

# High Country News

The Outdoor and  
Environmental Bi-Weekly

Vol. 5, No. 5

Lander, Wyoming

Friday, March 2, 1973

## Water Report Analyzed

The following comments on the Draft Report of the National Water Commission were made to the Commission at a public hearing, January 9, 1973, at Spokane, Washington. Scott W. Reed is an attorney-at-law from Coeur d'Alene, Idaho, and one of eight members on the Idaho Water Resources Board. He is the only member of the Board to consistently advocate an environmental approach to water development and use. It is of particular interest at the moment that another environmentalist has been named to the Water Resources Board by Idaho Governor Cecil Andrus. However, the appointment of Franklin Jones has been held up in a Senate committee. Opponents argue that Jones, a former president of the Idaho Wildlife Federation, would not fairly represent all interests. It should be noted that the other six members of the Board (if Jones is confirmed) are representatives mainly of the irrigation interests. So the politics of water development, or non-development, are well defined in Idaho.

These comments by Mr. Reed are generally representative of the feelings of most westerners who have no special interest in water development, irrigation projects, barge canals, or dam building. As such, they are presented here in the interest of our readers.

The editor.

by Scott Reed

The National Water Commission has produced a Report of impressive scope, magnitude and depth. The Report is by far the finest and most comprehensive analysis of national resource problems yet produced under the auspices of the Federal Government. Unlike "One Third of the Nation's Land," the report of the Federal Land Law Review Commission, the Water Commission Report is remarkably objective in the analysis of past and present laws and practices in relation to national water use.

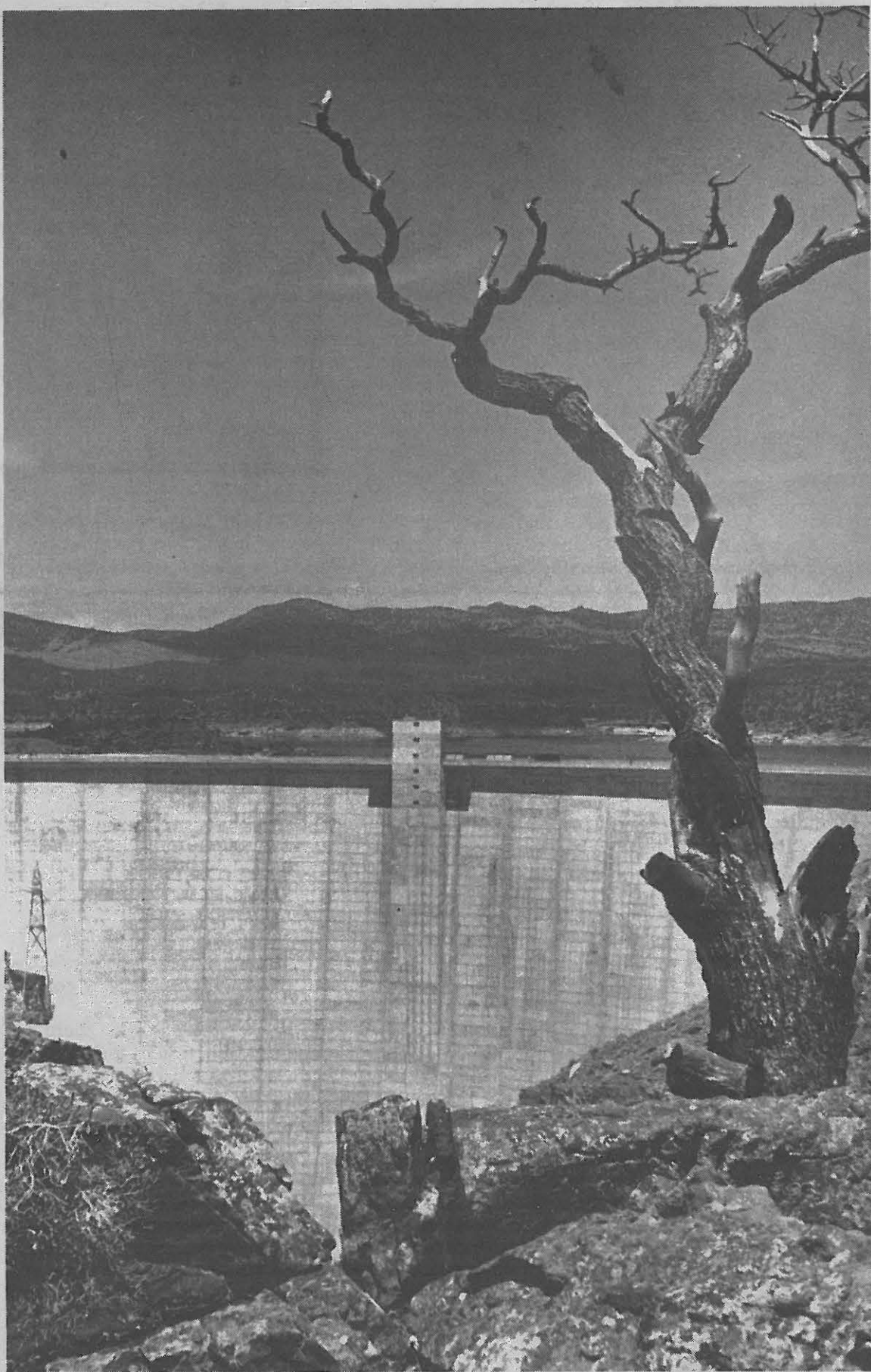
### WATER SUPPLY AND WATER USE

Irrigated agricultural land has contributed greatly to the economy of Idaho. The benefits from agricultural production have not been without attendant costs, environmental and otherwise. The Commission Report makes timely challenge to the assumption of irrigationists that continuing expansion of the acreage of land under irrigation is both necessary and inevitable.

Perhaps the most significant finding in the entire Report in terms of water policy in Idaho is that "The agricultural water problem of the future does not appear to be one of water shortage." The great fear in Idaho has been the threat of water diversion to California or the arid Southwest. Development of irrigation projects in Idaho has

(Please turn to page 4)

Photo by Jeff Clack



Flaming Gorge Dam and Reservoir was one of the last big projects of the Colorado River Storage Projects. Built on the Green River in Utah, it backs up a 91-mile long lake into Wyoming. It was built for storage of Upper Colorado River water and to produce power. It lies on the east side of the High Uintas. The Central Utah Project will take some of the water from the east side and divert it to the west side. The CUP will not affect flows into Flaming Gorge but will decrease flows in the Upper Colorado.



# HIGH COUNTRY

By Tom Bell

I write this with a great deal of regret and inner dismay. **High Country News** will cease publication with the March 30 issue. Barring a miracle, we have come to the end.

The decision is not an easy one. We will be parting ways with many good friends and true believers in a just cause. **High Country News** has touched many lives, and I hope has left them better for it. I know it has all of us here.

We have done our best. It was not good enough. I am sure there are many people out there in this great country who would have subscribed had they known about the paper. But it is difficult, expensive, and time-consuming to reach them. We have simply run out of resources.

