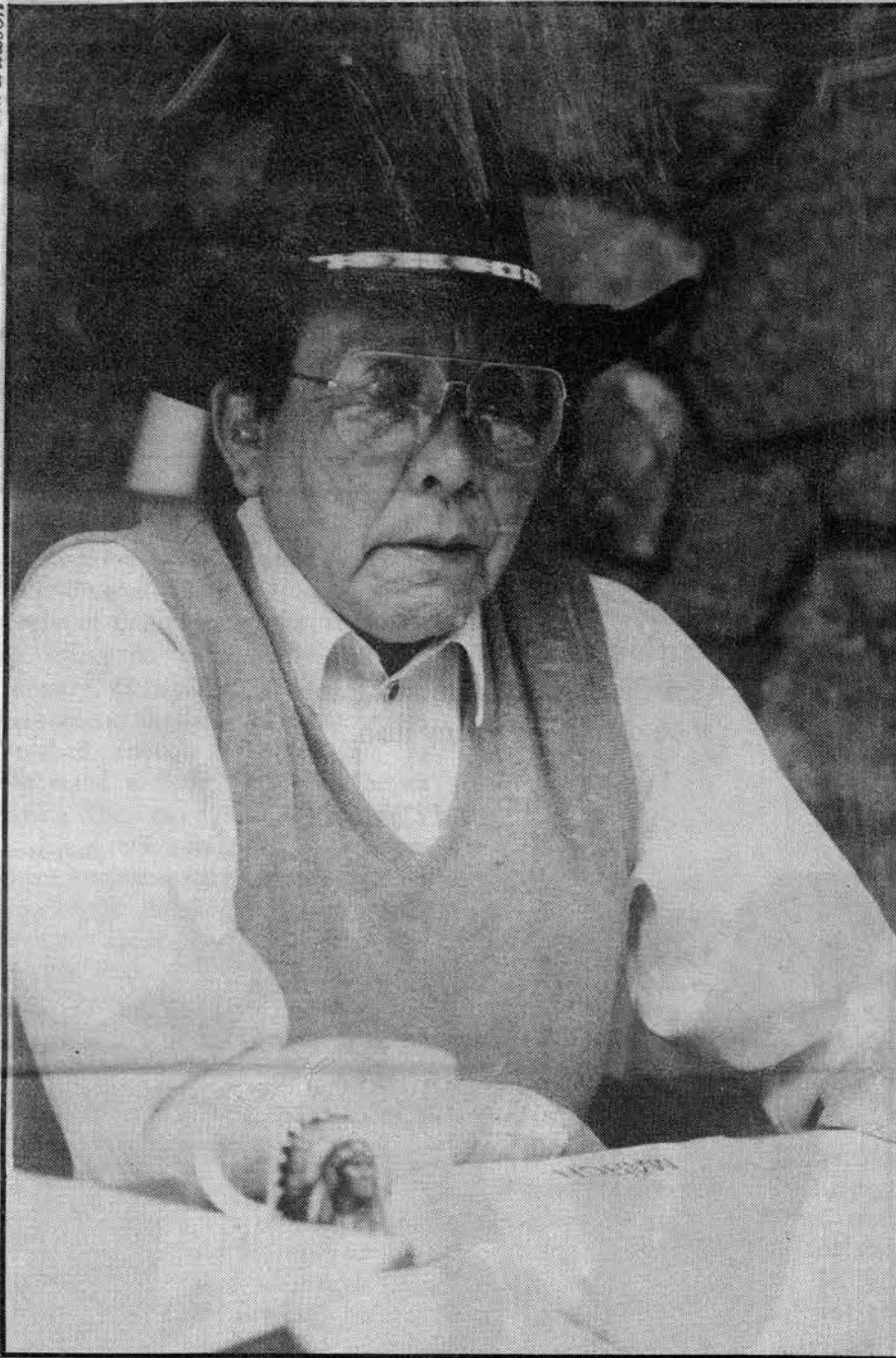
June 6, 1988

Vol. 20 No. 11

A Paper for People who Care about the West

One Dollar

Pat Dawson



Richard Real Bird

## In Montana:

# Will the Crow Tribe dribble away \$29 million in coal tax money?

by Patrick Dawson

CROW AGENCY, Mont. -- It was a warm spring day -- warm enough for a box elder bug to be crawling across the windowpane that looks out at the grassy ridge where George Custer fell. Inside the Crow tribal building, members of the executive committee were hammering out agenda items for a council meeting.

The office of Crow Tribal Secretary Truman Jefferson had the casual atmosphere of a family kitchen, with committee members ambling in and out and taking over his high-backed executive swivel chair whenever Jefferson left the room. They jumped up when he returned.

Along one wall stood several shiny galvanized garbage cans with slots cut in lids that were chained and padlocked. They are the ballot boxes marked with the names of each reservation voting district for the tribal election May 14.

The discussion had shifted from basketball to politics, now that the high school tournament season was over and the Crow's own Lodge Grass Indians brought home the state B

championship trophy. The tribe had prevailed in another court, too, but they would have to wait for the spoils of that victory.

A typical office scene. Except that executives were working without pay and outside telephone service had been cut off even though the tribe has about \$29 million sitting in a Billings bank, drawing interest.

But the tribe can't touch the money yet. It is in an escrow account set up by U.S. District Judge James Battin in 1982, when the Crow Tribe challenged the State of Montana's collection of coal severance taxes from coal mined on Crow-owned mineral lands. The tribe won its point this Jan. 11, when the U.S. Supreme Court let stand an appeals court ruling in favor of the tribe.

The ruling means the tribe might now be free to set its own tax rate on coal. If they set it lower than the state's 30 percent rate, that could make the tribe's resources more competitive than non-Indian coal.

Tribal officials hailed the ruling as a coup for Indian sovereignty everywhere. They also began thinking about what to do with the money. In

February, Tribal Chairman Richard Real Bird held meetings every night for a week around the reservation to get suggestions.

Real Bird heard a lot of calls for per-capita distribution of all or part of the money. Under a per-capita payout, every enrolled tribal member, from infants to elders, receives the same amount.

The tribe has a long history of dividing up one-time, lump-sum payments for land as per-capita distributions. In the early 1900s they were known as "annuities," and the government made annuity payments to the tribe as it opened more and more of the vast reservation to white settlement.

To combat the tribe's chronically high rate of poverty and unemployment, there were a few attempts at economic development, most notably a carpet mill and the Sun Lodge motel located across the road from the Custer Battlefield. Both stand today as abandoned monuments to poor advice and mismanagement.

"We all see the carpet mill and the Sun Lodge as our classic investments," Real Bird told a meeting of off-reserva-

tion Crows at the War Bonnet Inn in Billings.

"The reason the motel and carpet mill were failures is because they weren't our ideas to begin with," said Bernard Pease, a member of the executive committee. "The Sun Lodge was designed to fail," added a woman in the audience.

Real Bird, dressed in blue jeans, cowboy boots and a coat and tie, stood with the microphone in one hand and punched the air with his fist as he recounted the other deals made by the tribe: The "Yellowtail Dam sell-out," which paid \$500 per-capita nearly 30 years ago to 3,500 members; the up-front payment of \$2.5 million in 1974 for the Westmoreland coal venture -- divided among 5,800 Crows; the 1980 Shell coal agreement that paid \$6.5 million, with 60 percent paid out in per-capitas. And now, the prospect of \$29 million.

Real Bird said firmly that a per-capita distribution of the \$29 million would be foolhardy. It would enrich the merchants and car dealers of Billings, but the tribe would be back in

(Continued on page 10)



# Dear friends,



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## Applesauce

In one D.H. Lawrence short story, a man walks into a cold, muddy pond to rescue a horsetrader's daughter. Like much of Lawrence's work, this one was about commitment to life. Here at HCN over the past week or so, we have committed to Apple, entering our stories into the computer rather than typesetting them on our Compugraphic Junior.

The act was a reckless one, worthy of comparison with the walk into the pond because we did it before fully mastering the intricacies of extracting the copy in the correct type-style and format from the innards of the computer. Should we prove unable to retrieve the copy from the computer in the correct format, there will be no paper, including no Dear friends column. Should we succeed in getting our laser printer to produce the paper, it will no doubt have a strange appearance, and contain more glitches than usual. We ask your patience. We also apologize to Lawrence, who would, of course, say that we haven't committed to life but rather to the machinery he hated.

## Bumper stickers

You have no doubt seen the bumper sticker: "Insured by Smith and Wesson." We have come up with a new bumper sticker: "Insured by the Sierra Club: Mess with us, and we'll make you do an environmental impact statement."

That bumper sticker is one of the products of a week-long meeting staff held with Idaho bureau person Pat Ford. He was in Paonia to help plan the paper's next set of special issues, to be published this fall on economic and cultural development in the rural West. The series will be heavy and serious, but we hope to relieve it with the lighter side of life in the West, and we ask you to send us anecdotes, jokes, yarns and true accounts that reveal some aspect of life here. The only rule is: Briefer is better, with very brief being best.

## Visitors

HCN poetry editor Chip Rawlins of Moab, Utah, was in town May 17 with writer Patricia McConnell to read to 20 or so Paonia residents. Chip read from his first book of poems, *A Ceremony On Bare Ground*, as well as from more recent work. He also described the effects of a one-year writing fellowship at Stanford on his work.

McConnell read from *Sing Soft, Sing Loud*, a book of short stories about women in prison. She brought with her *The Woman's Work-At-Home Handbook*, which she wrote to help women earn a living at home, while maintaining independence and flexibility. It was published by Bantam Books in 1986.

This fortnight's visitors included Nancy and Jim Coates, who told us they got their last job through *High Country News*. The job was caretaking a remote ranch in New Mexico owned by Felicite Wilson. The ad had asked: "Are you rugged enough...?" The Coates said the ad was accurate; it took them two hours to ski to their vehicle, and four hours to ski back. The 500-acre place had no electricity, in addition to lacking an all-weather road. Those who think the work sounds challenging, should check this issue's classified ads.

--the staff

## A potluck of food and talk

Readers of *High Country News* are invited to a potluck on Saturday, June 18, 6:30 p.m., in the Paonia town park at Fourth Street and North Fork Avenue. The event, as always, is timed to coincide with a board meeting of the High Country Foundation board of directors, which will take place during the day at HCN's offices at 124 Grand Avenue, Paonia.

Subscribers within 100 miles or so of Paonia will receive invitations in the mail, but all subscribers and readers everywhere are invited. We ask that you bring a main dish, salad or dessert and your own plate and utensils. We'll provide the wine, soft drinks, coffee and cups. If you are planning to attend, please drop a note to C.B. Elliott, HCN, Box 1090, Paonia, CO 81428.

For those new, or newly attentive, to the paper, HCN is a non-profit corporation owned and

operated by the High Country Foundation. The board of the foundation meets three times a year to set budgets, determine policies and generally oversee the operation. In order to help keep board and staff in touch with the region, the meetings are rotated geographically, and are always accompanied by a potluck. The fall 1987 meeting was in Boise, Idaho, the January 1988 meeting in Salt Lake City, the fall meeting will be in Jackson, Wyo., and the winter 1989 meeting will be held somewhere in the Southwest.

You may wish to combine the potluck with a blue grass festival taking place in relatively nearby Telluride the same weekend, or with the Wild Rivers Festival in the Rio Grande Gorge near Taos, N.M.

If it rains, you may want to come anyway and watch the staff sacrifice to the paper, HCN is a non-profit corporation owned and for us.

## The Hermit

I long to be a bristlecone pine,  
Born five thousand years ago;  
A gnarled, nearly immortal thing  
Of no damn use to any man.

Ed Chaberek

Judy Summer



Bristlecone pines

## Thaws

All fall I waited for snow  
to make everything the same.

Now its melting edge leaves  
variety behind: the rocks and plants.

I go to sit at the canyon mouth  
where south-facing granite keeps out the wind.

The cups of soil that the rocks hold  
are packed with a cactus

that Mexicans call Indians' balls  
and Indians call Mexicans' balls.

They make the first flowers that bloom here  
in the spring: yellow-eyed magenta suns.

The flies love them.  
They stink of carrion.

William deBuys

## WESTERN ROUNDUP

### The courts eviscerate an Army Corps dam

Two years and almost \$70 million in the making, the Elk Creek Dam lies like a monolith across a main tributary of southern Oregon's Rogue River. But 36 years after Congress authorized its construction, the dam has met an ignoble fate. Half-completed and trapped in a legal limbo, the Elk Creek Dam may prove to have been a bad waste of good concrete.

"It's a shame," said one of the workers remaining at the site. "Most of the workers have moved on to other jobs. In the next few months, they'll be tearing it down, then I'll be out of a job too."

While the equipment -- the tall white towers, the concrete mixing plant and the 2,000-foot-long belt to bring gravel down from the hills -- will be torn down, the dam will stay for now.

Exactly one-third of the way up its planned height of 249 feet, construction was stopped after a federal court ordered the Army Corps of Engineers to further study its effect on the river's fish. In January, Ohbayashi, a Tokyo-based corporation in charge of construction, finished enough of the dam to withstand a flood and then began laying off its more than 200 workers.

Elk Creek was part of a three-dam project intended to control flooding in the Rogue basin, which includes the cities of Medford and Grants Pass. The first two dams, Lost Creek and the Applegate, were completed as planned. But concern about the danger to fish in one of the Northwest's favorite waterways prompted the Oregon Natural Resource Council and three river-recreation groups to file suit in 1985 to stop the third.

The plaintiffs, supported by editorials in the state's two largest newspapers, argued not only that the Corps' environmental impact statement was insufficient, but also that the dam's costs far exceeded its economic benefits. U.S. District Court in Portland didn't agree. But in June 1987, the 9th Circuit Court of Appeals in San Francisco ordered the Corps to prepare a supplemental EIS on how increased water temperature and turbidity would affect salmon and steelhead in the Rogue River.

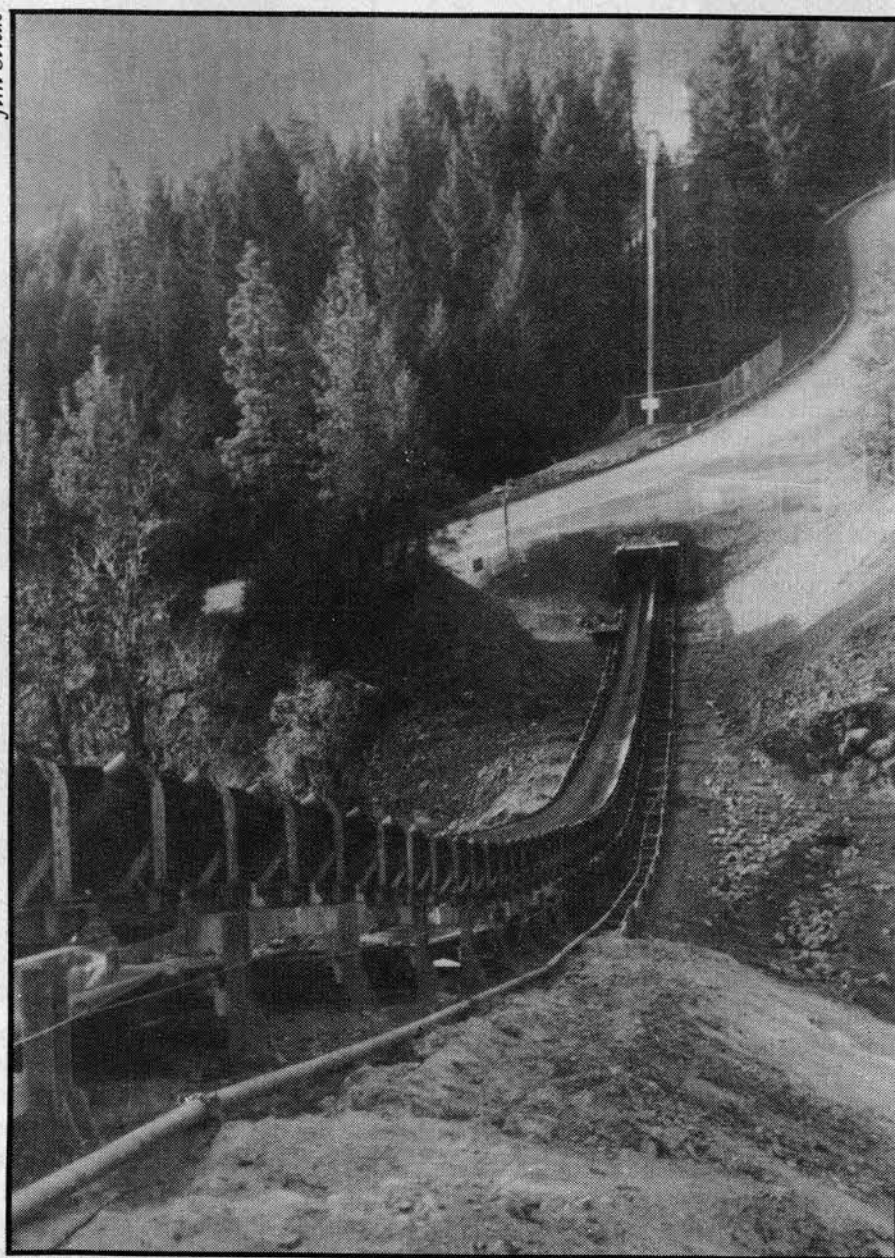
While they're proceeding with that two to three-year process, the legal tug-of-war continues. The Corps has appealed the ruling to the U.S. Supreme Court, a move the Oregon Natural Resource Council is challenging.

"It's a waste of taxpayer's money and it puts in jeopardy the salmon and steelhead runs of the Rogue," says ONRC's Andy Kerr. If enough of the "powers that be" can be convinced of this, he adds, the dam will be left unfinished, perhaps as a monument to bad decisions.

Ohbayashi's project manager, Carl Linden, disagrees. He expects the EIS to let the project go forward. "The most likely scenario," he says, "is that after two years, work can begin again."