I think all of us here knew that someday it could happen. But only in the past few days have I been forced to look at some hard realities. Some decisions had to be made on some future directions of the paper. Those decisions made me look at all sides of our problem. And what I saw led me to the only conclusion possible. It is futile to continue as we are.

I have been frank with all of you, our readers, throughout. I will be now. My wife and I have been bled white by the financial drains of the paper. And it is not over yet. We have put almost \$30,000 in cash into the paper. We must still repay \$7,500 owing to a local bank. I have worked as editor of the paper since January 1, 1970. I paid myself a salary out of my own money that first year. In all of 1971 and 1972, I drew \$910.97 in salary. Both Marge Higley and Mary Margaret Davis have drawn salaries that ran between \$200 and \$250 a month. Anne Turner has faithfully appeared every morning and worked all day — for absolutely no compensation — since she came to work in November. Anne washes dishes and waits tables after working here all day. Obviously, we could have all made more money washing dishes.

But this was our thing, and it was a good thing — except economically. We believed in what we were doing or we wouldn't have stuck it out this long. I have no regrets, and as far as I know, neither do any of the girls.

We tried several avenues to save the paper in the past few months. In August, I went to the Ford Foundation seeking a grant. It was to no avail. In my report to you in October, I said we had to have more subscriptions. Since then we have gained, but not nearly enough.

The state of the economy and the on-coming energy crisis do not bode well for a venture such as **High Country News**. If people get in a financial squeeze, they have to cut back, and they cut those items they feel to be least necessary.

If the paper was on solid financial ground at the present moment, there would be no question. But it is not, and every day that goes by compounds my personal problem.

If any of you, our readers, have any idea where we might come up with \$30,000, we would be most interested. That would give us a solid financial base for a year of operation, plus paying off the bank debt. We could then put a circulation campaign into operation to make the paper self-sustaining as soon as possible. We believe there are enough people who believe in what we are doing to subscribe, if only they can be reached.

In the meantime, we are holding all renewals and new subscriptions. Any money received as of February 24 and after will be returned. I am sorry there is no way of reimbursing other recent subscribers.

Miracles can happen. It is possible that one will happen between now and March 30. If not, we will quietly leave the scene.



The Jackson Hole elk herd is one of the most fascinating displays of wildlife to be seen anywhere in the world. Some 10,000 head of wapiti congregate beneath the towering Teton mountains on the Jackson Hole National Elk Refuge. Late winter and early spring is a good time to observe the great herd.

## Letters To The Editor



Editor:

Please send a subscription to **High Country News**. We are working against strip mining in Tennessee for (a group named) Save Our Cumberland Mountains, made up of folks from the mountain areas who are being damaged by stripping.

Keep up the good work and hopefully, coming at it from both ends of the country, we can get the job done.

We can show folks what is happening out West with your paper so it will be really helpful.

Yours,  
Jane Sampson  
LaFollette, Tennessee

\* \* \*

Editor:

I would like to propose a partial solution to the energy crisis as it concerns the use of electricity.

As it works now, there is a minimum electric bill which everybody pays, even if you're away on vacation and turn off the refrigerator and the furnace before you leave. That is, you pay for a certain amount of energy, even if you plan to use none. What happens, of course, is this. As long as we're paying for it anyway, we might as well keep the pop cold to have ready when we return.

Also, there is a series of rates for the amount used by any one household so that the more you use the cheaper it becomes to use still more. If we really want to put a stop to the growing need for electrical power and the air pollution caused by the building and operation of still more power plants, we could begin by turning this around so that there is no minimum charge, making it economically feasible to turn off the refrigerator when you are away on vacation; and seeing that the rates go sharply up, rather than down, after a household has consumed its fair share of the available supply. The increased income could then be used as a pollution tax; money

to be set aside for the express purpose of improving our environment.

I propose also that the advertising of electrical appliances be banned from television, as cigarette advertising is banned at present.

The power companies are not likely to initiate such drastic measures as I have proposed here. But it is possible that our legislators could be persuaded that it is a step in the right direction. We are going to have to make a lot of hard decisions in the decade to come, and I propose that we begin making them now, rather than waiting till our planet is too far gone to save.

Sincerely yours,  
Laverne Rison  
Basin, Wyoming



### HIGH COUNTRY NEWS

Published bi-weekly at 140 North Seventh Street, Lander, Wyoming 82520. Tele. 1-307-332-4877. Copyright 1973 by **HIGH COUNTRY NEWS, Inc.** 2nd class postage paid at Lander, Wyoming 82520.

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Subscription rate \$10.00  
Single Copy rate 35¢  
Box K, Lander, Wyoming 82520



## Guest Editorials

Reprinted from THE IDAHO STATESMAN, Jan. 10, 1973.

### End Irrigation Subsidy

The time has come to get federal irrigation projects off the backs of taxpayers. It no longer makes sense to force the taxpayers to subsidize the irrigation of more land.

This, in essence, is a conclusion of the National Water Commission. In a lengthy study the commission concludes:

— That the nation doesn't need to irrigate any new land, at least through the year 2000. There is plenty of land in production now, or being held out of production under crop subsidy programs, to feed everyone and provide for exports too through the next 30 years.

— That if irrigation projects are built the irrigators should pay the full cost of the irrigation features. Federal irrigation projects are heavily subsidized. If the irrigators have to pay the full cost, you can forget most proposed projects.

— That the Bureau of Reclamation should get out of the business of promoting and building new irrigation projects. This would save the taxpayers considerable money, too.

All of these suggestions are heresy to the federal reclamation lobbies in the West. They have been denounced by the water resource agencies of Oregon, Washington and Idaho in a hearing at Spokane.

Of course they will find favor with conservationists who are weary of being taxed to pay for dams that wipe out streams, stream fisheries and game habitat.

The data and the logic offered in the Water Commission's lengthy report to support these suggestions are impressive.

Even projecting a population of 325 million by the year 2000 and doubling of recent grain exports, there would be 4.5 million acres of unused cropland in the U.S. Most recent birth trends point to a population considerably smaller, 280 million. With that population, there would be 56 million acres of idle cropland in the year 2000, or about the present amount.

The commission concludes that federal irrigation projects have contributed to crop

surpluses and the cost of farm subsidies.

Only a fraction of the cost of irrigation features or irrigation projects has been repaid by farmers. Of the \$11.5 billion cost of all authorized projects, the Bureau of Reclamation expects to secure repayment of \$2.1 billion. As of June 30, 1970, only \$253 million had been repaid.

Irrigation of new land helped settle the West. But the West is now settled. Most farmers now need better prices for what they sell more than they need more land to irrigate. Idaho lost nearly one-third of its irrigation farmers in the past decade despite a big increase in irrigated land.

The Bureau of Reclamation has useful functions to perform, managing and maintaining existing projects and fostering better use of water. Its role in planning and building new projects isn't needed.

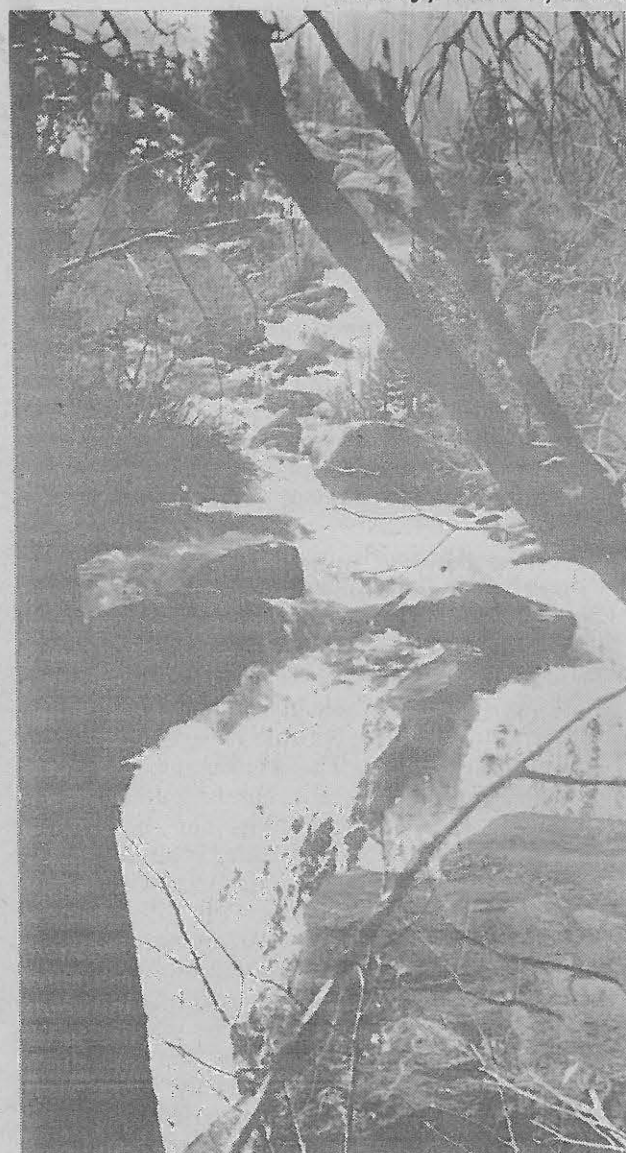
Change in the role of the U.S. Army Corps of Engineers is also recommended. In the future, the commission says, the nation will need few major navigation, flood control or water power projects.

It points out that annual flood damage is greater than ever, despite the billions invested in flood control. The problem is the continued unrestricted construction on flood plains.

Why should taxpayers pay for flood control projects and for flood damage for people who choose to build in flood plains, it asks? Why not regulate construction in flood plains to minimize the damage, and the cost?

Flood plain management legislation has been before the Idaho Legislature for three years and never got out of committee. Its passage would open the door to federal flood insurance for property in flood plains.

Policies that seemed good yesterday are not always the best policies for today. The era of federal irrigation projects and mammoth flood control projects is passing. We in the West should recognize realities, not plead for continuation of subsidies that can't be justified.



The Idaho Water Resource Board's protest of the commission's proposals does not represent the thinking of the people of Idaho. A recent opinion survey for the board showed strong hostility to dam projects.

Despite evidence to the contrary, the board's staff has repeatedly told the legislature and the people of a "need" for more irrigated land. The need is a fiction. If it exists, let it meet an economic test. Let irrigation projects depend on willingness and ability of irrigators to pay the cost. There is nothing wrong with irrigation of new land, but irrigation subsidized by the taxpayer is no longer justified.

Reprinted from THE IDAHO STATESMAN, Nov. 29, 1972.

### Resource Board Out of Step With People

As director of the Idaho Water Resource Board, Dr. Robert R. Lee has faithfully pursued the policies that he and the board thought best. Unfortunately they did not adjust to changing times or changing thinking in Idaho.

It turns out — as a public opinion survey commissioned by the board shows — that people who prefer to preserve Idaho's remaining free flowing rivers are in the majority.

Thus, in pushing dams on the Middle Snake, in Garden Valley and elsewhere, the board has been out of step with majority sentiment.

Dr. Lee and a majority of the board assumed that critics of the board's policies were simply a vocal minority. They proceeded with the assumption that criticism of proposed dams could be and should be ignored.

Director Lee has considerable ability. He and the board have simply been unable to recognize the broader interests of the people of Idaho in water planning. Instead of accepting disagreements with board policy as constructive criticism, the board chose to push on with commitments to questionable dam projects.

Consider some of the results of the opinion

survey, done by a private firm for the board. It should be noted that some of the questions are worded to encourage a response in favor of dams. That is, the questions are loaded.

Nevertheless, the results are a clear contradiction of some of the board's major assumptions of the past few years. Aside from those questionable questions, the survey appears to have been a thorough job. It provides much valuable information.

Some of the results:

— On the Middle Snake, the board has supported the licensing of a power dam. This was done partly on the premise that this was the only way to assure "benefits" for Idaho if a dam were built. It looked like a reasonably good policy a few years ago. It should now be abandoned. The survey showed 72 per cent prefer a stream in the Middle Snake, only 8.6 per cent favor a dam.

— On the basic question of streams versus dams. The question was should the state concentrate on preserving its free-flowing streams or should it "develop" its water resources. (Considerable development is possible, of course, without eliminating free-flowing streams. The people invited to answer the questionnaire weren't told that.) Fifty-five per cent favored preservation, 21.4 per cent

a compromise between development and preservation and 16.3 per cent said develop. Thus those who say "preserve the streams" outnumbered those who said "develop the streams" by more than three to one.

— Wild and scenic rivers. A majority expressing an opinion favored at least some additions to the federal Wild and Scenic Rivers system in Idaho.

— On the question of preference for stream fishing versus reservoir fishing, 56.9 per cent of fishermen prefer streams and only 10.3 per cent prefer reservoirs. (Another 14.4 per cent prefer lakes and 18.1 per cent indicated a preference for "all"). The Fish and Game Department and the University of Idaho had previously published studies showing a preference for stream fishing. These the board had ignored — even excluding any mention of them from the recently-published preliminary report on the State Water Plan.

— Dams in general. Thirty-three per cent oppose any more. Another 49.1 per cent said it depends on the need. And 11.9 per cent said they generally favor more dams. In view of that, the burden of proof should be on the dam promoters to show the need and justification of any dam.

(Continued on page 15)



# Water Report...

been urged upon the "use it or lose it" policy. Your finding is that there is more than enough water for agricultural purposes in the United States and that through more efficient practices, "Agriculture need not use more water, but could actually relieve a fairly large supply of water for industrial, urban and other uses."

The Report further concluded that additional irrigated land is not necessary to meet the food and fiber needs of the nation in the foreseeable future. With these well-documented and well-substantiated findings the whole justification for additional reclamation projects is removed.

## WATER and the NATURAL ENVIRONMENT

As an incident to irrigation development in Idaho, a large number of reservoirs have been created. It has been the contention of the developers that these reservoirs were an adequate or superior recreational substitute for free flowing streams. The Report carefully analyses the problems resulting from damming a river. The statement, "... replacing a shrinking number of miles of high quality streams with lakes can be a poor exchange, particularly if there is already other lake recreation available" especially applies to Southern Idaho.