Although it stretches a half-mile across Elk Creek, the dam can't yet control the water. The creek continues to flow through a small diversion tunnel through which the creek was re-channeled to allow construction of the dam. Flood waters back up until

Jim Stiak



Belt carrying quarried gravel 2,000 feet down to the Elk Creek Dam

reaching a spillway notch some 25 feet above the normal water level.

"It doesn't take too much rain for it to reach that level," says Harry Weise of the Army Corps of Engineers. Fish have no trouble getting upstream through the tunnel with normal water flow, he adds, although a heavy storm "will probably slow them down."

The dam's most noticeable effects are the hundreds of acres of dirt, gravel and heavy equipment tracks where once there were trees and the half-dozen homes that were torn

down in preparation for the proposed 5.5-mile-long reservoir. The project's halt, says Linden, is a major blow to Ohbayashi's U.S. operations, although he also says that at company headquarters in Japan, "they probably aren't even aware of this."

While the dam's fate twists in the political winds, 40 remaining workers will be removing all the equipment. But Weise estimates that to dismantle the 330,000 ton dam and "obliterate all traces" of it could cost as much as the \$68 million spent on construction.

--Jim Stiak

### Tribes sue feds for lost funds

What could amount to millions of dollars allegedly taken by the federal government from tribes and individuals is being sought in U.S. Claims Court in Washington, D.C., by the Assiniboine and Sioux tribes, as well as members of the Fort Peck Reservation in northern Montana.

The complaint involves an account called the Indian Monies Proceeds of Labor that was established in 1883 to manage income from Indian handicrafts. Over time, interest from tribal and individual mineral, timber and agriculture income was added to the account.

In 1982, Congress told the Interior Department to close the account and distribute the Indian monies. However, officials at the Bureau of Indian Affairs told tribes and individuals that before they could get their money, they had to sign forms waiving their rights to challenge the agency's figures.

Marvin J. Sonosky, who represents the tribes and individuals, said \$10 million dollars was taken from



Indian monies accounts and deposited in the U.S. Treasury and another \$10 million was distributed to Indians. His suit claims the federal government showed gross negligence in monitoring and distributing the money.

Sonosky said he wants the court to force the government to prove its figures are correct and to pay any money wrongfully taken. Ironically he said, tribes and individuals who saved their money through the fund are now paying for their frugality.

--Linda McCauley

## HOTLINE

### L-P mill burns

Louisiana-Pacific's lumber mill in Saratoga, Wyo., burned to the ground May 8, leaving 55 people out of work and causing damage estimated at \$4 million. According to the Casper *Star-Tribune*, workers now wonder if the mill, which employs up to 400 people during the summer, will be rebuilt. L-P Senior Resource Manager Tony Colter says the Saratoga operation does not have an adequate supply of timber to keep it going. He says he hopes a new Forest Service monitoring plan will increase the amount of timber for sale in the Medicine Bow National Forest, the forest from which the Saratoga operation gets its timber.

Allen Messick



John Perry Barlow

### WOC head to step down

The Wyoming Outdoor Council changed leadership June 1. After four years, rancher and writer John Perry Barlow resigned, announcing his decision to "really stop being president this year." Succeeding him will be Sheridan lawyer Kim Cannon. Barlow said the outdoor council goes through cycles of calm and catastrophe and that he was happy to leave when things are solid and stable. Barlow will keep busy. Although he is leaving ranching after 17 years, he plans to stay on the council's board of directors, write a book, and continue writing songs for the Grateful Dead. He has also started a column for the Casper *Star-Tribune*. He says his "bully pulpit" newspaper writing will be balanced by another new *Star-Tribune* columnist -- former Interior Secretary James Watt. The Wyoming Outdoor Council will also keep active. WOC backs legislation to control toxic and other waste, including that from leaking underground storage tanks, and supports federal protection of the Clark's Fork of the Yellowstone and the Little Big Horn rivers. WOC also opposes Deer Creek Dam on the Platte River and supports jump-starting studies on restoring the wolf to Yellowstone National Park.

## HOTLINE

### Jackson vs. Amoco

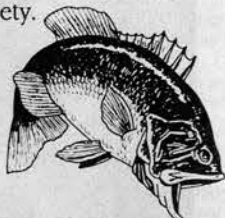
The Jackson Hole Alliance for Responsible Planning will appeal Amoco's right to drill in Sohare Creek, an 85,000-acre roadless area 28 miles northeast of Jackson, Wyo. The drill site is on an elk migration route and access will be through critical grizzly bear habitat. Recently, Teton County Commissioners voted 2-1 to join the appeal, reports the *Jackson Hole News*. Conservationists say the federal government did not examine the implications of a major oil and gas strike in the Mt. Leidy highlands, an area surrounded by wilderness and national parks. Phil Hummel of the Jackson Hole Alliance for Responsible Planning says the appeal will contend that the Forest Service and Bureau of Land Management violated regulations in approving the drilling. "So many laws were bent or broken to get this done," Hummel says. "Sohare is an important example. This is not just another area." Amoco environmental affairs specialist Dave Brown says his company is disappointed by the appeal announcement and adds that mitigation measures were going to be "very good." Other groups joining the appeal are the Wyoming Wildlife Federation, The Wyoming Outdoor Council, the Wyoming chapter of the Sierra Club, the Greater Yellowstone Coalition and the Wilderness Society.

### FERC gets in line

The Federal Energy Regulatory Commission adopted a new policy that will deter hydroelectric development on rivers set aside for preservation under state law or by other federal agencies. Eight states, the Northwest Power Planning Council and five environmental groups pushed for the change. According to John Echeverria, spokesman for American Rivers, the decision means FERC will have to pay more attention to state river protection programs when issuing permits for hydroelectric projects. "The new rule will provide important protection for state-designated rivers against inappropriate hydroelectric development," he adds.

### EPA rakes Two Forks

The first official comments on Denver's proposed Two Forks dam are in and form yet another obstacle for the embattled project. Environmental Protection Agency regional administrator Jim Scherer told Army Corps of Engineers officials last week that his agency opposes immediate construction of the \$4 billion dam and has "serious concerns" about future construction. However, Scherer also said it was not an all-out rejection. At a press conference in Denver, Scherer promised to help dam proponents work through problems to gain EPA approval for a 25-year permit. To get that permit Scherer said Denver must first develop smaller, less costly and less environmentally damaging water projects; strengthen water conservation programs throughout the Denver metro area; improve environmental mitigation plans and make them legally enforceable; and lastly, if a 25-year permit is granted, review the need for Two Forks, alternatives to the dam and the adequacy of mitigation plans before construction begins. EPA officials, who can veto the project, also rejected the Corps' draft environmental impact statement last year for a variety of reasons, among them water quality and environmental mitigation (HCN, 5/25/87).



## 'Beaver fever' sets off debate in Montana

MISSOULA, Mont. -- For nearly a century the frigid, gin-clear waters of Rattlesnake Creek, which spill through the dark pine and spruce forests on the mountains just north of here, have been a main source of water for this college town.

But in 1983, more than a thousand people ingested a parasite called *giardia lamblia* that had found its way into Rattlesnake Creek, and consequently into the city water system and the homes of Missoula residents. Hundreds became ill.

Mountain Water Company, which owns the city water system, stopped using water from the Rattlesnake, and began pumping water out of wells instead. Now the water company wants to bring the soft, sweet waters of Rattlesnake Creek back on line to head off rising electricity costs for pumping well water and in case the wells become contaminated.

To use the creek safely, however, the water company and state and local health officials claim that a colony of some 20 beaver -- believed to be a major source of giardia in the Rattlesnake -- need to be trapped and removed from the creek. And they will need to be kept out of Rattlesnake Creek for as long as the city uses the water.

The plan has prompted an angry reaction from many people in this town renowned for outdoor recreation and environmental concern.

"Removing a native species from a wilderness is an anathema," said Ron Wheeler, head of a citizens group opposed to the proposal. "We don't think it should happen."

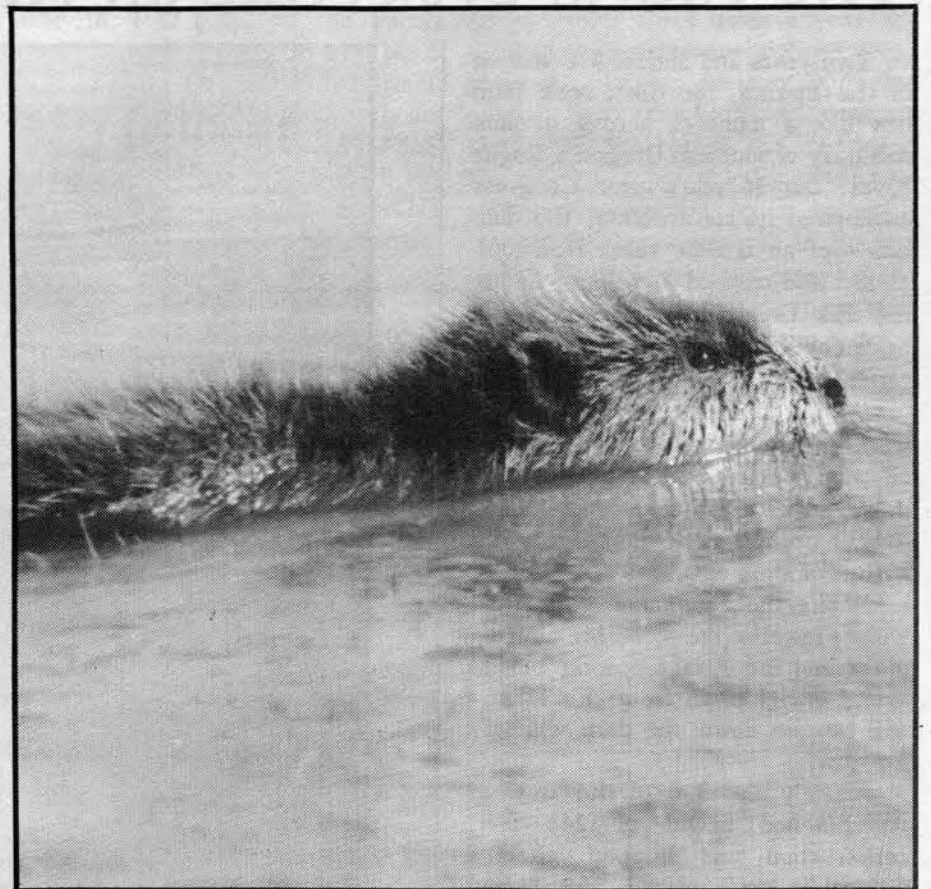
The disagreement over trapping beaver near Missoula is an illustration of how difficult a problem the presence of giardia has become. Giardia has occurred in a large number of towns throughout the country, including Rome, New York, where in 1974, according to the Environmental Protection Agency, some 5,000 people came down with the disease.

"Probably every surface water source in the United States is contaminated with giardia," said Dr. Charles Hibler, a professor of parasitology at Colorado State University in Fort Collins, who has been studying the disease since 1968. "It's the most common parasite in the United States."

The first recognized outbreak of giardiasis occurred in Aspen, Colo., in 1965 and 1966. Since then outbreaks have occurred in Red Lodge and White Sulphur Springs in Montana and in places like Camas, Washington, Berlin, N.H., Scranton, Pennsylvania, Reno, Nevada and dozens of small towns in Colorado, Montana and other mountain states. Health officials estimate as many as 1,200 people may have contracted giardia in Missoula.

As a consequence of these outbreaks, late last year the EPA proposed new regulations under the Safe Drinking Water Act that are designed to regulate treatment of surface water in the U.S. to assure that giardia, among other things, are killed. The EPA estimates that 150 million people in the U.S. are served by surface water.

Giardia can be difficult to kill through chlorination because they are encased in a hard shell. Contamination of water supplies



Beaver

often occurs when a treatment plant is not working correctly. Once the cyst form of the organism, which can live as long as two months in cold water, is ingested, its hard protective shell breaks down and it attaches itself to the lining of the intestines. There it multiplies and the numerous progeny of a single giardia -- hundreds of millions of new cysts are produced in a day -- are passed on in the feces.

The disease is also prevalent among small children at day care centers and can be transmitted through oral sex. It is also widespread among backpackers and other outdoor enthusiasts who scoop a drink from a rushing mountain stream.

Symptoms of the giardiasis -- which is sometimes called "beaver fever" -- include diarrhea, flatulence, cramps, vomiting and sometimes severe weight loss and dehydration. The disease can last for months or even years, in part because the symptoms will subside for several weeks and then return. Some people do not get sick from giardia, but carry the cysts and pass on the disease.

Beaver are considered a "biological magnifier" of giardiasis. While most mammals carry giardia, beaver live in the water, and once they've ingested a single organism they can pass hundreds of millions of cysts each day into the stream.

Even in remote drainages near mountaintops in the West the water is unsafe to drink without treatment. Consequently the problem of giardia seriously conflicts with people's use of the outdoors, especially backpackers.

In Missoula people may be forced to choose between the presence of beaver in a wilderness area and a clean water supply. Removal of the beaver won't come without a fight. Wheeler, a high school biology teacher, is head of a group whimsically called CASTOR which formed to fight the trapping proposal. CASTOR, the Committee Against the Senseless Trapping of Rodents, is also the genus name for the beaver.

Wheeler believes the Rattlesnake, which has been designated wilder-

ness by Congress, would be "sterilized" if the beavers were removed. "The creation of beaver ponds has changed the vegetation," Wheeler said. "We're seeing wood ducks nesting and moose in the lower reaches and a lot more variety of birds. I'm talking just two or three miles from the city limits of Missoula."

However, Jerry Lukasik, an engineer for Mountain Water, says the issue must be kept in perspective. "We're talking about a population of only 20 to 30 beaver," Lukasik said, a "giardia buster" button sitting on his desk. "We don't think the impact of removing those beaver would be as great as Missoula not having an adequate water supply."

CASTOR believes that a filtration plant should be built, which would be effective enough to filter out 99.9 percent of the giardia; but the water company, along with state and local health officials, say state law mandates they clean up the creek as best they can. If even one-tenth of a percent of the giardia gets through, Lukasik said, that would mean thousands of cysts could make their way to Missoula faucets.

If even a handful of people contract giardiasis, he said, the company could face a lawsuit. "The liability threat is just too great these days," he said. "If we had another episode like we had in 1983 we would just lock it up and throw away the key, because we'd be out of business."

There's a great deal of irony in the situation of a mountain town to which many people moved for a clean and healthy environment. Not only are the streams and rivers unsafe to drink from, but in the winter the air pollution from woodstoves and autos in Missoula is often so high that pregnant women and the elderly are warned to stay indoors.

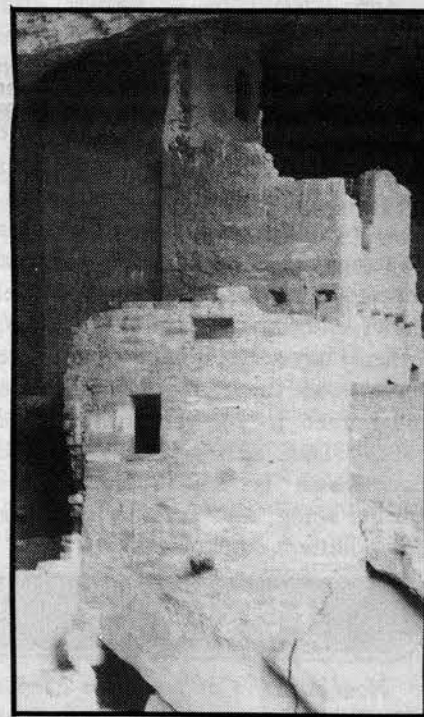
"The East is moving west," said Richard Streffel, an environmental consultant in Missoula who often drank water from the Rattlesnake when he first moved there in the 1970s. "There's just too many people anymore."