The Idaho Water Resource Board recently conducted a poll of Idaho citizens concerning water policy in the state. In response to the question as to whether there was a strong need for more artificial lakes for recreation, only 17% responded favorably while 62% were opposed to any more "artificial" lakes. Only 16% of the people favored further development upon free flowing streams. In a state which has benefitted financially from water development projects and in response to questions loaded with a pro-development bias, the majority of the people nonetheless favored protection of environmental quality over development of any kind. The Report of the Commission is clearly correct in its emphasis upon water quality and environmental balance. (See poll results in accompanying box.)

## WATER AND THE ECONOMY

This chapter should be required reading for every federal official involved in any aspect of water planning. The emphasis is upon the changing values in water use. Again, much of what is said is directly applicable to Idaho. For example in the introduction to the chapter, the Report states:

"Examination of the role of water development projects in influencing regional development and population distribution leads to the conclusion that while water developments have had very significant impacts in the past, their role has now diminished. Under certain circumstances, water development projects may still play a significant role in increasing economic activity and employment opportunities, in most instances it is no longer a major determinant."

And further:

"It is apparent that under most conditions, water alone does not produce economic development; other, more significant, forces now control regional economic and population growth."

Some of the initial (state) reaction to the Water Commission Report was that if the Report did become federal policy then it would be necessary for the states to move in to take over development projects that would not be funded by the federal government. Such a reaction completely misinterprets the thrust of the Report which is that water development projects do not contribute significantly to the economy and tend to drastically disrupt the environment. Any project that is not a wise public investment for the federal government is in all likelihood an even more unwise invest-

ment for a state. This chapter of the Report should also be mandatory reading for every state official involved in water planning.

The comments in the Report on the Minidoka project is the most efficient and economically sound reclamation project in Idaho. The Report correctly notes that the effect of the project has been limited in terms of population and economic growth in relation to water resource investment. The public expenditure has principally been for the benefit of wealthier farmers and food processors.

Analysis of natural population and net migration by the Idaho Water Resource Board show that for the period of 1960-1970 Minidoka County had a net out-migration of -1,396 people. Nearly every county in Idaho with a significant area in irrigated land had a net out-migration during that decade and most had an actual total population loss. The only exceptions were Ada County which is the location of Boise and the largest urban area in the state. Idaho's experience is in complete conformity with the Report's, reflecting that people go where the cities and the industries are rather than where the water development projects are located. Even agricultural counties with major cities such as Twin Falls, Pocatello and Idaho Falls had net population losses. On the other hand counties oriented to water recreation rather than irrigation such as Blaine (Sun Valley) and Kootenai (Coeur d'Alene Lake) had net increases in population. The increase in Kootenai County for the two years since 1970 exceeds 10%. Water has many uses and irrigation is not necessarily the highest or best.

## WATER POLLUTION CONTROL

Many of the environmental organizations have been critical of this chapter and will submit detailed critical analyses. The Idaho Environmental Council supported the Federal Water Pollution Control Act of 1972 and will

continue to urge that it be fully funded as intended by Congress.

Without going into detail the Council simply cannot share the enthusiasm in the Report for the 1965 Water Quality Act. Idaho was one of the first states to adopt the water quality standards. The adoption has not cleaned up the waters. Timetables were created under the act. Not a single timetable has been met in Idaho. Over the years there has been a grievous lack of state administrative direction and initiative by those charged with water quality responsibilities. While significant improvements have been made recently, the 1965 law will not lead to cleaning up our waters in the foreseeable future. There is a need for positive direction, for federal leadership and prodding, and most of all for considerably more money in water pollution control. It remains to be seen whether the 1972 act will achieve the goals set forth but we do firmly believe that the present approach has far more potential than our experience under the 1965 act.

## IMPROVING RELATED PROGRAMS

The Commission recommends that construction costs as well as operation and maintenance costs be borne by non-Federal interests. We strongly endorse this recommendation. If this recommendation were made law tomorrow, slack water navigation construction in the Northwest would halt the next day. The barge and shipping interests have fed entirely too long at the federal trough at the expense of the taxpayers.

The analysis in the Report of soil conservation and reclamation projects is excellent. We particularly commend the following conclusion:

"The Commission concludes that subsidization of new irrigation projects is not justified on either social or economic grounds. Reclamation farms differ little from nonreclamation

(Continued on page 5)



Photo by National Park Service

Yellowtail Reservoir is situated almost diagonally across Wyoming from Flaming Gorge. Here, a dam in Montana on the Big Horn River backs water into Wyoming. This large reservoir was authorized by Congress to provide downstream irrigation and hydroelectric power. But the Bureau of Reclamation has sold most of the water to energy industries for use in developing vast deposits of coal. Water from the reservoir may eventually be piped to the vicinity of Sheridan and Gillette, Wyoming.



## ... Analyzed

farms, but federally subsidized irrigation does increase farm surpluses, increasing the costs of price support programs and disadvantaging farmers in other parts of the country. Direct beneficiaries of Federal irrigation developments should, therefore, be compelled to pay in full the costs of projects allocated to irrigation in conformity to the general principle of full-cost repayment proposed for other water development projects elsewhere in this report."

Once again the findings of the Commission are verified in the Idaho experience. On the discussion on the 160 acre limitation the Report states:

"In summary, the Commission finds no evidence that Federal support of the subsidized reclamation farm and imposition of the acreage limitation have produced cultural patterns any different from those found in comparable nonreclamation farming communities."

Reclamation projects served by the American Falls Dam were not subject to the 160 acre limitation for special reasons. There is absolutely no difference in cultural patterns or economic development between those areas in south Idaho subject to 160 acre limitations and those exempt under water received from American Falls. The significant point is that Reclamation Projects with or without an acreage limitation have not fostered small family farms.

As the Report states, the flood control projects are vastly overrated. The environmental degradation suffered by the State of Idaho in the construction of Dworshak Dam will cause more permanent and lasting harm than all of the benefits conjured from the proponents of the dam. An irreplaceable fishery and big game habitat has been irretrievably destroyed to serve the myth that the dam would prevent another flood of the proportions that destroyed the wartime shack town of Vanport, built in the flood plain near Portland, Oregon. No mitigation was provided in the initial appropriation for Dworshak. Twelve years later the mitigation in land for sustenance of big game herds promised by the Corps of Engineers has still not been provided. Every federal agency should be required to provide full mitigation to the extent possible in the initial authorization and appropriation.

At the same time it is clear that the flood insurance program sponsored by HUD has not been accepted nor is it working properly. We endorse the recommendation of the Commission for an independent study of that program.

### RESOLVING DIFFERENCES

The Report may be describing Idaho or any other western state!

"... if a given state is overly receptive to powerplants, pure or wild streams, clean air, and other environmental assets with a significance transcending the state's boundaries may be threatened."

For this reason, the Council endorses the recommendation for an independent Board of Review. The Idaho experience with the Corps of Engineers and the Bureau of Reclamation is reflected in the Report:

"Agency review is subject to special constraints when the reviewing agency is a member of the same department as the project agency. The competing values may be thrashed out in-house, away from public view, so that a single, departmental position emerges, effectively silencing the competing positions. Only an independent agency, pursuing an environmental protection mission, can be expected fully to develop environmental considerations, to impress their importance upon the project agency, and to make them available to Congress."

The Council on Environmental Quality has not been an effective agency in providing any



Many irrigation projects throughout the West have turned out to be economic, as well as environmental, boondoggles. Extremely poor soils and short growing seasons doomed many projects from the beginning. These lands on the Riverton Irrigation Project in Wyoming show the white salts which are brought to the surface by irrigation. The lands were so poor that Congress appropriated \$3 million to buy them back from ill-fated settlers.

limitations on bad development projects. The CEQ totally failed to act in any meaningful way on the Teton Dam project. Perhaps an independent Board of Review would be effective. As far as Idaho can see the CEQ does little more than publish interesting annual reports.

### BETTER USE OF WATER

The recommendations of the Commission for accurate and sound pricing of water are commendable.

The portion of the Report dealing with improvement in irrigation systems has particular relevance in eastern Idaho. Irrigated farms are using up to 14 acre feet of water principally because water is cheap. The crop production is actually higher in dry years when less water is used than in wet years. It is in this area that the Bureau of Reclamation is building the Teton Dam "to provide supplemental water." For half the money the Bureau could have provided wells, lined canals and greatly improved the efficiency and the production without destroying a river. The Bureau is building Teton Dam only because the canyon was a good damsite.

### INTERBASIN TRANSFERS

That portion of this chapter that recommends full pricing of any interbasin transfer schemes has merit. Those planners in California and the Southwest who have eyes on Idaho water should have this part of the Report posted on their walls:

"Forecasts for such distant time periods are unreliable. In just 11 years (between 1960 and 1971), demand projections for Feather River water by the Metropolitan Water District of Southern California were revised downward so substantially that what was estimated to be required by 1990 was later estimated as not required until 2020, 30 years further into the future. Meanwhile, an investment of nearly \$2 billion is frozen into facilities that may not be fully used for 50 years."

"The point should be emphasized that once a large-scale interbasin transfer is undertaken,

a long-term commitment of large sums of capital to a relatively inflexible scheme of resource allocation is required. With changing consumer preferences, developing technology, and uncertain population growth and distribution, the Nation should proceed with extreme caution before entering upon such enterprises."

### BETTER DECISION MAKING

The Idaho Environmental Council recommended adoption of a 10% discount rate to the Water Resources Council in comments on the Principles and Standards. We recognize the determination is not simple. The Report does indicate some of the economic problems involved in setting of any discount rate. We still remain committed to the 10% rate and would urge that the higher more realistic rate be adopted for 5 years and then reviewed if necessary rather than having a lower rate. A project deferred will either be forgotten or after the passage of time will become firmly established as necessary.

The general comments on public participation are excellent. As a volunteer unsalaried organization, (the Idaho Environmental Council) we find our members constantly called upon to resist or support federal and state decisions that have often been years privately in the making. The agencies have often already decided what is to be done and the hearing is pro-forma. We approve therefore of the Commission planning recommendation for public participation:

"(1) Notice must be provided to inform the publics of the planning activity and of the opportunities for participation, at the start.

(2) Forums must be provided to have the views of publics heard throughout the planning process, especially at or immediately preceding important decision stages. This should include the opportunity to propose and react to alternatives as the planning process evolves.

(3) Information must be made available to interested publics so that their participation can be informed, responsible, and substantive. (Please turn to page 6)



# Water Needs Questioned

by A. Robert Smith

What lies behind the National Water Commission's controversial proposal for halting the federal irrigation program?

After four years of study, the Commission concluded that: "There is adequate productive capacity in the nation's agriculture to meet food and fiber demand under various alternative futures at least until the year 2000."

"There consequently is no need in the next 30 years for federally subsidized water resource development programs to increase the agricultural land base of the country," the Commission concluded.

The Commission, it should be noted, is composed entirely of westerners from states which have benefited immensely from the federal reclamation program. Charles F. Luce, former Bonneville administrator from Walla Walla, is the chairman; and other members include Howell Appling, former secretary of state of Oregon; James R. Ellis of Seattle; Roger C. Ernst, former assistant secretary of Interior from Phoenix.

The Commission came to this conclusion after reviewing studies made at its request by Iowa State University. The university developed 11 possible alternative futures based on such variables as food demand for export and domestic use, federal policies for control of farm production, resource development and environmental quality, the rate of technological change, and the price of water.

"The agricultural water problem of the future does not appear to be one of water shortage," observed the Commission. "Food and fiber demands in the year 2000 could be met by returning land now idled under government programs to production and by using less irrigated land than at the present without placing undue strain on either the total available water supply in the west or the food producing capacity of U.S. agriculture. Under all of the alternative futures considered, consumptive use of water in agriculture would be less than at present.

"In the event of future water scarcities, especially in the west, agriculture need not use more water but could actually release a fairly large supply of water for industrial, urban and other uses."

Even without expanded irrigated farm acreage over the next 30 years, these studies indicated farm production could exceed the market demand.

Another variable considered was the possibility that more consumers would be eating soy bean products as a protein substitute for meat. Even a "relatively mild level of substitution" of soy beans for beef would cause both water and land to be in greater surplus and "the productive capacity of U.S. agriculture could surpass any level previously experienced in this nation."

The Commission asserted that new federal irrigation projects as well as drainage of new land, flood protection programs for cropland and supplemental water for existing farmland "have added to the excess productive capacity of agriculture and have thereby contributed to the high costs of crop support and land retirement programs."

"If the demand for such high-value, specialty crops as fruits, nuts and vegetables should increase so as to require the use of additional land, the demand can be met by the private sector without federal subsidy or by shifting land presently in use for production of low-value crops to production of high-value crops," the Commission recommended.

This latter argument on behalf of specialty crops not under price support or in surplus has often been used successfully to justify new federal irrigation projects for the Pacific Northwest.

The Commission also dealt with another



Anchor Dam is a Bureau of Reclamation project in Wyoming's Owl Creek Mountains. It is designated the Owl Creek Unit of the Missouri River Basin Project. Finished in 1960 at a cost of \$6 million, the reservoir area held water only temporarily. Then the geologic structures underneath gave way and the reservoir has not held any water since. The expensive structure was supposed to supply supplemental irrigation water for some 17,000 acres. But ever since 1960, the Bureau of Reclamation has been putting thousands of dollars into efforts to make the reservoir hold water. Bureau of Reclamation appropriations for 1973 show a sum of \$142,000 to be spent and 1974 shows a request for \$64,000. The Bureau says the appropriation "Provides for continued investigation of reservoir leakage and corrective work required for sealing of Anchor Reservoir."

argument often employed by reclamation advocates — that an adequate food supply is essential in case of war.

"The argument is not convincing," said the Commission. The likelihood of a repetition of World War II-type conflict, involving millions of troops and protracted ground warfare, is remote. If it should occur, the World War II remedy is still available — rationing."

The Commission cited statistics to fortify its generalization that over the last half century "more and more food has been grown on fewer and fewer acres and with less and less labor" — and it's obvious that the Commission believes this trend will continue.

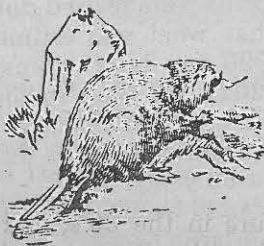
Whether Congress or the Nixon administration will buy this point of view is another matter — and there lies the power of decision over the future of the federal reclamation program.