--Jim Robbins

**HOTLINE**

**Agency report**

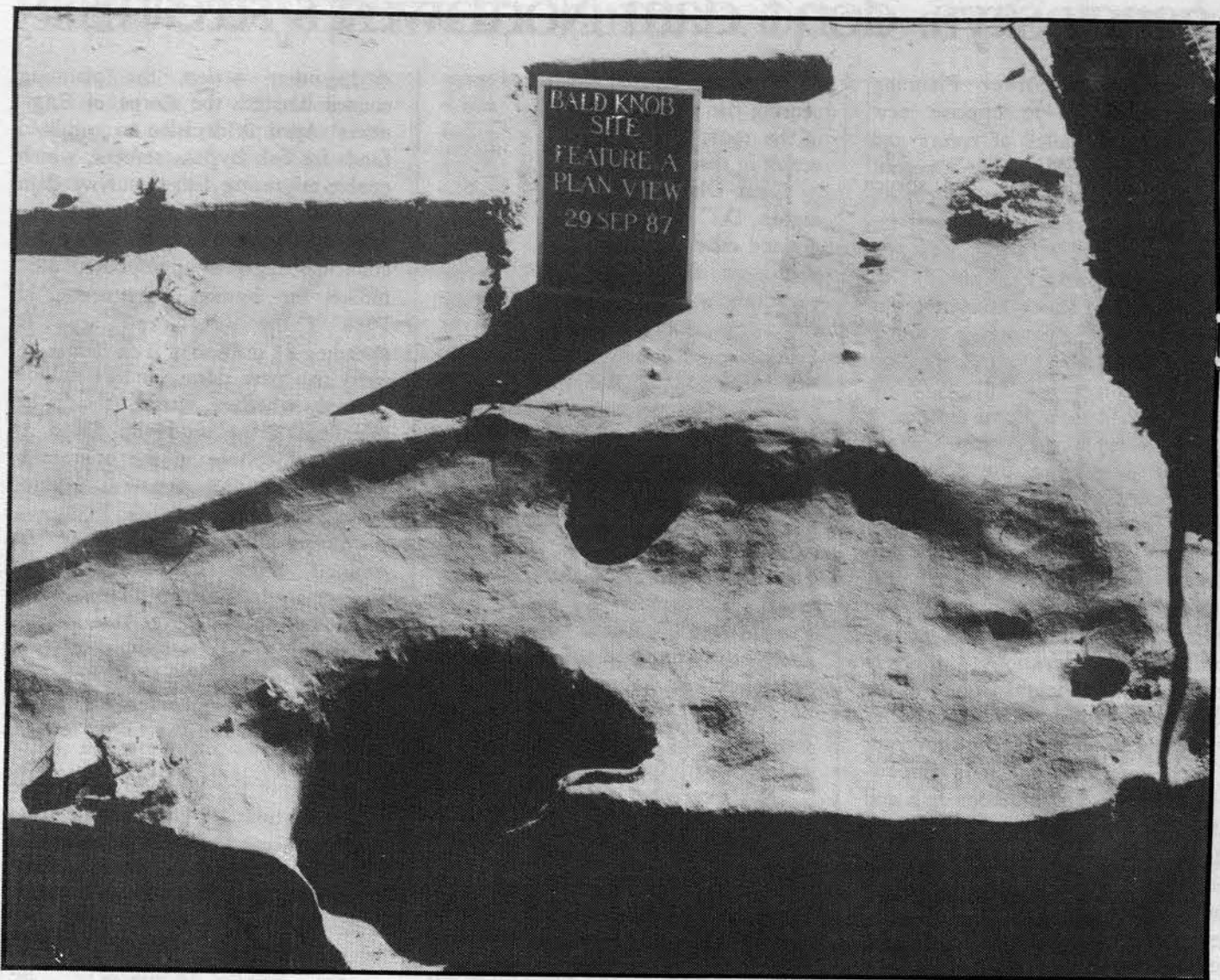
The Forest Service has compiled its first annual report of activities in its five-state Rocky Mountain Region. The five-page, fold-out report is crammed with facts and figures covering the whole range of Forest Service responsibilities -- from fire fighting to recreation to timber sales -- on 22 million acres of national forests and grasslands in Colorado, Wyoming, South Dakota, Nebraska and Kansas. Among other activities, the Forest Service reports that skiers bought 9.5 million lift tickets at resorts on agency land, up from 9.2 million the year before; the region's 37 wilderness areas were used for 1.6 million "visitor days," making them the most popular in the nation after California; 443 million board feet of timber worth \$9.4 million was sold in 1987, up by 120 mmbf from 1986; and 210 miles were added to the region's 35,200 miles of roads. In all the Rocky Mountain Region spent \$104.2 million in 1987 and collected \$72.2 million in fees. The agency says it also supported over 96,000 jobs in the West, producing an estimated \$26 billion in income. Because it is the first such report, however, it does not provide historical data to evaluate trends. Copies of the report are available from the Public Affairs Office, U.S. Forest Service, Rocky Mountain Region, P.O. Box 25127, Lakewood, CO 80225.



Mesa Verde National Park

**Parks expansion**

To enhance tourism and quality of life, Colorado Rep. Ben Nighthorse Campbell has proposed expanding three national parks and monuments in the western part of the state. In April, Campbell and Rep. Bruce Vento, D-Minn., chairman of the Interior Subcommittee on National Parks and Public Lands, requested \$271,000 to study the proposal. It suggests park status for the Black Canyon of the Gunnison National Monument by expanding it to include Bureau of Land Management wilderness study areas, as well as designating the Gunnison River that runs through the area as wild and scenic. The proposal also suggests including Rattlesnake and Mee canyons, now managed by the BLM, in the Colorado National Monument near Grand Junction, and would create a new "Anasazi National Monument" in southwest Colorado to be managed by Mesa Verde National Park.



Ted Hoefler III

Prehistoric housepit excavated near Bairoil, Wyoming, is believed to be 4,940 years old. The excavation was a joint project of the Bureau of Land Management and Western Wyoming College.

**Amoco destroys ancient sites, critics say**

When Amoco Oil Co. began injecting old oil and gas wells with carbon dioxide to recover leftover oil and gas in Bairoil, Wyo., the company did not know it would unearth Paleo-Indian ruins dating back 8,000 years.

But in 1986, when Amoco put in a 20-mile carbon dioxide pipeline, workers unearthed 34 housepits. A year later the company drilled 54 oil wells and came across another 31 Indian ruins.

"This sort of intense human occupation is very rare," says archaeologist Doug McKay. He is the spokesman for the 900-member Wyoming Association of Professional Archaeologists, which has decided to go on record to press for greater responsibility in preserving Indian ruins uncovered by Amoco.

The archaeologists charge that the Bureau of Land Management has not protected ruins discovered in 1986, that the agency continues to allow Amoco to destroy sites, that the BLM shirks its responsibility to shut down construction that harms federally protected sites, and that Amoco has not paid anything to mitigate the damage it has done.

The BLM and Wyoming's historic preservation officer agreed on April 6 that the entire 24-square-mile Bairoil Prehistoric/Historic District was eligible for the National Register of Historic Places. To date only one site -- an area with 200 teepee rings -- has been listed on the register. Bairoil is in Sweetwater and Carbon counties near Rawlins.

"BLM archaeologists have told me they've been gagged," McKay says. "They've been called in and threatened with losing their jobs if they tell the public what is actually out there." He says it is odd that Amoco's archaeological studies over the last two years, which cost \$2.5 million, produced no information at all. The company that did the studies, Overland Associates of Boulder, Colo., did not excavate any sites and has since folded.

"If the BLM has results, we'd like to know (them)," says McKay. "It seems to me that Amoco is really spending

money not to be shut down and the BLM has made a deal with them."

Thomas Zale, BLM Rawlins District Archaeologist, thinks McKay is wrong. Although independent archaeologists may say Amoco isn't protecting sites, Zale says, Amoco is complying with the National Historic Preservation Act under BLM surveillance.

BLM manager Bud Holbrook says recent newspaper articles in Wyoming have exaggerated the problem. "We haven't violated any cultural resource laws." He also says the BLM had no idea what ruins were underground until the pipeline went in in 1986.

Amoco Environmental Resource Specialist Joseph DeSchamp says no sub-surface excavations had been done in the area until Amoco proposed its oil-enhancement recovery project. At that point, the BLM did a test excavation that failed to reveal any sub-surface sites. But after pipeline construction began, DeSchamp says site after site was found; then the BLM decided to monitor further construction.

"I'm unhappy with the way the professional archaeologists are handling this -- they're childish ... When you find out in the middle of a project that there are ruins, you pay for it," says DeSchamp. Although the association of professional archaeologists wants testing and excavation, DeSchamp says it's too expensive. He says testing while construction is in progress is sufficient, and cheaper as well.

On May 5, the Advisory Council on Historic Preservation, a 19-member federal agency made up of the Secretary of the Interior and presidential appointees, and the BLM agreed on an interim plan for Amoco to follow until the BLM develops its own Cultural Resource Management Plan. So far, Amoco has not had any specific plan to follow in the field. The BLM's Zale says the new interim plan means the BLM is in full compliance with the National Historic Preservation Act.

Archaeologist McKay disagrees. He calls the interim plan "a travesty" because it allows Amoco to keep oper-

ating, no matter what the damage. The company may try to avoid significant sites, he says, only to discover them with a backhoe. McKay says the association of archaeologists urges the BLM to do a proper "class III" cultural resource inventory for the area, involving trained archaeologists who would dig test holes and excavate by hand.

According to the BLM, the agency did a class III survey in 1978 but did not employ field methods that meet with today's standards. Because the agency did not completely record the sites during their reinventory in 1984, its Class III surveys were not accepted by the Wyoming historic preservation officer.

The only excavating in the Bairoil area has been done by Ted Hoefler of Western Wyoming College, who was paid by the BLM to excavate a housepit intersected by Amoco's pipeline. Hoefler says most information on hunter-gatherers comes from bison and antelope kill sites and that housepits are important because they allow archaeologists to learn how hunter-gatherers lived.

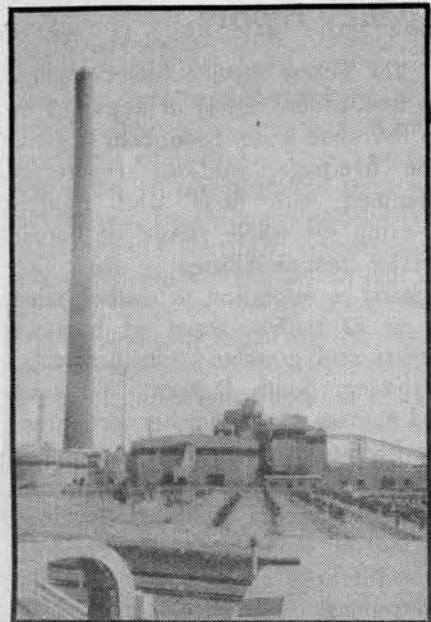
In the first week of June, Amoco archaeologist Diane Berrigan says she will release a draft Cultural Resource Management Plan recommending excavation of several sites in the area. Zale says the BLM will then review and edit her plan, adding he doesn't know when the agency will adopt it. He says he assumes the BLM will not do any excavating until next summer.

McKay doubts the BLM will excavate at all, because it could halt work. "The E-word, excavation, is a dirty word to them," he says.

There is no formal public comment period; however, questions or comments can be directed to Richard Bastin, Rawlins District BLM Manager, P.O. Box 670, Rawlins, WY 82301, 307/324-7171. For more information on Bairoil archaeological ruins, contact the Wyoming Association of Professional Archaeologists, P.O. Box 3431, University Station, Laramie, Wyoming 82071.

--Tara Lumpkin

## HOTLINE



Nacozari plant, Mexico

## Gringos were wrong

In January 1987 the Phelps-Dodge copper smelter in Douglas, Ariz., closed, and the Nacozari smelter across the border in Mexico agreed to curb its pollution by 1988 (HCN, 2/2/87). According to Arizona journalist Dick Kamp, there were "more than a few sarcastic gringo comments on the order of, 'They don't have the ability to make something like that work.'" Last month, however, a Nacozari smelter opened that converts sulfur dioxide smoke into sulfuric acid, and plant officials say it will fully comply with U.S. air pollution standards by June 1. The 2,500 tons of sulfuric acid produced daily are sold in Mexico and the U.S. and other foreign countries. Nacozari's compliance with the 1987 agreement should be welcome news to nearby farmers such as Juan Manuel Duran Elias, who woke up last fall to find his 22-acre potato plant field withered beneath a blanket of smelter smoke. Duran told the *Sierra Vista Herald*, "There have been days when the smoke was thick and low and you could feel it in your throat and eyes." This spring Duran planted hay, which is less susceptible to smelter smog, and says he hopes the new pollution controls will work.

## BARBS

*How awful! Can't modern science do anything to prevent that from happening?*

*The New York Times reports that seven million New Yorkers will turn 40 over the next decade.*

Dick Kamp

## Agency says: don't dam Northwest's streams

The Northwest Power Planning Council voted 7-0 to oppose new dams on 40,794 miles of rivers and streams in Washington, Oregon, Idaho and Montana. The sweeping mid-April proposal was released for comment May 2 and may be modified after public hearings.

According to Dulcy Mahar, information officer for the planning council, the move is geared to protect habitat for salmon and steelhead fish whose numbers are 15 percent of what they were before dams were built in the Columbia River watershed.

The four-state council influences the Army Corps of Engineers, the Bureau of Reclamation, the Bonneville Power Administration, and the Federal Energy Regulatory Commission in their operations on rivers west of the Continental Divide in the four states. Composed of two representatives selected by the governor of each state, the council is empowered to protect and enhance fish and wildlife habitat and to mitigate the effects of hydropower development. Under a 1980 law, the Bonneville Power Administration, part of the Department of Energy, is to act "consistent with" the Planning Council's fish and wildlife program, and the Federal Energy Regulatory Commission is to consider the program in its planning to the "fullest extent practicable." BPA markets and transports hydroelectricity throughout the region, and FERC licenses hydroelectric dams.

While the planning council considers its fish program as all but binding on other agencies under the 1980 law, the BPA and FERC view it as merely advisory. Nevertheless, BPA spokesperson Sharon Blair indicated support for the planning council proposal and said, "We ... have incorporated their ideas into some of our policy." Blair said the BPA has invested \$117 million per year into fish programs and "we want to protect that fish." FERC public affairs officer Sharon Hyland said the planning council's final proposal would be considered "strongly advisory" but would not dictate FERC decisions.

The council action was the toughest of three alternatives considered. It was reached after a three-year study, which included consultation with BPA and the affected states' wildlife departments as well as review of 600 public comments. A final decision will be

made in mid-August. Mahar, representing the council, termed it "some of the most sweeping environmental action in the nation."

Kent Olson, president of Washington, D.C.-based American Rivers, praised the proposal as a "very profound first step toward real conservation." But he said it allocated less than 30 percent of river miles in the Columbia basin to protection and not full protection at that, since streamside development and irrigation dams are not covered.

John Platt, a policy assistant for the Columbia River Inter-tribal Fish Commission, said it would relieve pressure on northwestern tribes that now go to court to protect their treaty rights to anadromous fish. Platt said the proposal would put the "weight of state authority behind the protection of habitat, so the full burden isn't placed on tribes and treaties," and would make the tribes partners with the states.

Not everyone is happy with the proposal. Neal McDonald, executive vice president of the Northwest Small Hydro Association, said a "carte blanche" ban on hydroelectric dams without regard to size or location is not a responsible way to deal with the environment or future energy requirements. McDonald said the Northwest Small Hydro Association represents entities that create reservoirs of one-half to two-acre size, which he called the "most beneficial type."

## Desert suggested as bison home

In the wake of the controversy over federal authorities' plans to shoot 50 head of bison on Wyoming's National Elk Refuge near Jackson, a Green River man is advocating a unique alternative: transplanting the animals to Wyoming's Red Desert. In Sweetwater and Carbon counties the last bison herd in America ranged until poachers wiped the animals out in the 1960s.

Ron Smith, an environmental engineer and past president of the Wyoming Wildlife Federation, sees the proposal as more than just a better choice. "The Red Desert was the last home of free-ranging bison," he says. The area is also probably the largest, unfenced tract of land in the lower 48 States, and to restore bison there would be a boon to tourism, he adds.

Wyoming Wildlife Federation proposes that management of the

In other action, the planning council blasted the Corps of Engineers' April 8 decision to withhold funds for fish bypass screens, which enable migrating fish to survive dam turbines. According to Steve Crow, director of government affairs for the council, Congress appropriated \$8.7 million for bypass construction in 1988. Crow said the Corps is spending \$3 million of it on barges to carry fish past dams, and \$1 million to study whether screens should be installed. Crow said the Corps is using a loophole in the appropriations bill in an apparent budget cutting move.

Morris Brusset, chairman of the council, said that until bypass screens are in place, fish-laden water must be spilled over the dams, costing electricity ratepayers more in lost power revenues. Brusset and another council member are asking Congress to make the Corps release the funds.

Copies of the proposal and public hearing schedules are available from the Northwest Power Planning Council, 851 S.W. Sixth Ave., Suite 1100, Portland, OR 97204 (503/222-5161). Comments will be accepted at the same address through July 8. The council requests 10 copies of comments typed double spaced and marked "Protected Areas Comments."

--Michael J. Robinson

## Nevada desert swapped for Florida wetlands

President Reagan recently signed into law an exchange of federal lands in Nevada for privately-owned wetlands in Florida. Environmental and citizen groups have been concerned about the proposed swap (HCN 10/12/87), but Bill Vincent of Nevada's Citizen Alert says, "This is a better bill than the original one."

The swap gives Aerojet-General Corp. 28,000 acres of public land in Nevada and the lease of an additional 14,000 acres for 99 years. In exchange, Aerojet gives the government 4,600 acres of wetlands in south Florida. Aerojet will sell this land to the South Florida Water Management District, and the pro-

ceeds will be used to purchase additional wildlife habitat in the Florida Keys.

Interior Secretary Don Hodel says, "This exchange is remarkable in that it meets the needs of the private sector and those of this nation's wildlife resources -- at no cost to the American taxpayer." But there may still be problems.

Although a specially designated area of 18,000 acres will be set aside for threatened desert tortoises, Vincent says, more road traffic will harm the animals. On the positive side, Vincent says the U.S. Fish and Wildlife Service will take responsibility for the tortoises; under the

previous bill there was no caretaker.

In addition, Aerojet will not be allowed to pump water from a 10,000-year-old, non-renewable aquifer that supports Moapa Springs, home to several endangered animals. Instead, the company will have to find another water source. The law also instructs the Interior Secretary to do a new appraisal of the Nevada land since a previous appraisal was done by a firm hired by Aerojet. Concerns about public health continue, however, since Aerojet's environmental record in Sacramento, Calif., is poor -- its plant was designated a superfund cleanup site.

--Tara Lumpkin

transplanted bison be assigned to the Wyoming Game and Fish Department, Smith says, with the idea that special-permit hunting would be allowed once the herd's population reaches a certain level.

Not unexpectedly, elements in the ranching community are less than enthusiastic. Leonard Hay of Rock Springs, a member of the Rock Springs Grazing Association's board of directors, opposes the transplant because "bison will compete with livestock for forage, particularly winter range forage." But wildlife management authorities take a very different view.

Jim Dunder, a Bureau of Land Management biologist, says there's enough forage to go around. "Since 1978, we've reduced the wild horses in that area from 2,300 down to about 500," he says. "There's no question of sufficient feed being present."

Dunder is an advocate of the bison transplant, comparing it to bison brought to Utah's Henry Mountains. "The Henry Mountains herd is a 20-year success story," he says, "and none of the dire predictions from ranchers about cross-breeding and brucellosis have come to pass."