There are still many proposed irrigation projects on the drawing boards throughout the western states for which individual congressmen can be expected to introduce authorizing legislation.

Reclamation has always had its critics in Congress, mostly from the industrial states of the east, but the combination of administration and western allied strength has usually been sufficient to overcome such resistance.

If the administration dismisses the Commission's recommendations, as President Nixon has dismissed the proposals of numerous other presidential advisory panels, little change is apt to occur. Reclamation will continue as before.

But if Nixon seizes on this recommendation as another means of curtailing federal spending, it would be a whole new ball game for the West.



## Water Report...

(4) Planners and decisionmakers must be able to assimilate public inputs and place them in perspective with all of the other information which must be taken into account in planning and decisionmaking.

(5) Decisions should be made openly by duly constituted officials.

(6) Schedules and deadlines should be set and kept to avoid unnecessary delays and to permit expeditious decisions."

The participation process itself is difficult and time consuming. At the hearing in Spokane, statements will be made on behalf of public agencies, contractors, shippers, navigation interests and others with great financial stakes in promoting further water development projects. Paid or salaried spokesmen who have spent many hours and days in analyzing and responding to the Report will appear and criticize many of the fine recommendations made in the Report.

Against this professional expertise are pitted the volunteer environmental organizations with a very few paid employees who must stretch their time to cover a host of current environmental crises in addition to perusing a 1200 page Report. Most environmental comments are from private citizens otherwise employed who will be making a personal financial sacrifice to appear. Your Report has stated the problem plainly:

"Even for those publics who are aware of the opportunities and who want to participate, limitations imposed by time and money may be disabling. Such publics may be at a significant disadvantage when pitted against others who have adequate funds, technical expertise, and political knowledge to advance their views."

We are one of the "publics" short of time and money. For that reason we have limited our comments, which are brief enough in any event to the first 10 chapters. We care about the rest and we would want to say more about the first 10 chapters but time is a major constraint.



# Take Pork-barrel Out of Water Projects

A pending report by the National Water Commission offers America a chance to take the "pork-barrel politics" out of federal financing of dams, flood control projects, canals and irrigation, says the National Audubon Society. Environmentally harmful water resource projects have long been a major target of Audubon and other conservation organizations.

The Commission, in its proposed report to the Congress and the President, includes recommendations under which federal agencies would charge a fair share of the cost of such water projects to the users: to the farmers, shippers, builders and the local communities which make the profits on the projects. National Audubon contends this would help separate economically sound projects from federal, pork-barrel hand-outs, and would thus help bring water development into line with the nation's real needs.

Field hearings on the proposed report are being held this month and in February. National Audubon has "enthusiastically endorsed the principal recommendations" of the Commission's voluminous report, and is urging all environmental organizations to support it.

Environmentalists can expect powerful opposition from "huge engineering bureaucracies and powerful clientele groups" that have been benefitting from projects that do not really benefit the nation as a whole, and which in effect amount to "raids on the public treasury," according to a detailed analysis issued by National Audubon. The analysis was co-authored by Roland C. Clement, the Society's Vice President/Biology, who is also chairman of the Environmental Advisory Board to the U.S. Army Corps of Engineers, a major agency involved in water projects, and by Dr. Robert K. Davis, of Johns Hopkins University, who is the Society's staff economist and who also serves on several governmental advisory groups.

Following are some of the points they discuss in their analysis of the Commission's report on various types of water-related federal projects:

— **Inland Waterways.** The federal government has built some 25,000 miles of commercially navigable waterways, turning natural rivers and estuaries into canals. They cost \$3.2-billion to build and \$65-million a year to operate, and another \$10-billion for construction has been authorized (although not specifically appropriated) by the Congress. These billions for transportation are not planned, regulated or even evaluated under the U.S. Department of Transportation. Transportation companies are allowed to use the canals without charge.

— **Agriculture.** Federally subsidized irrigation to provide additional farm production has brought "persistent over-production accompanied by eroding farm prices and a depressed agricultural economy." If pricing policies permitted economic factors to determine where America's available water supplies were used, more would go into municipal, industrial, wildlife and recreational uses, and less into uneconomical irrigation of arid areas.

— **Flood Control.** The U.S. Army Corps of Engineers alone has spent \$8-billion on dams, levees and channel enlargement during the last half century, but property damage still runs about \$1-billion a year. The reason is that the protection programs have induced more and more people to build, or rebuild, on vulnerable flood plains and coastal flats. If builders in high-risk areas were to pay a fair share of the cost of protecting their investment, they would be far less inclined to build there, and consequently there would be less flood damage.

— **Water Supply.** One way to relieve the water shortages of municipalities is to make better use of existing supplies. This can be done by imposing special peak-demand rates,

changing plumbing codes and eliminating inefficient appliances.

— **Recreation.** An artificial lake doesn't necessarily offer more or better recreation than the free-flowing stream and valley it replaces. In any event, there is a question about the wisdom of spending large amounts of the tax-payer's money for middle-class recreation of this kind when one third of the U.S. population is still under-nourished, under-employed, under-educated, poorly housed, etc.

In short, says the Audubon Society, following the National Water Commission's advice can lead to a "more rational and environmentally sensitive" national water policy: If public demand and the Nixon administration's interest in rational and efficient water resources development are "substantial enough," it should be possible to achieve "fundamental changes in the national water policy" as a result of this report.



Photo and text by Will Goddard

## Cross-country Skiing

A fast-growing winter sport is cross-country skiing or ski touring. Actually, the two mean the same thing — skiing across the countryside. It is a popular sport with conservation-minded sorts who enjoy getting away from crowds, noise, ski lifts, and the hurly-burly of the resorts.

One can ski tour anywhere there's snow, using a wide variety of equipment, alone or in a group, using the very best in technique or inventing your own. Styles of clothing don't matter much — it is most important to have fun.

There couldn't be much better ski touring available anywhere than in the Wind River Mountains of Wyoming, where excellent terrain and snow conditions exist. Particularly good skiing is found on Togwotee Pass west of Dubois, Wyoming. The rolling, hilly terrain and open parks and meadows are ideal for cross-country skiing. The snow is usually good at 10,000 feet, and sun-shiney days are abundant.

On a recent Sunday afternoon, Pete and Leslie Peterson of Dubois took a tour with Will Goddard of Wind River Ski Tours in Dubois. It was a family affair with sons Travis and Monty Peterson, and friends Tina and Lisa Shepardson. It could hardly have been a more ideal afternoon — warm sun, temperature in the 30's, and a slight breeze. All of this with miles upon miles of untracked powder snow. It was an intoxicating sort of

day to ski.

The tour started from the highway at Togwotee Pass on the Continental divide, across open meadows toward Two Ocean Mountain. From Two Ocean Mountain, the woods were skied. A few hills were found for some fun downhill skiing, before heading back. Of course, lunch was enjoyed on the trail. The whole tour took about 3½ hours, covering around five miles.

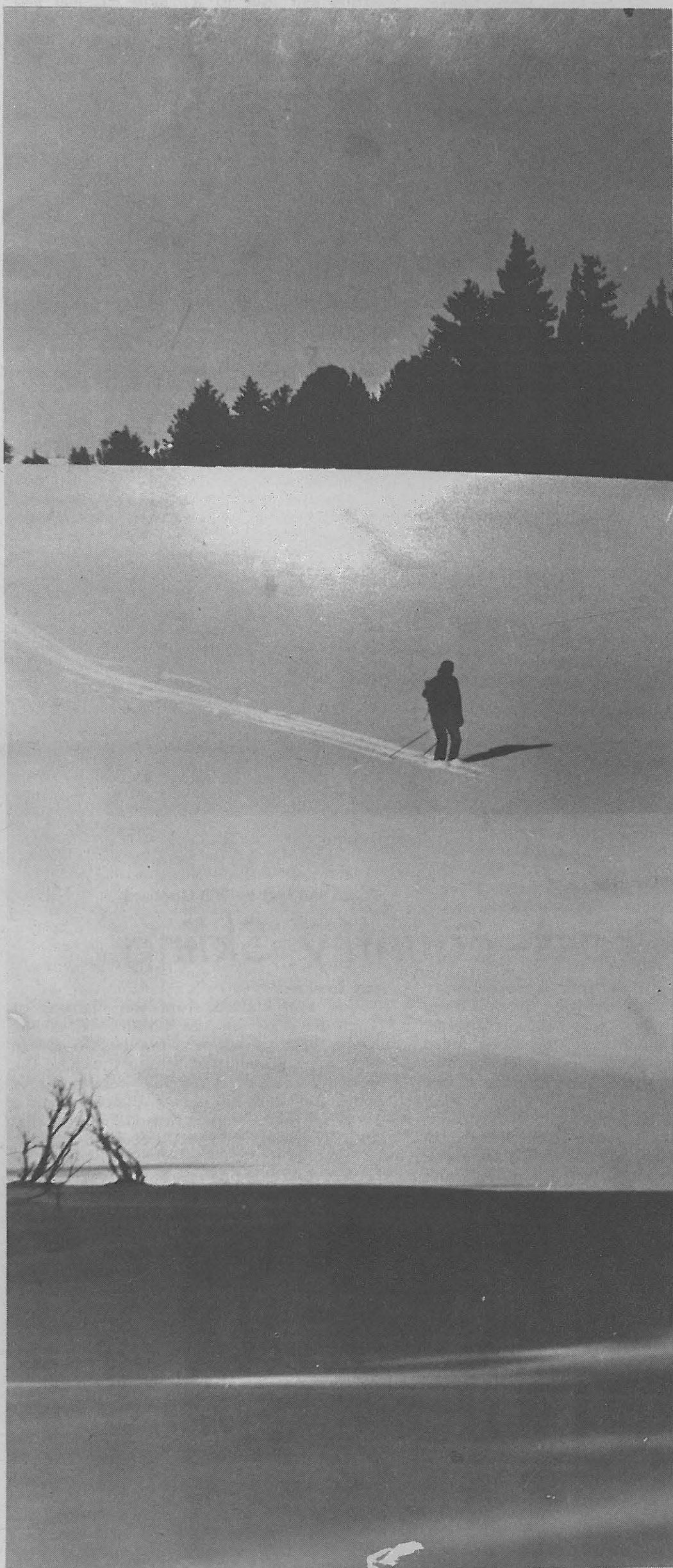
Ski touring is a fine way to see new country, get exercise, and feel that you are doing something which has a minimum impact on the environment. It is not an expensive sport, and can take place almost anywhere that has snow — golf courses, city parks, or mountain meadows.

Perhaps the most important aspect of ski touring is getting out and doing your own thing. The technique is fairly simple, so is the equipment. People of all ages do it, and enjoy it. There are few things more satisfying than the exhaustion after a good tour. A sauna to relax the muscles and mind afterward is pure heaven.

If anyone is interested in touring in the Wind Rivers, they may contact Will Goddard at Wind River Ski Tours — Box 501, Dubois, Wyoming. Guided tours and instruction are available, as well as rentals. . . . all at reasonable cost. Dubois is a tourist-oriented town with plenty of accommodations for the person who wants to stay overnight or for a week.



# WYOMING WINTER



One of the fastest growing winter sports in the country is cross-country skiing, or ski touring. Not so specialized or so expensive as downhill skiing, all ages and sizes can participate with equal enjoyment.

Will Goddard of Dubois, Wyoming, (photo at right) took a group on a guided tour through a Wyoming winter wonderland recently. (See story page 7.)