Brucellosis, a disease that can cause cattle to abort unborn calves, can be carried by bison and is a factor often cited by ranchers who oppose bison reintroduction proposals. But as many authorities point out, much of the concern over brucellosis is exaggerated. "You simply inoculate the bison before the transplant," declares Smith. "If brucellosis appears among the cattle afterward, you know it came from domestic livestock, not the bison."

--Dick Blust

## Black Canyon melodrama reopens in Colorado

A Colorado rancher has told the Park Service that he will bulldoze an access road on his land inside the Black Canyon of the Gunnison National Monument.

John C. Botti owns 600 acres on the canyon's north rim that were annexed to the monument in 1984 to protect the view. The monument was established in 1933 to preserve a sheer-walled 2,000-foot gorge carved by the Gunnison River in west-central Colorado. But the Park Service has never purchased a scenic easement on Botti's property, and the rancher says he is tired of waiting.

"I think eight years is giving them enough. If they were interested, you'd think they'd do something by now," he said.

Botti sent a letter May 14 to Park Service Director William Penn Mott outlining plans for "substantial improvements" on his land.

Among the projects he listed are building an access road, clearing brush, adding stock ponds and farm structures, and harvesting Christmas trees. Work on the access road will start about June 15, Botti said.

Botti's move is not the first threat of development at the monument. Rancher Richard Mott last year received \$2.1 million in an out-of-court settlement for 4,200 acres he owned inside the monument.

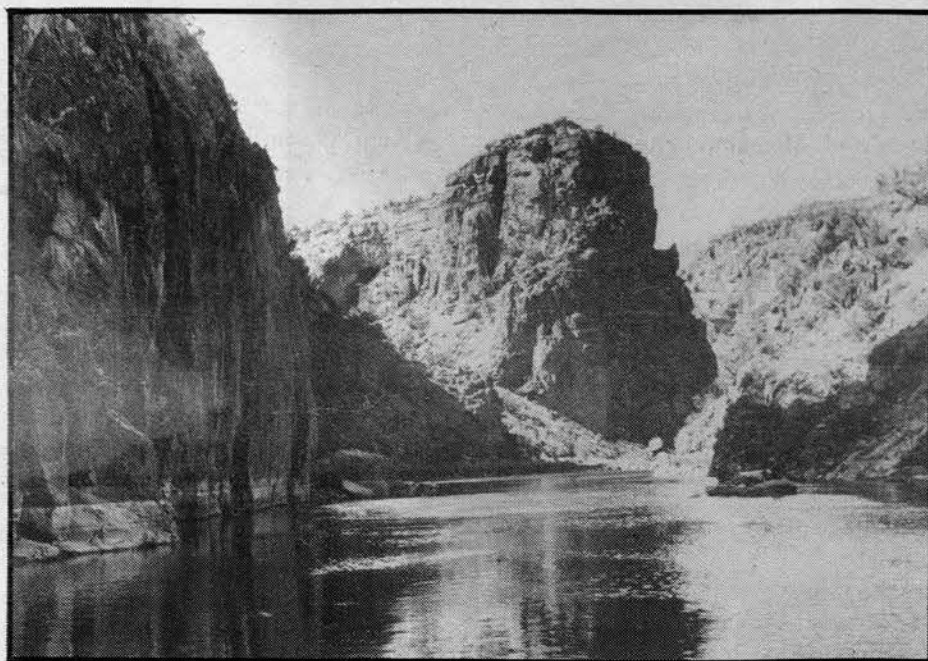
As part of the settlement last October, Mott and the Production Credit Association, which had threatened foreclosure, were paid \$2.1 million, and the federal government received full title to the land. Mott was also given grazing privileges within the monument for 20 years.

Botti said he is not trying to bluff the Park Service into a similar settlement.

"I'm giving them 30 days to just say 'Mr. Botti, we want the land or we don't want the land,'" he said. "I can't afford to run any big bluffs and spend \$300,000 or \$400,000 (for legal fees)."

He said he has agreed to a scenic easement before, and if the Park Service and the public still want it, he's willing to talk.

When Congress established the current monument boundary, it authorized the Park Service to buy less than full ownership of private lands within



Gunnison River as it leaves the Black Canyon

the monument to protect visual quality, natural or cultural resources. That means the Park Service can buy a scenic easement and prevent the landowner from developing the property in any way that would disrupt the natural scenery.

But until easements are purchased by the Park Service, landowners are free to do whatever they want with the land, according to Black Canyon Superintendent John Welch.

"These landowners still own that property and have all the rights associated with that," he said.

A 1985 land protection plan, which is not legally enforceable but serves as a set of guidelines for preserving land values within the monument, lists several land uses that are not allowable. Among those are major structures such as homes and barns, roads, and reservoirs larger than an acre.

"It would appear that some of the things (Botti) proposes to do would fall into the unacceptable uses," Welch said.

Botti said he has planned to work the land at the monument since he bought it nine years ago. But he put those plans on hold when discussions about the scenic viewshed began about eight years ago.

Botti said he received a letter from the Park Service's regional office in Denver about three months ago saying

there is no money to purchase scenic easements at the Black Canyon. The office said it was possible a land trade could be arranged with the Bureau of Land Management, which owns much of the land outside the monument.

"They admitted it would probably take years," Botti said.

Homer Rouse, associate regional director for park operations, said it is up to Congress to appropriate more money to buy scenic easements. Some funds were allotted in 1984 on the basis of Park Service appraisals, but land acquisition costs increased as a result of the Mott settlement.

"Consequently, there is no more money available for acquisition of property in the Black Canyon," he said.

Sen. William Armstrong, R-Colo., has asked the Senate Appropriations Committee for \$1,215,000 to purchase the remaining 2,429 acres of private land within the monument. He said that amount is based on the \$500 per acre that Mott received in his settlement.

Armstrong is also asking the Park Service to start appraising the lands to speed up the purchase process. He said the agency has \$34,700 left over from the Mott settlement that could be used to start the appraisals.

--Bob Kretschman

## HOTLINE

### EPA acts on Diazinon



For the first time, the Environmental Protection Agency has banned an insecticide on golf courses and sod farms solely because it kills birds, reports AP. The insecticide is Diazinon (both its chemical and brand name) and each year 8 million pounds are used to control insects on farms, in nurseries, and around homes and gardens as well as on golf courses and sod farms. In banning Diazinon, EPA administrator Lee Thomas overruled an administrative law judge who recommended continued use of the pesticide because its benefits outweighed its risks. Colorado State Pesticide Program Manager Dallas Miller says a warning label will be printed on all Diazinon home and garden care products, which should prevent Diazinon from being used accidentally on golf courses or sod farms.

## LETTERS

### BINGE IS OVER

Dear HCN,

The loggers' convoy to Darby, Mont., points out a problem: Loggers have invested into a business that does not make economic sense. Now they want the public to bail them out from their own predicament.

Loggers do not believe in free enterprise. In the last five years alone, loggers received over \$2 billion in taxpayers' subsidies. Do they apologize? No, they angrily drive to Darby and demand more subsidies!

I am the owner of Boulder Hot Springs. I well remember another loggers' convoy -- this one to the popular roadless area immediately west of my resort. Somehow, the loggers talked the Forest Service into shelling out \$1.5 million dollars of taxpayers' money to subsidize the destruction of this priceless public resource. This angers me. The government does not pay my costs to run my resort. Yet, the Forest Service pays the bill for the loggers, even when these subsidies directly harm those of us who still operate in the world of free enterprise.

Loggers always argue "jobs" and "Montana's economy," but it's really nothing more than pork. Since the loggers live off the public dole, wouldn't it be cheaper to give them welfare directly? Then, our few remaining wildlands would be spared. And, those of us in the recreation industry could still earn a living.

Human progress cannot be measured by material gain, unless our environment remains constant. Otherwise, our "improved" standards of living are at the expense of the water we drink, the food we eat, the air we breathe, and our grandchildren's lives. We all see the moth-eaten hillsides where 10 years ago there were forests. We all know, deep inside, we are losing something very precious. Loggers -- the binge is over. You must learn to live within the land's ability to produce. Ninety percent of Montana has been roaded and developed. Despite your tantrums, Montana's few remaining wildlands must remain "as is."

Boulder, Montana

## HOTLINE

### Un-appealing

In response to complaints from the public and within the agency, the Forest Service proposes changing the process for appealing agency decisions. According to Forest Service chief, F. Dale Robertson, the proposal is designed to "streamline, expedite and eliminate confusion in the appeals process." Under the proposal, which is subject to comments from the public, appeals will be separated into two kinds: The first concerns permits issued by the agency to use or occupy forest land. Those appealing this way would include graziers, miners, and loggers dissatisfied with some aspect of their contract with the agency. Appeals of this sort, which would not include contractual disputes, would be as structured and formal as the current appeals process. The second kind of appeal is for anyone who does not have a formal relationship with the agency, and would be less structured. Both types could only be appealed once, unless the agency granted a second appeal. Currently, rejected appeals can be refiled at the

next highest administrative level. Appellants would bear the burden of showing why a decision should be overturned. The rule change would also eliminate the right to appeal decisions relating to "rehabilitating" lands affected by "natural catastrophes," such as fire or insect infestations, if the agency says there is "good cause" for excluding such appeals. David Atkin, vice president of the Oregon-Natural Resources Council, which is opposing a Forest

### Timber industry rallies in Montana

While the Forest Service announced changes in its appeals process, over 300 logging trucks made a symbolic pilgrimage to the western Montana town of Darby to deliver timber. The convoy was meant to dramatize timber shortages afflicting the Darby Lumber Company mill, which convoy organizers say is threatened by "abusive and frivolous" appeals, according to the *Hungry Horse News* of Columbia Falls. Truckers who joined in the convoy, called the "Great Northwest Log Haul," came from all over

Service decision to log a burned-over area in the Siskiyou National Forest, criticized this change. "The agency is deliberately trying to remove its decisions from the domain of public dissent," he says. The agency is also soliciting comment on whether to require a filing fee for appeals to eliminate "frivolous appeals." For a copy of the proposed changes write F. Dale Robertson, Chief, Forest Service, USDA, Box 96090, Washington, D.C. 20090-6090. Comments can be sent to the same address by July 15, 1988.

western Montana. After workers unloaded the logs, the truckers were treated to an all-town barbeque for their efforts, which they said would keep the mill open about three more weeks. The week before between 2500 and 3000 people connected with the timber industry rallied in Libby, Mont., to express concern about appeals and the designation of more wilderness in the state. Montana Sens. John Melcher and Max Baucus greeted the crowd and expressed support for streamlining the Forest Service appeals process.

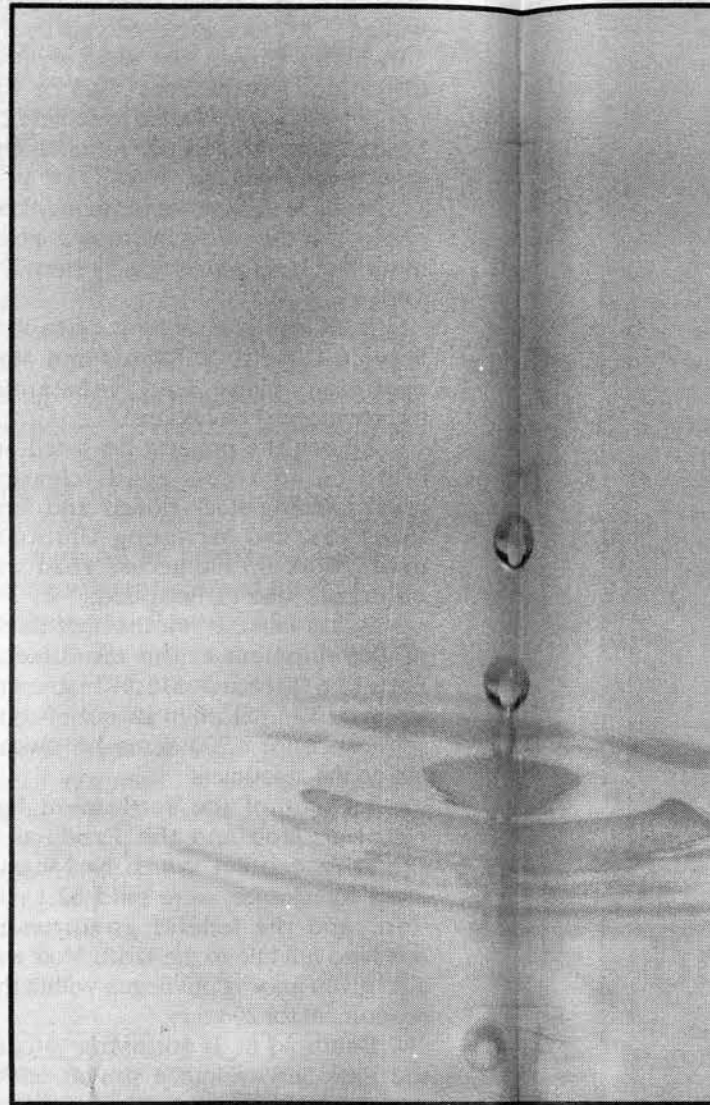


One speaks of "rooms" but this canyon is a continuity of spaces.

Bulges and constrictions opened through the earth by flowing water.

*Upstream - what*

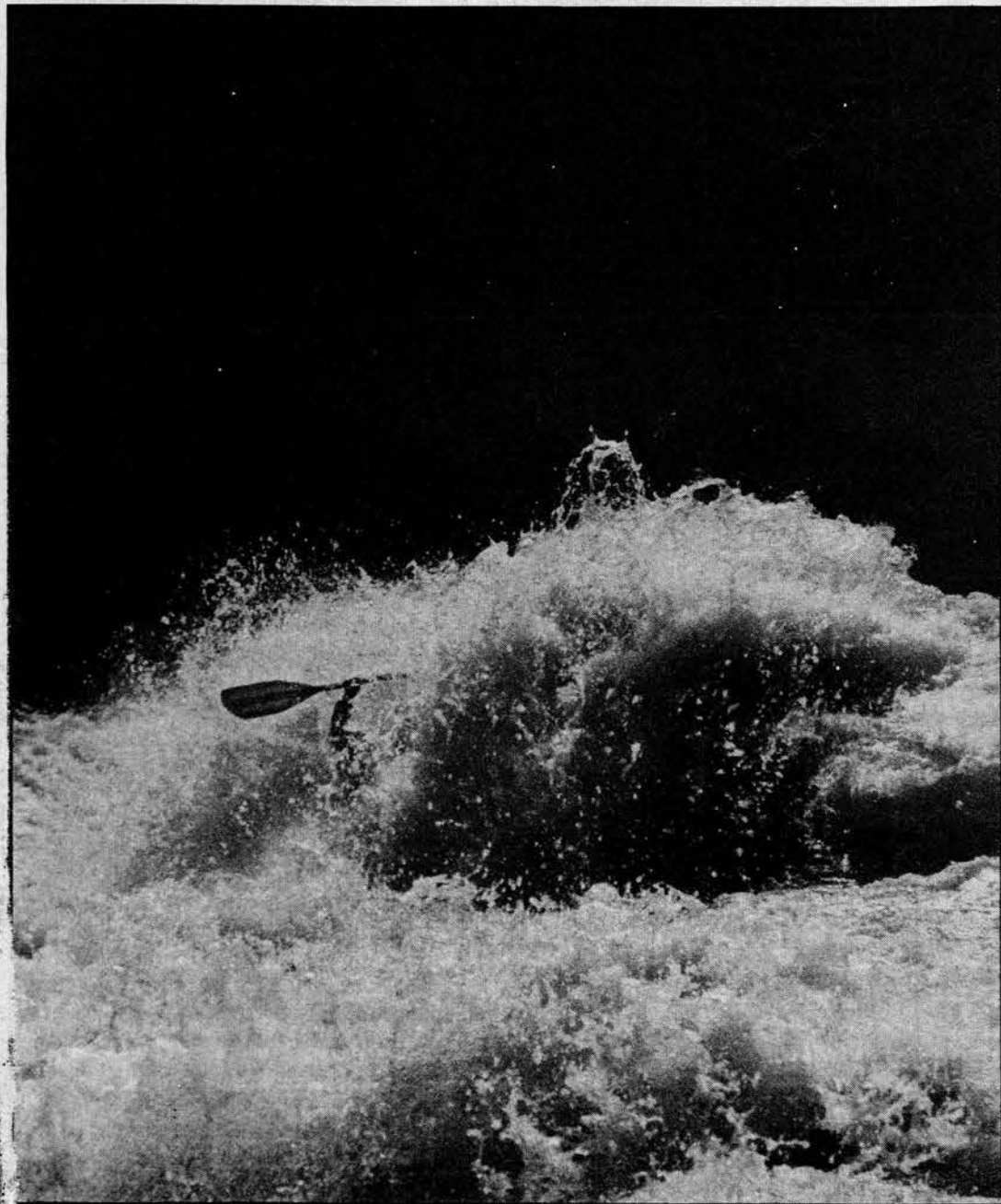
*Downstream - what u*



From a spring above came a ribbon flowing through the desert heat. Drops fell to the pool. The pale bottom was alive with radiating circles and color.

In the bright sun we could see neither the drops hit the water nor created, created, Yet

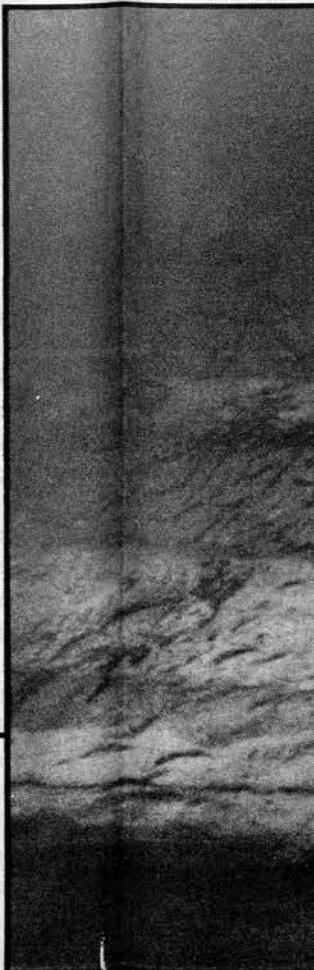
on the bottom of the pool shadows appeared below each drop and spread outward



Ahead, the canyon turned crests of waves danced, and the river disappeared.

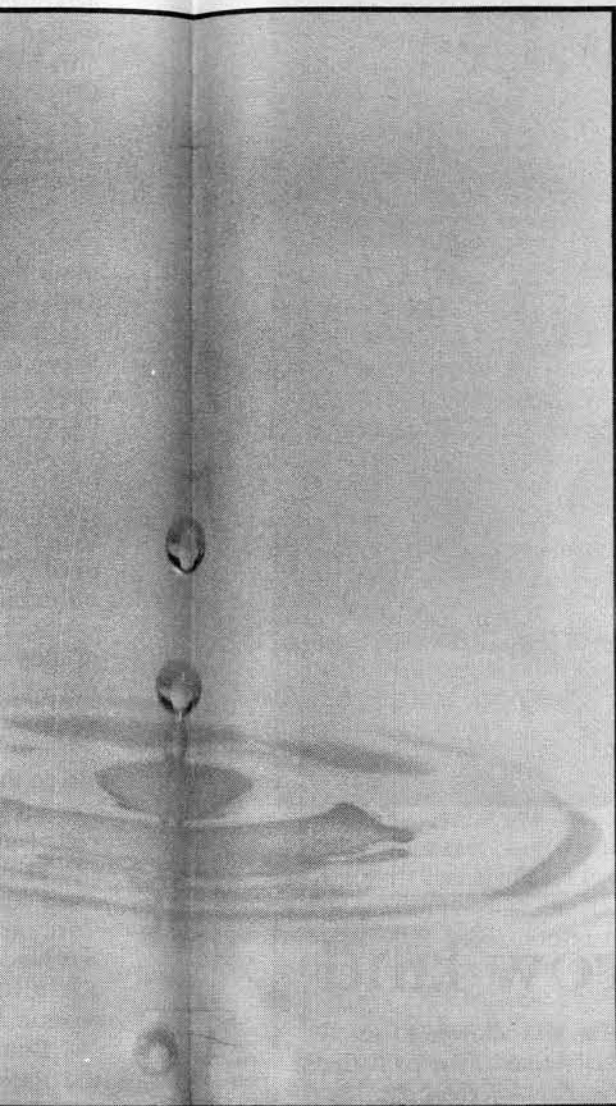
I sat up.

On the shore, Fletcher, Ann and I walked into a grotto entrance and sat looking down the smooth limestone wall, discussing whether we would need a rope to climb out. Willie walked below us and announced, "This is a run-around." He ran down the wall into the limestone bowl and up the other side.

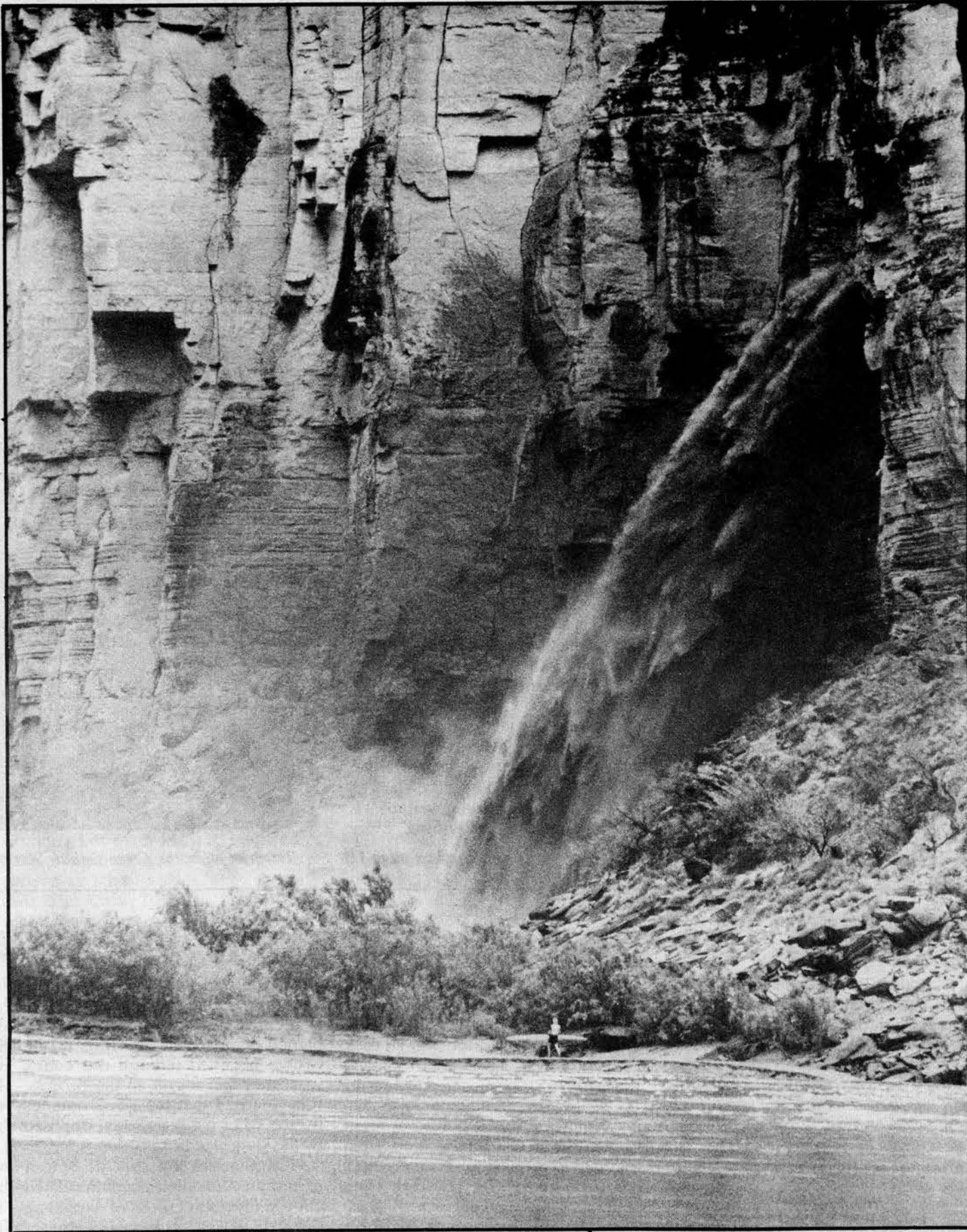




ream - what was  
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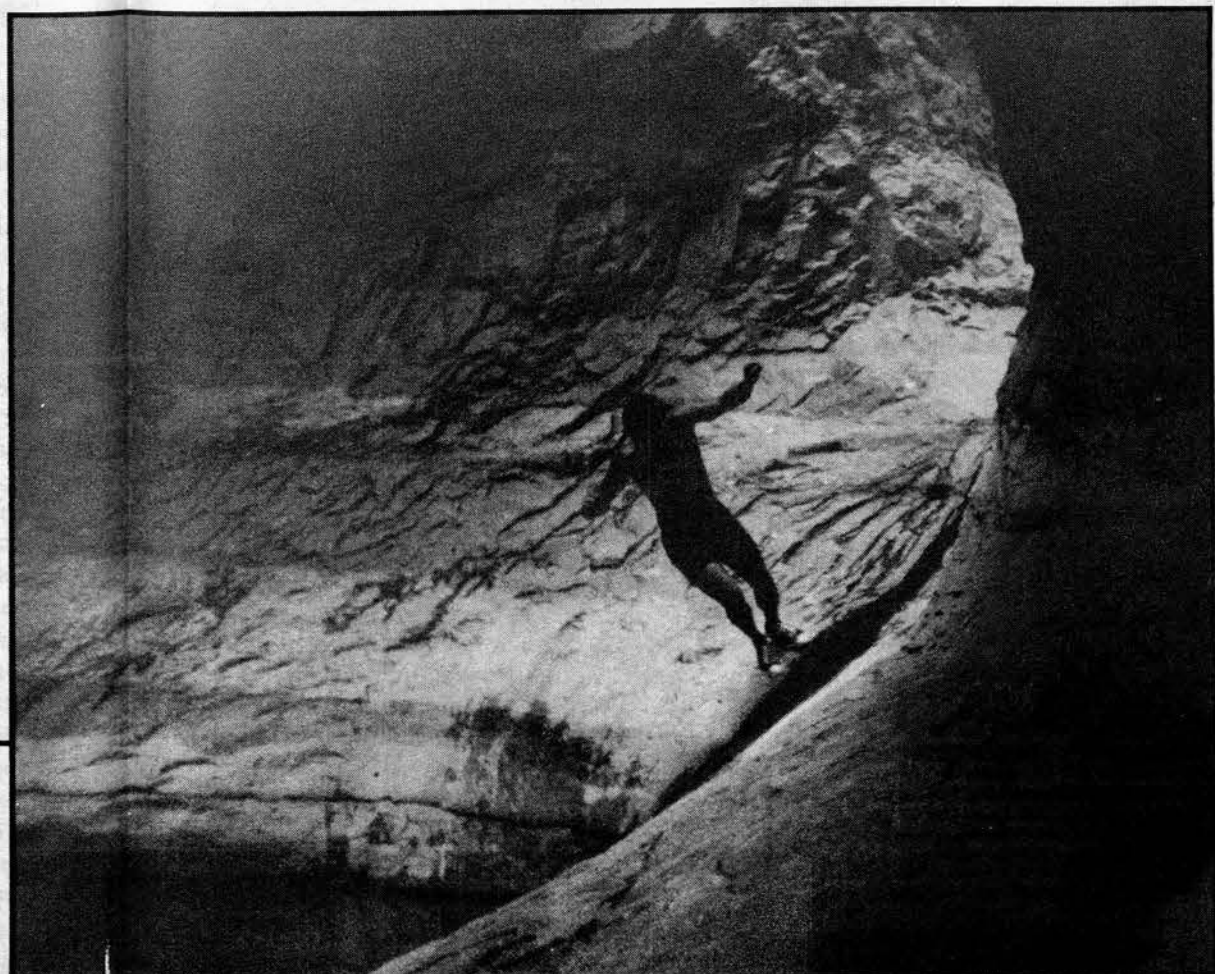


on a spring above came a ribbon of water  
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pale bottom was alive  
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ne bright sun we could see  
her the drops hit the water nor the waves they  
ted,  
on the bottom of the pool  
shadows appeared below  
each drop and spread outward.



The walls were alive with fountains.  
Upstream, a red flood exploded from  
the side of the canyon - rocks, cactus  
and tons of mud

rocketed  
into space.



When he is not working as a medical doctor, Coloradan William Evans, 46, might be found in a kayak down in the Grand Canyon, on a hike through the deserts of the West or further afield, in Alaska. He has written a book about those experiences, *Too Much is Never Enough*, that combines photographs, observations and poetry. Completed 10 years ago, the book was self-published just last year because, Evans says, it needed a voice.

The book is available from Denver's Tattered Cover bookstore or from Clearwater Pools Publishing Co., Box 174, Littleton, CO 80120 for \$10 softcover, \$22.50 hardback.

## Crow...

(Continued from page 1)

the same old situation once the money was spent. Instead, Real Bird said more people are now interested in secure, long-term investments.

He said he has also heard suggestions that the tribe build its own facilities to care for its orphans and old people, and perhaps start its own mortuary. He sees jobs and other benefits in financing road maintenance in isolated rural areas of the reservation. According to Real Bird, many also say that the tribe should buy back land from white ranchers and farmers. Some spoke of a need for scholarships and maybe trade schools.

Others favor business enterprises on the reservation, ranging from coal-fired power plants to tourism. But there is always the call for per-capita -- now.

Tribal officials have discovered, however, that their taxing status might be jeopardized if they pass out big checks to everyone. Tribal lawyer Jean Bear Crane told the group, "If Congress sees the Crow Tribe spending that on per-capita, it might curtail the tribal authority to tax."

Pease noted, "If we make any mistakes here, we're going to harm every tribe in the U.S." Tribal member Ada White stood up and added, "If this tax money is used for per-capita, Congress will knock the hell out of us."

Tribal unity is another historic

problem in Crow country. Every chairman in recent years has faced attempts at recall and impeachment. The high stakes of a big cash influx always aggravate the old feuds and alliances among the clans, the Mountain Crow and the River Crow. "We'll never have unity because everyone's always pointing fingers to the past," said Urban Bear Don't Walk, a Billings lawyer and tribal member.

The ancient divisions may be more of a problem because of the tribe's political structure. The Crow Tribe, said Real Bird, is "the only pure democracy in the world." Most U.S. Indian tribes follow a 1934 act allowing elected tribal councils to run their affairs.

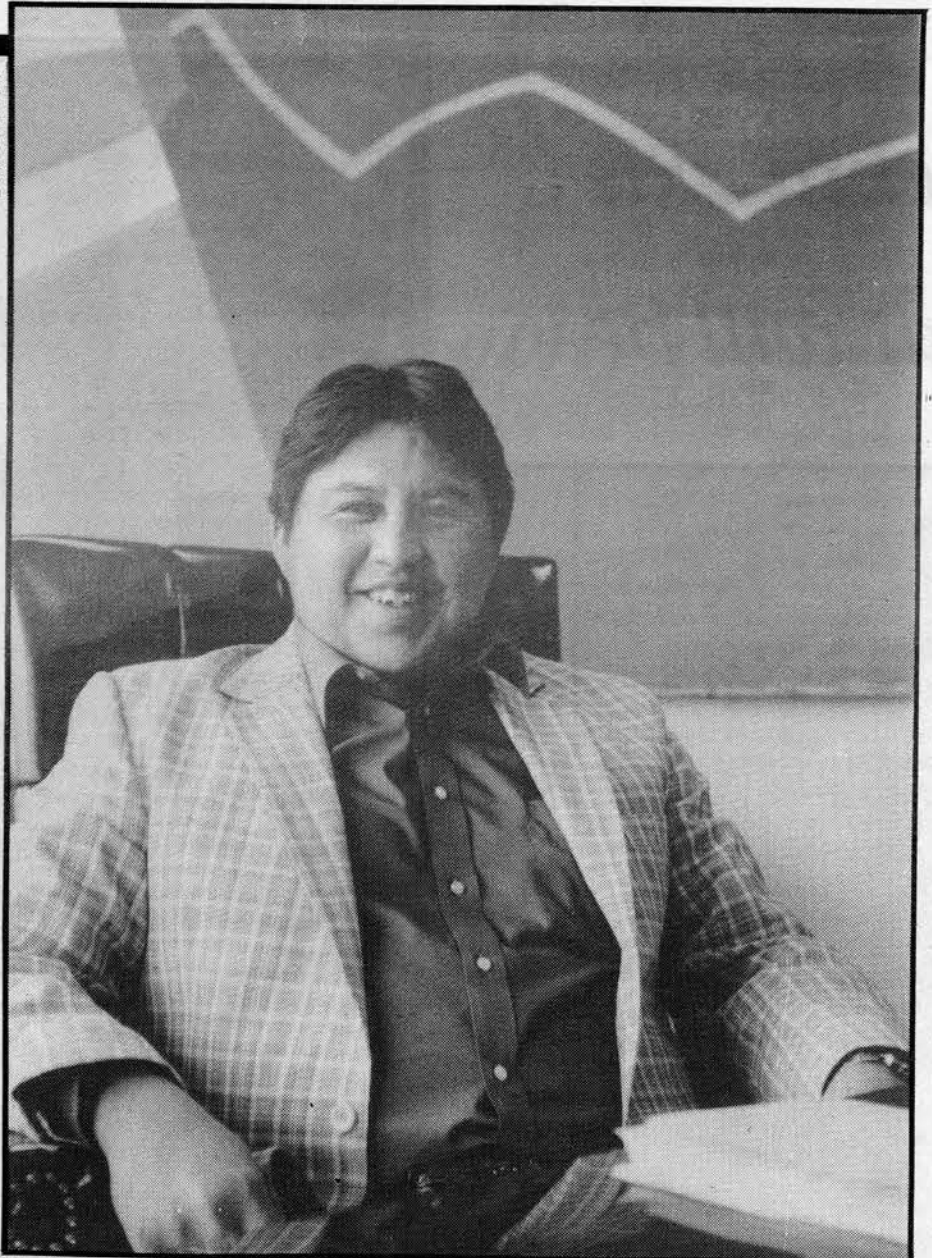
In the Crow Tribe, however, adults are all voting council members. They elect the four top administrative officers, then gather to vote one Saturday every quarter on business matters. It is much like one big New England town meeting -- or as some Indians say, it is exactly like traditional tribal government.

But sometimes meetings aren't so big, and whatever faction shows up with a majority can decide policy. Sometimes 300-400 people will change everything done at previous council meetings.

At the February sessions, Tribal Secretary Truman Jefferson decried the lack of participation by his tribe: "When it comes to a Saturday, you'll be out at K-Mart. The tribal government is left to cope with everything. Every

(Continued on page 11)

Pat Dawson



Truman Jefferson, Crow Tribal Secretary

## The U.S. has spent a century chiseling away Crow land

Rotten Tail, the revered 19th century Crow chief, used to say that the Great Spirit put Crow country in exactly the right place.

He told an early fur trader: *It has snowy mountains and sunny plains; all kinds of climates, and good things for every season. When the summer heat scorches the prairies, you can draw up under the mountains where the air is sweet and cool, the grass fresh, and the bright streams come tumbling out of the snow-banks. There you can hunt the deer and the antelope, when their skins are fit for dressing; there you will find plenty of white bears and mountain sheep.*

*In the autumn when your horses are fat and strong from the mountain pastures, you can go down into the plains and hunt buffalo, or trap beaver on the streams. And when the winter comes on, you can take shelter in the woody bottoms along the rivers; there you will find buffalo meat for yourselves, and cottonwood bark for your horses; or you may winter in the Wind River Valley where there is salt weed in abundance. Everything good is to be found here. There is no country like Crow country.*

The eloquent chief wasn't the only one who appreciated his homeland. Starting with the first fur trappers on the southern tributaries of the Yellowstone, white men coveted Crow country.

The original Crow Reservation, granted in 1851, took in almost the entire south bank of the Yellowstone Basin. Later, at the 1868 Fort Laramie summit, 11 Crow chiefs signed their Xes to a treaty with the government that left them with land from the northern Yellowstone Park area east to the other side of the Little Big Horn River.

In 1873, the government considered moving the tribe north to the Judith Basin, between the Musselshell and Missouri rivers. But news of the plan leaked out and a rush of white settlers claimed the area for them-

selves. This treatment came even though the Crow Tribe never made war against the U.S. government or the settlers. In fact, the tribe was an early ally of the U.S. against surrounding hostile tribes.

By 1882, the Emigrant Gulch mining camps prompted the government to withdraw the Crow land from Gardiner to Livingston. Then, in 1892, the tribe ceded its territory from approximately Big Timber to Billings. The only platinum mine in North America was recently opened on that portion of former Crow land.

The 19th century changes left the tribe with its current land base of about 2.5 million acres. But the tribe now actually owns only 51 percent of that area, because the government allowed non-Indians to buy land in Crow Country.

The same government department charged with the responsibility of protecting the Indians' interest also managed to acquire about 7,000 acres of Crow land as a site for a giant hydroelectric dam on the Bighorn River. The Bureau of Reclamation offered the tribe \$1.5 million in 1951. The tribe demanded \$5 million.

Chambers of commerce in Hardin and Billings pressured their congressional delegation to override the Crows and build the dam. Tribal Chairman Robert Yellowtail's offer to lease the dam and reservoir site to BuRec for 50 years at \$1 million a year, with the tribe assuming ownership at the end of 50 years, was resisted by the government, which threatened to condemn the land and pay the tribe \$35,000.

In early 1956, Chairman Yellowtail complained that he was approached with a bribe scheme initiated by a BuRec employee. After years of haggling in Congress and the Interior Department, and after spending the tribe's own money for legal counsel on a long court fight, the Crows, in 1963, got their 1951 demand of \$5 million. The government then named the project Yellowtail Dam.

Ralph Nader's 1973 Study Group Report on BuRec commented, "Unable to receive justice from the executive branch of the federal government, the Crows obtained through the courts what they had sought. In the process, they learned that the government's trustee status is a sham when opposed by the Bureau of Reclamation."

Over the last 100 years the Bureau of Indian Affairs has accommodated outside interests desirous of exploiting Crow land and resources. Some of Montana's richest businessmen made easy money leasing or buying cheap farming land and running livestock on bargain grazing leases on the reservation.

Even oil man Bunker Hunt of Dallas owned a large ranch there until selling it recently to Earl Holding, head of Sinclair Oil and owner of the Sun Valley ski resort in Idaho. Holding has since been busy buying up more land across the reservation, and is reportedly on the verge of controlling 200,000 acres.

U.S.S.R. Premier Josef Stalin was so inspired by reports of the farming of Crow land by fleets of tractors that he invited farmer Thomas Campbell over in 1929 to help orchestrate the plowing of 10 million acres in the Ukraine. The nation's biggest wheat farmer, Campbell used his Crow farming experience to advise Stalin on the Five Year Plans that started collective agriculture in Russia.

During World War I, Campbell was on the verge of being shipped over to France as an Army engineering officer when he wired President Woodrow Wilson suggesting that vast tracts of U.S. Government land in the West could be plowed up and planted to grain for the war's food supply. Wilson's Interior Secretary asked Campbell to join the Bureau of Indian Affairs farming director in surveying reservation land.

Campbell took his report to Washington and sold the government on reversing its policy against leasing

Indian land. He was allowed to lease all the land he wanted if he paid the Indians 10 percent of the crop. So instead of going "over there," he headed up the effort to break Indian rangeland into cropland. Campbell Farming Corp. in 1925 owned or leased 95,000 acres on the reservation.

Not much has changed since Campbell's days. Grain merchant and sodbuster John Greytak in 1984 admitted that he "inadvertently" broke some Crow ground without consent. It was part of Greytak's ambitious wheat farming operation on 100,000 acres of reservation leases.

A few years ago, the communal Hutterite sect bought a large white-owned cattle ranch in the middle of the reservation and established a colony. In the town of Lodge Grass two cultures meet: Crow women wearing shawls, knee-high leather leggings and money belts pass by Hutterite women dressed in long gingham dresses and head scarves.

The Crow have been one of the more flexible tribes in adapting to the ways of the dominant culture. But tribal leaders fear their easygoing ways may cost Crow children their ancestral ground.

State Sen. Bill Yellowtail says the section of a 1920 law that limits non-tribal owners to around 2,000 acres is being ignored. "It should be repealed or enforced," he said.

In addition to white infiltration of the reservation, the tribe is threatened by its own population growth. In 1900, there were 1,941 Crows. Today, there are about 7,000 enrolled members. Some 570,000 acres owned by the tribe and individual members are leased out by the BIA. The tribe itself only controls 51 percent of its reservation land area. If the tribe ever gets the disputed coal tax money, a priority for many Crows is to buy back reservation land.

--Pat Dawson

# Crow...

(Continued from page 10)

social problem the tribe has, it comes into the office."

Several weeks later, as Jefferson sat at his desk, he recalled that his first job out of high school was washing dishes in the restaurant at the Sun Lodge during the summer.

"I liked it. I worked three months in that heat and then went off to college. It was a way to make some money near home. But the Sun Lodge was structured to fail," he recalled, because the tribe had little say in its concept. "My grandfather predicted we'd see horses and cows one day sticking their heads out the doors and windows. The carpet mill was a similar deal," he added. "The raw materials had to be shipped in from back East, and we were too far from the markets for the finished product. Now, when we try to do something, they refer back to the Sun Lodge and the carpet mill."

Jefferson said young Crow people would like to stay and work on the reservation, "but there is no opportunity. We all want to stay if things could be done in a right manner."

The past failures have increased the pressure on tribal officials to go for the quick money and spread it around. At the February meetings, Chairman Real Bird heard many demands for per-capita payouts.

Hanging on the wall of Real Bird's spacious office is a photo of his great-grandfather, Chief Medicine Crow, who led Crow warriors with the U.S. Army against hostile tribes during the campaign of 1876. The government's gratitude is not evident these days, for the Bureau of Indian Affairs has frozen most of the tribal budget because of irregularities under the previous tribal regime -- all while it was being supervised by a BIA auditor.

Many tribal programs are denied money, including the tribal court and low-income energy assistance. Last October, armed federal agents descended on the tribal office and seized most of the records. Technically, the tribal government is at a standstill.

So Real Bird, 47, by his own choice, budgeted his salary at \$4 a year, instead of the usual \$36,000. "That did not make me knuckle under," he explained. "I'm a bronc rider, not a politician. This is a sovereignty fight. The BIA is holding up our budget because nobody wants to be regulated by Indians. So they are trying to starve us out."

After taking the records, Real Bird said, the feds tried to return them. But he refused, saying they are now tainted evidence that should be locked in



Pat Dawson

Closed Sun Lodge on the Crow Reservation

court storage. The BIA has more to hide than the tribe, he said.

Real Bird isn't worried that economic need will force the tribe to settle for only part of the coal severance tax money.

"One thing we got going for us: we don't know how it is to live well. We can continue to live like this and survive as long as these court fights take. The Crow Tribe has become a tribe that exercises sovereignty. The coal companies that have dealt with the tribe in the past can't understand this. The Crow Tribe is prepared to develop its own resources without paternalistic interference. We're saying: let us develop, let us control our own destiny."

The tribe's coal, timber, and agricultural land are worth an estimated \$26 billion, yet the tribe this year will probably earn less than \$1 million from those assets. Real Bird said the tribe had been under the impression that its coal reserves were 18 billion tons until last fall, when a BIA official told a congressional hearing that the government estimates Crow coal at 406 billion tons.

Real Bird's administration is becoming more convinced every day that the tribe's huge, untapped resource base is attracting a quiet conspiracy of government and industry interests seeking to undermine tribal power in order to gain easier access to Crow coal and water.

Already, says the chairman, an opposition faction within the tribe is secretly talking to the coal company,

Westmoreland Resources, about the tribe dropping its claim to the coal-tax money in exchange for part of the principal. Some, he said, are trying to attract other companies to come in and mine Crow coal. "They are bringing in con men, front men, middle men, whatever, to bring in firms. We won't talk to these people."

Real Bird is unusually magnanimous about such subterfuge in tribal politics: "I see no threat. That's just a normal part of democratic government. It serves as a vehicle to expose these other extremes. I don't try to prevent them from doing it. I want these people to be free, to be independent, to develop self-esteem, which they only get from basketball today."

He said he is prepared to fight to invest the coal-tax money, rather than to settle for less and then dole it out. It is politically risky to take such a position in the face of rampant poverty, but Real Bird said he will continue to push for economic sovereignty. "That's what leadership is all about, trying to convince people to do the right thing, which is to look out for the future of the tribe."

The leadership of Real Bird and his supporters was dealt a blow at the April 9 tribal council meeting. The opposition claims they rallied enough votes to strip him of his powers and his \$4 annual salary. Critics blamed Real Bird for the lack of money in the energy assistance program. Several reservation residents complained that their

electricity was turned off April 1 for non-payment.

Real Bird took a long time to make up his mind, but he did run for another two-year term this May. "The majority of the tribe realizes that welfare is not the answer," he said.

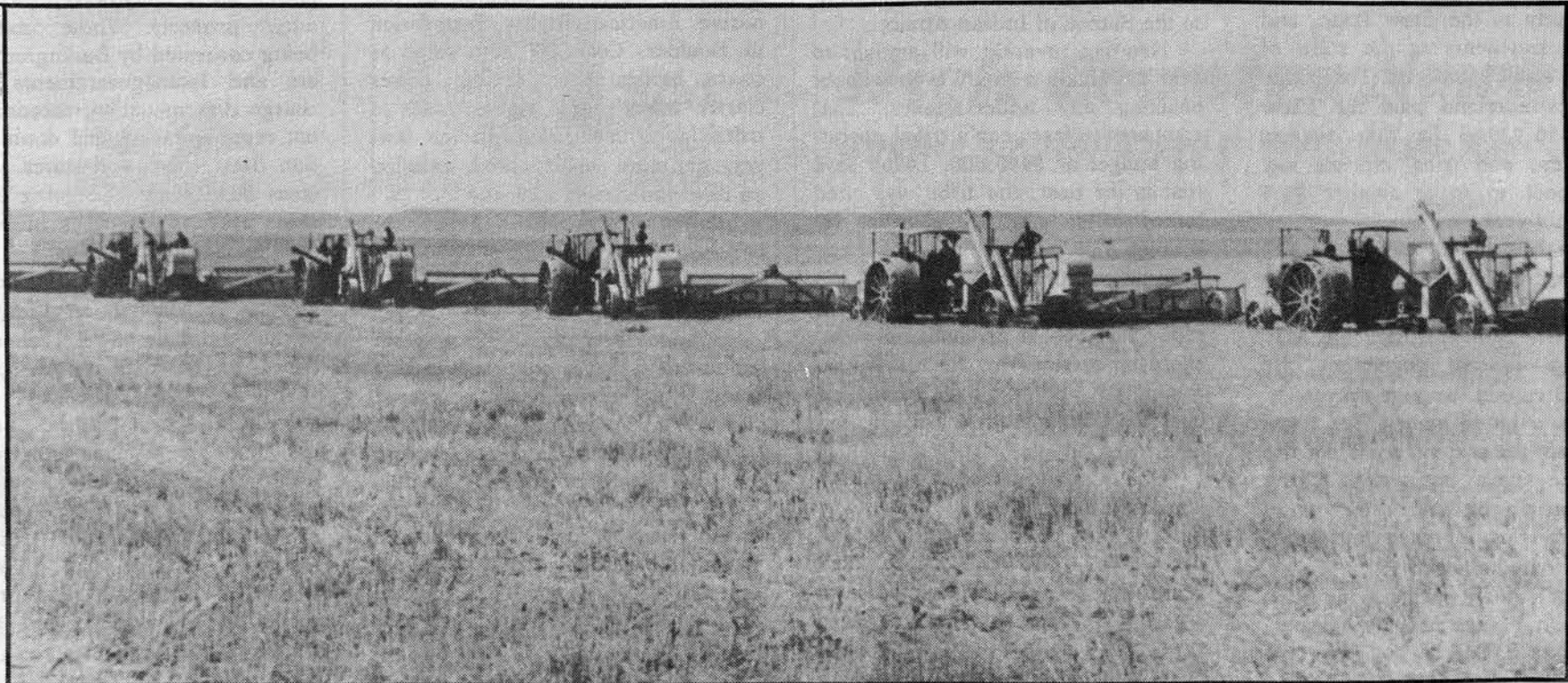
"If they wish to continue in this welfare state, then any damn fool can lead them. It's an easy job -- I could turn it all over to the BIA and the state of Montana. But I won't sacrifice the economic future of the tribe, and that's what these coal companies don't understand."

*On May 14, Richard Real Bird narrowly outpolled four other candidates to win re-election to another two-year term as Crow Tribal Chairman. The Real Bird slate also captured three of the four offices up for grabs.*

□

Patrick Dawson is a freelance writer in Billings, Montana. His stories were paid for by the High Country News Research Fund.

C.F. Cory



1925 wheat harvest by Campbell Farming Corp. on the Crow Reservation

12-High Country News -- June 6, 1988

## U.S. Senator is shocked by Indians' plight

BILLINGS, Mont. - Sen. Daniel Inouye earlier this spring found himself a long way from the halls of Washington. The Hawaii Democrat's swing through Indian country brought him uncomfortably closer to the problems he faces as head of the Senate Select Committee on Indian affairs.

Since he has been chairman, Inouye said, "I've spent more time in Indian country than in Hawaii, because the problems are serious."

The World War II combat veteran and star inquisitor at the Watergate and Iran-Contra hearings was warmly welcomed by leaders of several mountain and plains tribes, and they described for him in sometimes graphic terms the poverty, joblessness and social ills on Western reservations.

"This is my first trip to Montana," Inouye told tribal leaders. "Your recognition is long overdue. The problems are horrendous. I'm surprised that the situation has not been more explosive."

Montana's Crow Tribe, for instance, is sitting on billions of tons of unmined coal. The tribe has laid claim to \$28 million in coal severance taxes which the U.S. Supreme Court in January ruled can be assessed by the tribe. But the money sits in a bank, while the tribe remains broke, said Crow Tribal Chairman Richard Real Bird.

"We want to generate a better return on our assets," Real Bird told Inouye. "We have an over 90-percent unemployment rate, and housing and health needs on the reservation. Some of these well-meaning federal programs often serve as a roadblock to the tribe's own development. We need technical assistance, and the Bureau of Indian Affairs doesn't have the expertise we need."

Inouye said that responses to Indian problems have for too long been "made-in-Washington solutions. They (bureaucrats) are not as sensitive as they should be. They have never been to a reservation. That's why I decided to go out into Indian country and get suggestions."

Inouye's committee earlier this year voted to finance an investigation of the Bureau of Indian Affairs following an Arizona newspaper series that alleged fraud, corruption and failure of the government to collect billions of dollars in mineral royalties for the tribes off 53 millions of acres of Indian land managed in trust by the BIA. Other scandals reported in the series were alleged mismanagement of federally funded Indian housing and medical care.

The senator, who is next in line for majority leader, said undoing a century of mismanagement for the nation's 1.5 million Indians will be a slow process. The U.S. Government has violated provisions of the 370 treaties it made with the tribes. "We have a long agenda, an agenda that will take more than our lifetime to finish," he said. "Life ahead isn't going to be easy but the time has come for the United States to pay up its debt in this trust relationship."

Inouye also heard complaints from the Northern Cheyenne Tribe that federal money designated for Indian programs often is channeled into pay raises and expenses for BIA managers, while grassroots help is cut. Tribal Vice Chairman Eugene Limpy said he would like to see one lead agency in charge of Indian aid money that is now managed by the Bureau of Indian Affairs, Indian Health Service, Housing and Urban Development and several other agencies.

"The money is so low now," Limpy told Inouye, "that all it does is create

confusion and hard feelings among the people left out."

Inouye expressed concern over the wave of juvenile suicides which swept Wyoming's Wind River Reservation in 1985, resulting in 13 deaths and 100 attempts by youths between 14 and 25. The reservation, home to the Arapahoe and Shoshone tribes, is plagued with a 70 percent jobless rate, 75 percent of the residents live below the poverty level and small monthly payments from tribal oil royalties often end up spent on alcohol in nearby towns, Inouye was told.

Alcohol and other drastic dietary changes introduced to Indians over the past few generations are blamed for problems like the high rate of diabetes among the Assiniboine and Sioux on Montana's Ft. Peck Reservation. Chairman Raymond White Tail Feathers brought along public health physicians who told Inouye that the tribe started its own kidney dialysis program to help ease the strain on patients who were traveling hundreds of miles a week for treatment. But the tribe may not be able to afford continued operation of the system. "It would be an intolerable lifestyle for those patients without that unit," said Dr. Tim Visscher.

Indian reservations are served by Indian Health Service physicians and other professionals, but the remote areas and relative low pay make it hard to recruit such people, even with school loan incentives. Inouye

promised that by next year, reservation medical professionals would be on a par with other federal health workers and would be paid bonuses for working on some reservations.

He also said the government will run an intensive program to inform Indians about improving their health habits to prevent disease.

Shortages of money and economic opportunity in Indian country was the message Inouye heard most on his swing through four states last week. He said he hopes to use his political clout to battle for the Indians. Besides being in line for retiring Sen. Robert Byrd's job as majority leader, he told the tribal leaders that he expects to chair the Senate Defense Appropriations Subcommittee next year. That committee, he said, controls about one-third of the national budget, and he has already been telling defense contractors that they better be ready to do business with Indian tribes.

He said he is aiming to reduce reservation unemployment by allocating 1 percent of defense-related contracts to tribal industries.

Inouye would not comment on the progress of his committee's investigation of the Bureau of Indian Affairs. But he noted that the committee staff is now 70 percent Indian and has been making the rounds, checking on complaints and allegations. He said he himself planned to drop by a BIA office that he heard was equipped with a Nautilus fitness machine. There must be a better way, he agreed, for the bureau to trim its fat.

-- Patrick Dawson

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*Senator Daniel Inouye told Montana tribal leaders, 'Your recognition is long overdue. The problems are horrendous. I'm surprised that the situation has not been more explosive.'*

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## Crow legal victory in tax case will help many tribes

The Crow Indians' fight with the state of Montana over coal severance taxes is not quite over, but it appears the tribe has won big. (See page 1 story by Patrick Dawson.)

On May 25, U.S. District Judge James Battin ordered Westmoreland Coal to pay all future taxes on coal mined on the Crow Indian Reservation directly to the Crow Tribe, and to cease payments to the state of Montana and its counties. That same day, Westmoreland paid the Crow Tribe \$556,920.63 for first quarter 1988 taxes, and tribal officials say they expect to make another \$1.5 million this year.

Battin has yet to release the \$29 million escrow fund collected while the case was in court, but tribal attorney Sue Williams says the May 25 ruling all but guarantees the judge will rule in the tribe's favor.

That's a lot of money. Yet Crow leaders say the real victory is not the immediate spoils, but gaining taxing power and the directing of a continuing flow of cash into now-bankrupt tribal offices.

"What you are seeing is the birth of a nation," says tribal spokesperson Dewitt Dillon. "We can now operate like the state of Montana, Utah or anyone else."

The combined 9th Circuit Court and U.S. Supreme Court rulings upheld the Crows' right to tax coal operations on its reservation. The tribe and its lawyers assert that taxing right also extends to all other businesses on the reservation. Moreover, new tax revenues will be paid directly to the Crow Tribe instead of to the Bureau of Indian Affairs.

New tax revenue will amount to over \$2 million a year, even without enacting any added taxes. That compares to last year's tribal operating budget of \$480,000. Dillon says that in the past, the tribe was often forced to sell or lease tribal resources and lands to provide basic government services.

Now, he says, tribal officials can repay \$800,000 in accumulated debt, shore up services to the reservation community, and still have money left over for economic development and other uses.

The Crow victory is not a landmark case, but it adds to a growing list of court victories, all decided in the last decade, that affirm the sovereign power of Indian tribes to tax on their reservations. Previous cases before the Supreme Court and lower federal courts have upheld the tribes' right to tax timber

operations, federal school construction, retail and other commercial businesses, mineral development, and hunting and fishing.

The Crow case also underlines what is happening all over Indian country. "The tribes' power to tax is beyond question now," says John Ecohawk, executive director of the native American Rights Foundation in Boulder, Colo. He says that as court battles over taxing power clarify tribes' legal rights, and as tribal governments and Indian lawyers get more sophisticated, taxation on reservations will increase.

Crow attorney Williams says between 35 and 40 reservations have enacted new taxes in the past 10 years, including taxes on income, sales, and property. Many other tribes are taking a renewed look at taxes, especially mineral severance taxes. Williams estimates as many as 18 tribes could implement their own severance taxes on mineral production.

One example is the Arapahoe and Shoshone tribes on the Wind River Reservation in Wyoming. They are currently in negotiations with the state over past and future severance taxes on oil and gas production on the reservation, and Williams pre-

dicts that if those negotiations fail, the tribes will take Wyoming to court.

Other tribes are going after new taxes. Tribal councils on both the Blackfeet and Ft. Peck reservations in Montana recently enacted codes taxing utilities, railroads, electric power lines, microwave towers and other property. Those taxes are being contested by Burlington Northern and local governments, which charge discrimination, taxation without representation, and double taxation from tribes and states. Similar court battles are also going on over taxes enacted by tribes in Nevada, Oklahoma and Alaska.

While many bemoan added taxes and say it will hurt an already bad business climate on reservations, the tribes assert that added services, such as roads, fire and police protection, schools and hospitals can only improve conditions on reservations. Williams says with the power to tax now begins the "modern era of tribal government," and the ability to design and implement tribal governments that promote economic development and greater tribal self sufficiency.

--Steve Hinchman

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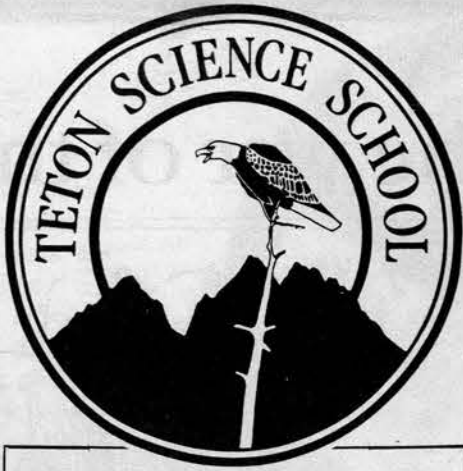
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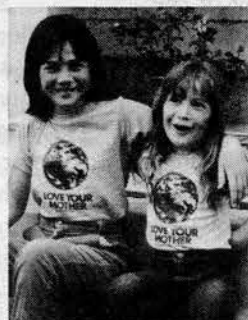
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14-High Country News -- June 6, 1988

## OTHER VOICES

# Ranchers may be losing the war of the myths

by C. Arden Pope III

I grew up the son of a rancher and farmer in the public lands states of Wyoming and Idaho. As a youth, I was exposed to the "Better-the-Devil-own-it-than-Uncle-Sam" and "Damn-the-BLM-and-Forest-Service" philosophy. As a boy, I cared little about anything but horses, guns, knives, and growing up to be a man.

Like many boys in the rural west, manhood was exemplified by an image of the cowboy or rancher. Many of us have never completely overcome romantic notions of horses, cows, cowboys, and ranchers.

As a researcher dealing primarily with agricultural production and natural resource economics, I have found it impossible to ignore the importance of romance in economic decision-making.

We are all aware of the traditional romantic view of Western lands. Wilderness is a frontier to be conquered. The range is a source of feed for livestock which is the lifeblood of a noble industry. Wildlife such as deer and elk are competition for forage that could be used by livestock. Predators such as coyotes, bears, and cougars are natural enemies to the industry to be shot on sight. Cowboys, or buckaroos as many now prefer to be called, and ranchers are independent, naturally wise, and brave. A special breed of man.

Adherence to these romantic notions often distorts reality. For example, I recently conducted a funeral for a neighbor. He was 82 years old when he died in an accident while riding a horse. He loved horses and was good with them. He was a fine man. But he was never a rancher.

Over a period of days visiting with his family and listening to the talks at his funeral, you would have thought he had been a cowboy or rancher his entire life. Romantic stories about him working on roundups and riding horses were told with reverence.

But he was never a rancher. He worked for two summers back in the '30s as a rider for a livestock association. The rest of his working life was spent primarily as a construction worker and machinist at a local steel mill. He was an excellent, skilled crane operator and machinist, but that was rarely mentioned and seems to be nearly forgotten and replaced with the last few years when he helped on a roundup for a few weeks in the fall.

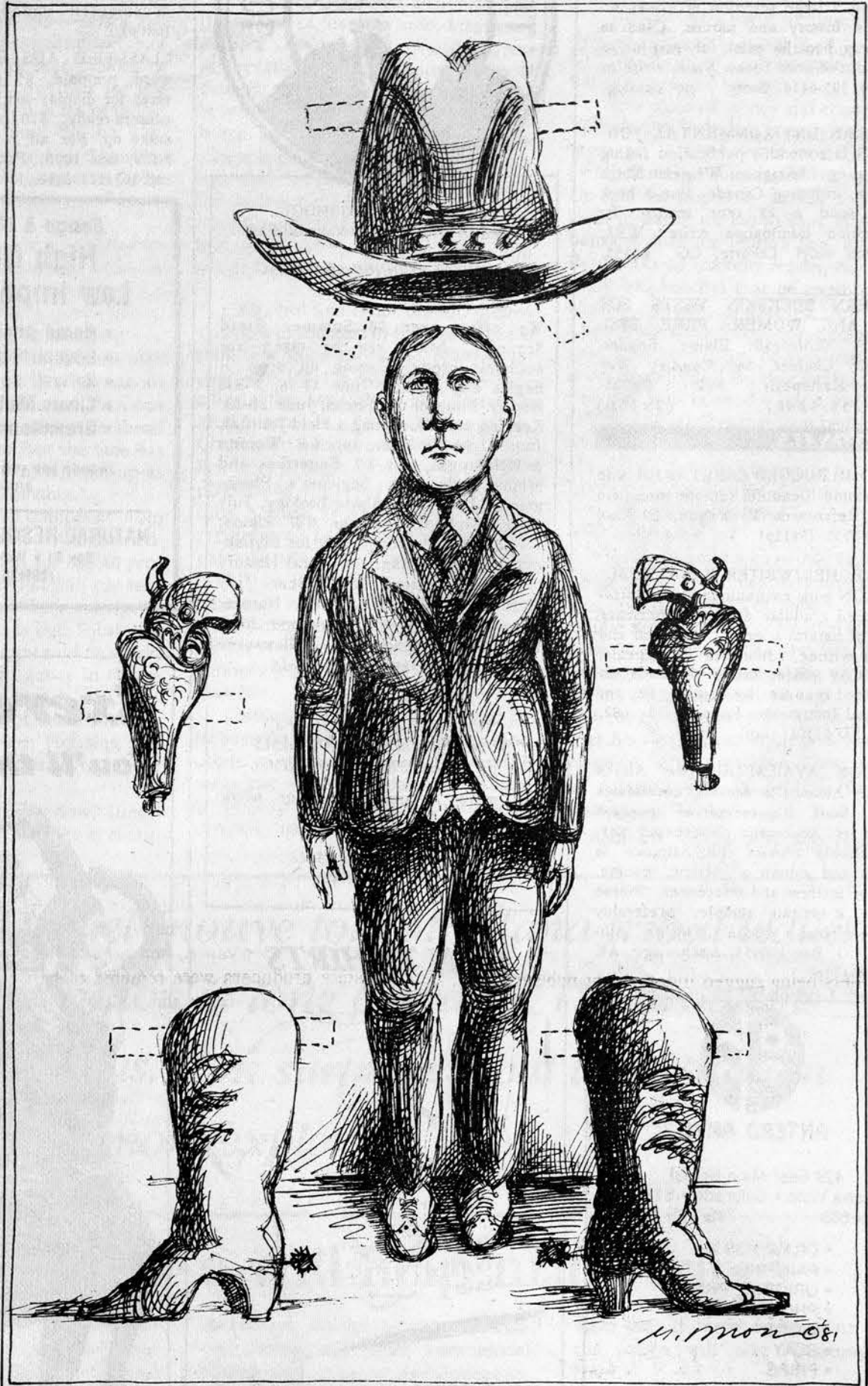
Why aren't crane operators, machinists, school teachers, nurses, traffic cops, and other such occupations conceived as noble? They are. But there has not been as much romanticism associated with them, nor with the resources they use to gain their livelihoods.

The traditional view of the West and its wild rangeland, however, is changing. No longer are conservationists and environmentalists a fringe interest group. Ranchers still use the word environmentalist as a swear word, or at least in association with them. Ranchers view recreationists and conservationists as tree-hugging, sniffing wimps who are trespassing on lands that ranchers view to be theirs by right of conquest. Worse, environmentalists are challenging ranchers' social status as well.

The problem for ranchers and those who use public rangeland is that environmentalists -- the Sierra Club, Audubon Society, and other such groups -- often seem to reflect mainstream America. Wildlife specials are more common on TV than Westerns. The Marlboro man on a horse is being replaced with Mark Harmon fishing or hiking in public wildlands.

The West is no longer a land of rural people trying to conquer the frontier. It is a region of scattered cities of urban people who often want recreational and emotional access to the public rangelands and forests. Ranchers are increasingly viewed as subsidized exploiters of the range.

Elk, deer, and other wildlife -- including predators -- are increasingly being viewed as the noble part of nature. Man is not part of this alternative romantic view of our public wild-



lands but is only a visitor to it. And the cow is increasingly viewed as a domestic beast that is more than an intruder on public rangeland -- it is a menace.

Edward Abbey's comments at the University of Montana in May 1985 reflect the flavor of the emotions felt on this issue. "...our public lands are infested with domestic cattle. Almost anywhere and everywhere you go in the American West, you will find herds -- herds -- of these ugly, clumsy, shambling, stupid, bawling, bellowing, stinking, fly-covered, smeared, disease-spreading brutes. They are a pest and a plague ..."

The two different romantic notions of the West share a love of the land and outdoors but from different perspectives that leave little room for compromise. American society in general -- and the West in specific -- is moving toward the newer view, which is reflected increasingly in public lands politics. Public lands ranchers and their supporters, who embrace the traditional view, are becoming angry and paranoid.

David Witts, an attorney supporting cattlemen's interests, stated, "Only recently, when environmentalist met bureaucrat, things changed. Small government agencies such as the BLM, Fish and Wildlife, and Park Service have become bloated bureaucracies stuffed with fauna sniffers. Smokey the Bear traded his hat for a

Sherman tank. Obstructionism is in the saddle."

This anger and paranoia is often reflected in speeches and articles entitled, "Watch Out for Environmentalists ..." and "Enviros Must Go ..."

Economic principles suggest that society allocate rangeland such that the economic value of the last unit of rangeland used for cattle equals the economic value of the last unit of rangeland used for, say, elk. As the real marginal value of elk to society is increasingly high and that of cattle low, economic analysis increasingly appears unfavorable for cattle on public rangeland.

I grew increasingly aware of this situation while conducting research for the Forest Service in Utah. Under a cooperative agreement with the agency, Fred Wagstaff and I conducted an economic evaluation of a relatively major range improvement project called the Oak Creek Range Management Project.

Millions of public dollars had been spent on various range improvement practices almost exclusively designed to improve forage for livestock production. In 1985, coordinators of the project were awarded the Secretary of Agriculture's Distinguished Service Award for the most notable conservation action in the nation. The problem was that for every dollar spent, only

(Continued on page 15)

## Shootout...

(Continued from page 14)

about 25 cents worth of private and public benefits could be identified. For every dollar of government funds spent less than 7 cents are returned to the public through grazing fees.

Even so, many people continue to advocate these types of range improvement projects. Benefits to local ranchers and ranching communities are identified as overriding considerations, even though the economic benefits to these people are less than 20 cents for each dollar spent.

An implicit goal of these kinds of projects may be to maintain "ranching families" or "ranching lifestyles." Just as it may be a public goal to save the grizzly bear in Yellowstone National Park, it may be a goal to save the Oak City area rancher. Direct cash subsidies would be an efficient way to do this.

But saving the Oak City rancher through direct cash subsidies would be like saving the Yellowstone grizzly by caging and hand-feeding him. The politically palatable means of supporting both the grizzly and the rancher is to preserve their habitat. Ranchers, however, unlike grizzly bears, cannot be shot or removed when they do not behave as required.

Ranching families cannot be expected to maintain, or even obtain for a short time, the mythical lifestyle of popular romanticism. For example, many of the ranchers in the Oak Creek project area farm, teach school, or have some other primary occupation. Only a few are fulltime ranchers. Most have only a relatively small number of cattle that they "run on the mountain." Romance, recreation, the achievement of a desired social status, or simply the maintenance of a family tradition are primary motives for many operations.

The willingness of the public to carry the costs of supporting public lands cattle production is tied to the public's perception of the rancher. This perception seems to be shifting from ranchers being rugged independent noblemen to ranchers being greedy caretakers of "Sacred Cows at the Public Trough." They are seen as exploiters of public range for raising cattle to the exclusion of other uses.

Public perceptions, of course, may be inaccurate. However, subsidizing the public



lands beef industry may be doing more harm to the ranchers' image -- and the viability of their lifestyle -- than allowing them to deal directly with prevailing economic conditions.

Remember that only about 27,000 livestock producers, or 7 percent of cattle producers in the 16 Western states, and 2 percent of all cattle producers in the United States now use any public rangeland. Only about 2 percent of feed consumed by cattle in the U.S. comes from public forage.

The total annual value of the forage on public rangeland, based on \$1.35 per animal unit month, is less than \$25 million. Federal cost of administering livestock grazing on these lands alone equals approximately \$50 million, leaving the net value of livestock grazing to the public negative. Livestock grazing on public lands, as currently administered, is not a source of public revenue but is a drain on public funds, although a relatively small one. Even this ignores other opportunity costs of livestock grazing on public lands.

Furthermore, it is becoming increasingly clear that domestic livestock is beginning to compete more heavily with other growing uses of rangeland, such as recreation, watershed, wilderness preservation, and wildlife habitats. If livestock producers were required to pay all the costs of public forage, the amount and relative importance of forage on BLM and Forest Service land for domestic livestock production would decrease.

Cattlemen and their supporters often ignore the findings of economic studies. Economists and

their studies have been increasingly ridiculed by livestock-oriented publications and cattlemen and their supporters.

For example, cattlemen support high estimates of forage value when they are used to justify the costs of publicly funded projects that increase forage for domestic livestock use. However, they have ridiculed recent studies that estimate the value of grazing privileges on public lands. I have reviewed these studies. I have even done one of my own. They are clear. The average market value of forage on public lands is often much larger than the \$1.35 per animal unit month currently being charged ranchers by the Forest Service and BLM.

Saying this makes cattlemen and their supporters livid. It implies that they are being subsidized. Worse yet, they fear policymakers might accept such economic findings. The Utah Cattlemen's Association, as part of its official resolution in December 1985, stated that "the current grazing fee formula has a proven and scientific history for being a fair and equitable" method.

I'd like to meet the economist or anyone else who can give scientific proof for what is fair and equitable. Economists can find market value of an AUM with reasonable accuracy. They cannot, however, determine with any accuracy if that market value or any other is fair or equitable.

Thus, those who conduct economic research dealing with public rangeland and policy makers who use the findings must be aware that romances and related emotions are important forces in the allocation of rangeland resources. Economics is unable to say what is fair. Neither can romance say what is economically efficient. However, changing romantic views of rangelands are dramatically influencing values placed on their different uses. Economists and policymakers must take the influences of both, the traditional romance and the new romance into account in determining policies for the use of these lands.

C. Arden Pope, 32, is an associate professor of agricultural and resource economics at Brigham Young University in Utah. This article appeared in the magazine *Choices*, published by the American Agricultural and Economics Association, 12708 Oak Farms Road, Herndon, VA 22071.

## Coming soon!

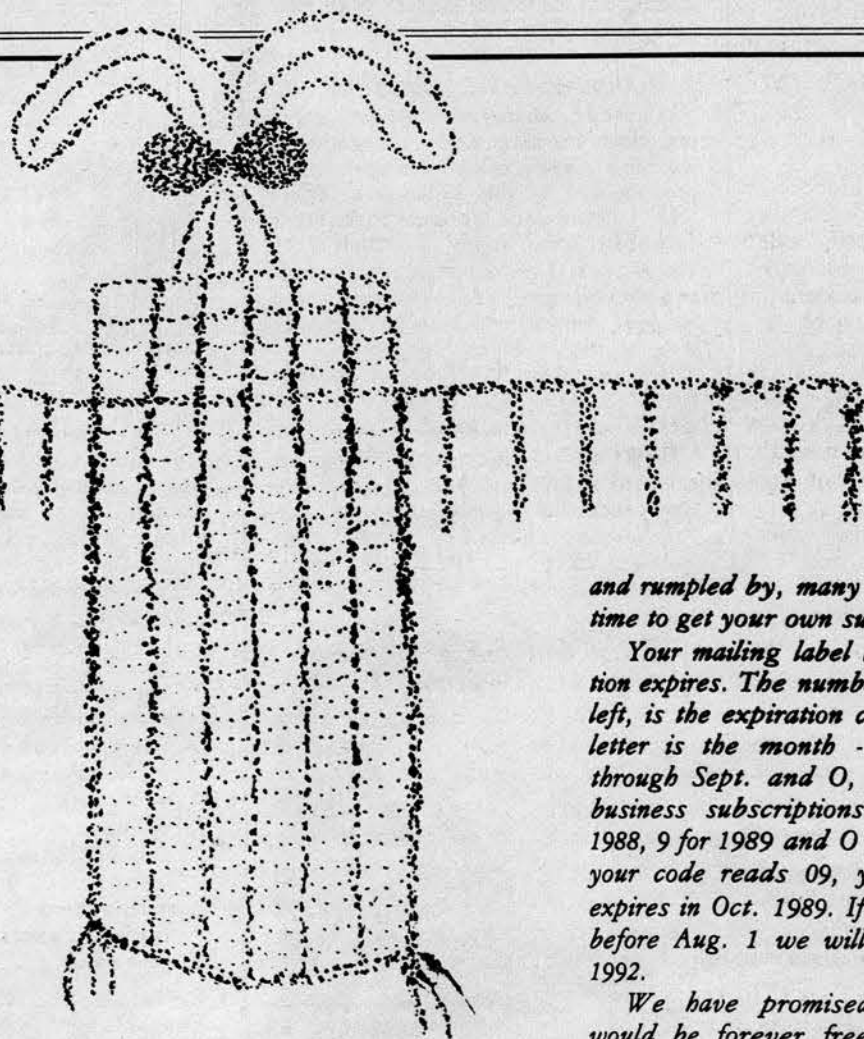
### A subscription rate increase

Back in February, Dear Friends announced that HCN would raise its subscription rates to \$24 for personal subs, and to \$34 for institutional subs. That increase will go into effect August 1.

To cushion it, subscribers may renew at present rates for up to three years so long as you do so before August 1. The present personal rates are \$20 for a one-year sub, \$35 for a two-year sub, and \$50 for a three-year sub. You may subscribe for up to three years at the old rate schedule. (The new rates will be \$24/42/60.)

Institutional and business subscribers have the same right. The present rates for those subscribers are \$28 for one year, \$50 for two years, and \$75 for three years. (The new rates will be \$34/60/90.)

If you do renew early, please let us know that is what your check is for and include a mailing label from the paper. Otherwise, you're likely to



Meredith Taylor

start receiving two copies of the paper. And if you have been reading your friend's paper, or scanning the one at work (institutional and business subscriptions are typically read by

and rumpled by, many people), this may be the time to get your own subscription.

Your mailing label tells when your subscription expires. The number on the bottom line, far left, is the expiration code. The first number or letter is the month -- 1 through 9 for Jan. through Sept. and O, N and D for Oct., Nov. business subscriptions are typically read by, 1988, 9 for 1989 and O for 1990. If, for example, your code reads 09, your present subscription expires in Oct. 1989. If you send us a \$50 check before Aug. 1 we will extend the sub to Oct. 1992.

We have promised subscribers that HCN would be forever free of stuffed inserts and subscription cards, but the next issue will break that rule and include a form you can use to subscribe early. The paper's last subscription increase was three years ago, and this one, the gods of inflation willing, will also hold us for several years.

16-High Country News -- June 6, 1988

# BULLETIN BOARD

## BIG DINOSAURS IN MONTANA

The Museum of the Rockies at Montana State University is offering a six-day field program this summer for amateur paleontologists. The site is Egg Mountain at the Nature Conservancy's Pine Butte Swamp in north central Montana, which has already yielded a new species of dinosaur and "10,000 individual dinosaurs (could be) buried there," says Dave Swingle, the museum's director of education. Participants will see how bones are prepared for display at the museum in Bozeman, then proceed to the preserve for three days of field work. Tuition of \$850 covers food and lodging in the camp's teepees. Four sessions are planned this summer starting July 11 and ending August 7. For further information contact: Dave Swingle, Paleontology Summer Field School, Museum of the Rockies, Bozeman, MT 59715 (406/994-2251).



## DESERT WATERS

Samuel G. Houghton's *A Trace of Desert Waters: The Great Basin Story* describes an area that makes up 7 percent of the United States. It is 220,000 square miles of inland-draining mountain ranges and desert valleys that lie between the Rocky and Sierra mountains and the Columbia and Colorado rivers. Vast lakes once dominated this landscape of which Great Salt Lake and Pyramid Lake are now remnants. Houghton describes the hydrology, geology, archaeology, and natural history of the area's basins, each with its separate streams, lakes, ponds, and marshes, as well as the men who explored there. Houghton was a writer and long-time resident of Reno, Nev., who wrote several earlier books and edited the monthly magazine *The Writer*. He was also an enthusiastic outdoorsman, who loved the territory he wrote about. He completed this book in 1975, but did not live to see it published. In 1986, Howe Brothers decided to reprint the book and illustrate it in color by nature photographer Philip Hyde.

Howe Brothers, P.O. Box 6394, Salt Lake City, Utah 84106. Paper: \$11.95. 287 pages. Illustrated.

## BRANCHING OUT

The 102-year-old Appalachian Mountain Club has blossomed out of its native soil. The club is now offering trail reconstruction programs in Wyoming's Grand Teton National Park and Montana's Lolo National Forest, in addition to its traditional New England haunts. The 27,000-member club helps land management agencies in maintaining trails and is best known for its White Mountain Huts in New Hampshire. The one-and-a-half week programs cost \$125 (\$100 for members) and offer hard work in spectacular settings. For information write AMC Trails Program, Box 298, Gorham, NH 03581 (603/466-2721).



Mary Dunsin

## WETLAND REVIEW

The National Wildlife Federation has published a *Status Report on Our Nation's Wetlands*. Wetlands are swamps, bogs, intertidal flats, prairie potholes or riparian zones along streams in the arid West. More precisely, they are those places inundated with surface water or saturated with groundwater for at least part of every year; most of their plants are adapted for growing in saturated soils. They are important as wildlife habitat, groundwater recharge and discharge areas, flood and storm buffers, and filters that clean up water pollutants. Over half of the 2.5 million acres of wetlands that dotted this country when Europeans first set foot here have been destroyed. Those gone were drained for agricultural lands or development, many with the incentive of slow-to-change federal programs. Of the remaining wetlands, many have been polluted by mining or other toxic wastes. The report reviews federal, state, local and private policies and efforts towards restoring wetlands, and it discusses methods of mitigation, restoration and creating new wetlands. There are examples of successes and disasters scattered through the booklet. A copy is \$4 from The National Wildlife Federation, stock item 79955, 1412 16th St. N.W., Washington, D.C. 20036.

## FREDERICK REMINGTON REMEMBERED

June 17 is the opening of *Frederick Remington: The Masterworks* at the Buffalo Bill Historical Center in Cody, Wyo. It is the first travelling exhibit of works by Remington, who drew on the West for inspiration. A symposium will be held with the show featuring Howard Lamar of Yale University, Lewis Sharp of the Metropolitan Museum in New York, and Peter H. Hassrick of the Cody Historical Center. Rudolf Wunderlich, president of Mongerson-Wunderlich Galleries of Chicago, will examine the history of Remington collecting, and Dr. Patrick L. Steward Jr., curator of Western art and history at the Amon Carter Museum in Fort Worth, will talk about Remington and the American cowboy. The symposium ends with dinner Saturday evening at the Irma Hotel, which Remington visited in 1908. The fee for the symposium, including lunch and dinner, is \$50. For more information, contact Lillian Turner, Buffalo Bill Historical Center, P.O. Box 1000, Cody, Wyo. 82414.

## COURSES IN YELLOWSTONE

Canoeing, observing animals, learning about tracking and photographing wildlife are some of the courses offered this summer by the Yellowstone Institute in Yellowstone National Park. From July 16-17, the topic is "Wolves of Yellowstone: The Missing Link," which explores issues and strategies for restoring wolves to the park. A look at wolf myths, folklore and images of native and Euro-American cultures is offered July 18, and three to five-day wilderness horsepacking sessions are offered from July 26 through August 18 at a cost of \$225 and \$375, respectively. For more information contact the Yellowstone Association, Box 117, Yellowstone National Park, Wyoming 82190.

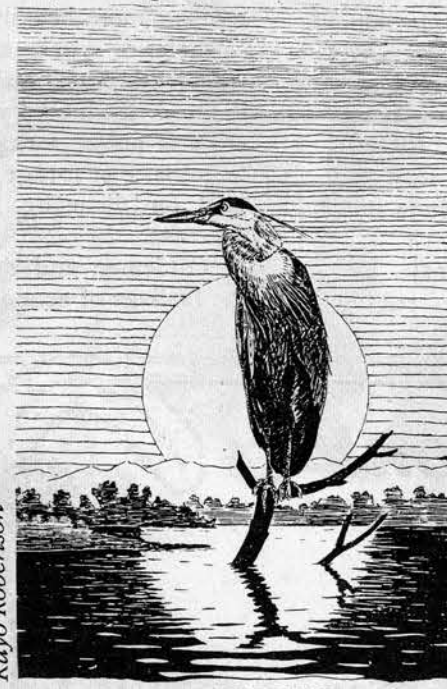
## THE MONEY'S IN TOWN

Idaho is really two economies with growth and jobs concentrated in cities and stagnation occurring in rural areas, reports the state's Division of Financial Management in its monthly newsletter, *Idaho Outlook*. Service industries have been growing during the '80s, the report notes, while resource-based industry employment has shrunk. That means cities are doing well and rural areas are becoming poorer. Not all is bleak, however. The report suggests that rural communities look to other ways of making a living: "Rural communities in Idaho can learn to use their advantages relating to lack of congestion, low cost of living, clean environments, recreation opportunities, loyal labor forces, and strong community values." For a free copy of the newsletter, write Richard L. Gardner, Division of Financial Management, Executive Office of the Governor, Statehouse, Boise, Idaho 83720 (208/334-3900).

## TOMORROW'S PROMISE

Wood, wind, water, husks and dung are some of the energy sources surveyed in *Renewable Energy: Today's Contribution, Tomorrow's Promise*, by Cynthia Pollock Shea in a 68-page Worldwatch Institute pamphlet. Her worldwide survey of alternative energy production makes for grim reading. In the U.S., Japan and Western Europe, for example, funding for alternative energy research has been slowed or cut, coupled with an increasing reliance on fossil fuels and mega-power projects. But Shea's report is also encouraging. Several countries are starting renewable energy programs, and alternative energy power plants are on line in Norway, the Soviet Union and Canada, among others. Norway's success with small ocean wave-power plants has prompted Indonesia, Puerto Rico and Portugal to place orders.

The report is available for \$4 from Worldwatch Institute, 1776 Mass. Ave. NW, Washington, D.C. 20036.



Kayo Robertson

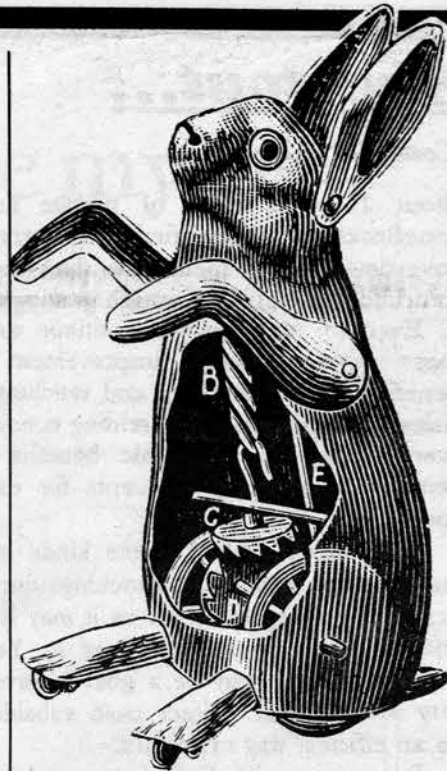
## LIKE A FAT BOXER

Greg Keeler's new book of poetry explores fishing, rivers, winters in Montana, a childhood in Oklahoma, worms, armadillos and duct-tape with wonder, pain, sadness and off-beat humor. An excerpt from "Is the Ouzel Stupid?":

...You aren't supposed to bounce that clear pool then hop the gravel bottom of the fastest current like a robin on a courthouse lawn -- or flit back to your rock and dip like a fat boxer at a shadow without arms. Birds don't work that way.

Keeler is an English professor at Montana State University; he teaches and writes as well as composing and singing satirical lyrics about the West. *American Falls*, his latest collection of poems, contains favorites from his two earlier collections as well as more recent works.

Confluence Press, Inc., Lewis Clark State College, 8th Ave. and 6th St., Lewiston, ID 83501-2698. Hardcover: \$14.95. 118 pages.



## HIGH-TECH BIOLOGY

"Resource Technology 88," a symposium on advanced technology in natural resource management, will be held June 20-23 in Fort Collins, Colorado. Sponsored by the Bureau of Land Management, U.S. Fish and Wildlife Service, Forest Service and several universities, the conference will focus on how new technology such as artificial intelligence and satellite telemetry can be used to help solve environmental problems around the world. Panels will discuss using new technology for wildlife research, moving new technology from the laboratory to industry, and applying geographic data to management decisions. Registration is \$130, payable by June 10, or \$150 after that date, plus \$40 if participants want to participate in optional "Technology Orientation Workshops" on June 20. Registration covers the conference and materials, one barbeque, and coffee breaks. For registration forms write Resource Technology 88, Office of Conference Services, Rockwell Hall, Colorado State University, Fort Collins, CO 80523 (303/491-6222).

## HAPPY BIRTHDAY

Two federal agencies and a river protection group have organized a Wild Rivers Festival near Taos, N.M., to celebrate the 20th birthday of the Wild and Scenic Rivers Act. The festival, to be held June 17 to 19 at the BLM Wild Rivers Recreation Area overlooking the Rio Grande Gorge, will include singer Michael Murphy, U.S. Senator Jeff Bingaman and Congressmen Manuel Lujan and Bill Richardson, all of New Mexico, John Hartford and his string band, an art exhibit, Native American dancers, singers and drummers from the Rio Grande Pueblos, classical and new age music by the Green River Trio and Walking Rain, interpretive nature hikes, a wild horse exhibit, an archaeology exhibit, and a fishing derby. The event is sponsored by the U.S. Bureau of Reclamation, the U.S. Forest Service, and Amigos Bravos, a volunteer group which works to protect and promote New Mexico's wild rivers. Forty-eight miles of the Rio Grande, stretching south from the New Mexico-Colorado border to the Taos Junction Bridge, were among the first rivers to be protected by the Act. For information on the festival and concerts, contact Lee Keesling, Santa Fe BLM office, 505/988-6382, or Gary Schiff, Taos Forest Service office, 505/758-6200.

## BIG BUCKS

A new study shows Montana makes lots of money from hunting and fishing. The Montana Department of Fish, Wildlife, and Parks' study says hunters and fishermen now spend \$226.4 million a year but are willing to spend an additional \$521.5 million on their sports annually. The two-year study looked at the economics of elk, deer, and antelope hunting, as well as stream and lake fishing. Montana fisheries administrator Pat Graham told the *Idaho Post-Register*, "We did the study to find out how much fishing and hunting are worth to Montana. We're not saying a fish is worth something. We're saying a day of fishing is worth something." For more information, contact the Montana Dept. of Fish, Wildlife, and Parks, 1420 East Sixth Avenue, Helena, Montana 59620, 406/444-2535.