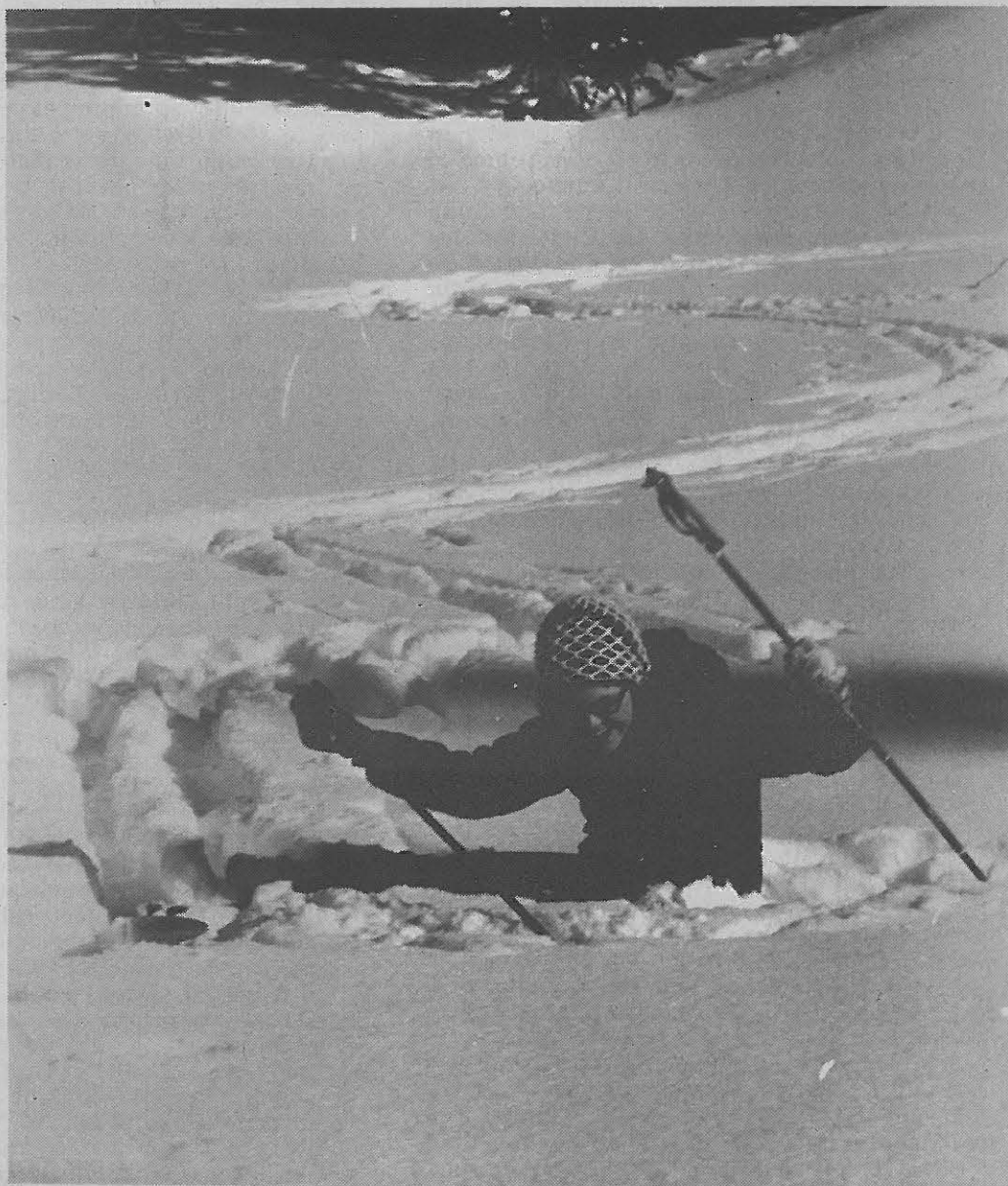


Photos by Will Goddard



# R WONDERLAND

High Country News-9  
Friday, Mar. 2, 1973





# The Politics of Legislating

The following special dispatch to High Country News was filed by John Jenkins. He is a resident of Buffalo, Wyoming, where Reynolds Metals Co. has proposed a \$2.2 billion uranium enrichment plant. In addition to that special interest in what happens in Wyoming, he is a student in an environmental studies program at Princeton University. At the present time he is on a special field study program with assignment to High Country News. He has been observing the legislative process, particularly as it applies to meaningful strip mining legislation. What follows is his account of the political processes which shape the lives of us all. It will be carried in two installments with the final part in next issue.

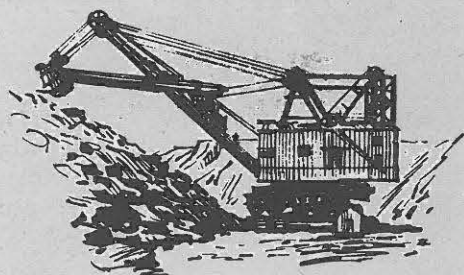
by John Jenkins

Wyoming's Forty-Second Legislature ended its forty day session five minutes before midnight, Saturday, February 24. Water rights, education financing, highway safety, abortion, and lowering the legal age of majority had all been major issues before the lawmakers. But as soon as self-evaluation began, the politicians turned to the mined-land reclamation controversy when asked to cite the primary problem they had dealt with.

Governor Stan Hathaway, in a farewell address to the Senate that evening, said that the Environmental Quality Act, 80% of which dealt with surface mining and reclamation, would in the future be seen as the legislation of most lasting benefit to the state. Cliff Davis, Speaker of the House, told newsmen, "The most important measure to come out was the EQA." It was next to impossible to find a legislator in Cheyenne who didn't point with pride to passage of the "environmental quality package."

Yet, chief environmental lobbyist Keith Becker, Executive Director of the Wyoming Outdoor Coordinating Council, termed the reclamation portion of the EQA "terribly weak." He left the capital noting that "mining interests in this state got most of what they wanted at the expense of Wyoming's future land quality."

Hank Phibbs, Jackson lawyer and legislative assistant to Teton County Representative John Turner, a staunch advocate of tough mining legislation, felt the bill's most important sections had been quietly gutted amidst a fanfare of strong-sounding language. In a news release issued on Thursday, the 22nd, Phibbs charged that in deleting uniform state-wide reclamation standards from the act, Wyoming placed herself in grave danger of repeating the mistakes of Appalachia.



Clearly, assessments of the new surface-mining legislation differ widely. These conflicting accounts serve, above all, to point out the complexity of legislation aimed at control of surface mining. They also underscore the need for a critical, informed approach before one can decide which evaluation of this important law is more nearly correct. What follows is an attempt to point out the major legal considerations involved in the reclamation bill, to give a brief history of the bill's passage through the Legislature (along with some highlights of floor debate), and to try to point out some of the behind-the-scenes political pressure that was brought to bear on the measure by groups especially interested in its impact.

That some form of reclamation legislation would pass this Legislature was a foregone conclusion in view of increasingly widespread concern over future energy development in Wyoming. Ever since release of the North Central Power Study last year, the general public has been exposed to a fairly steady stream of news pointing to coal development

in the state. (Public awareness of the potential harm from strip mining was running high and the Forty-Second Legislature knew it.) Environmentalists and others familiar with the Appalachian strip mining experience moved to benefit from eastern trial and error by adopting the tough bills those states finally turned to in order to cope with the problem. In a newsletter issued by the environmental lobby in Cheyenne on February 6, the goal of an adequate act was stated thusly: "A good reclamation bill has one ultimate purpose — to guarantee the reclamation and restoration of lands affected by strip mining. Restoration is the return to full long-term productivity of lands which have been affected by strip mining." The assumption basic to their approach was that the overriding motive of any individual business engaged in mining was to maximize profits. If the costs of leaving the land unreclaimed after the operation was finished could be passed along to the society as a whole (hole?), then there would be no reason to voluntarily undertake reclamation efforts. The logical outcome of this kind of thinking was, then, that industry should be rigidly forced to carry out restoration of mined lands with the threat of punishment. Essentially, the argument was to deter corporate "crime" in the same way we deter individual criminal actions, that is, by rigidly defining correct behavior and then setting up firm penalties for deviation from that behavior. In order to make the bill do what it said it would do, environmental lawyers working on the project felt the following elements would be the minimum requirements for an effective law:

- 1) A permit system would be needed. Each mine operation, on the basis of its total eventual extent, would be authorized separately by permit. The permit is a mechanism by which a proposal to mine may be accepted or rejected. In order to get the permit allowing a single surface mine, information would have to be submitted to the regulatory agency detailing how the mining would be done and how the operator proposed to reclaim the disturbed land. Denial of a permit would be the state's protection against unacceptable mining. Issuance of the permit placed rigid obligations on the mine operator which had to be met in order to serve the public interest in land reclamation.

- 2) In order to make a rational decision on whether or not to issue a permit, a mining plan would be needed detailing how the operator intended to work the mine, how large and where the mine would be, and how long the operation would take. This information is necessary to determine whether the miner's reclamation plan is actually realistic.

- 3) The reclamation plan would describe how the land would be restored and what it would be like after restoration. Upon issuance of the permit, the plan would become the legal obligation of the miner.

- 4) An effective inspection system would be required to insure compliance with provisions of the mining and reclamation plans. Adequate manpower was seen as the key to avoiding situations where an operator could mine in violation for such a long time that it would become impossible to undo the damage without unacceptable costs being incurred by all parties, including the offending industry.

- 5) Meaningful enforcement was an obvious necessity. No matter how tough the bill's requirements were, they would be useless without adequate penalties and ways of guaranteeing that offenders would incur those penalties. A law without teeth was seen as worse than useless, since it would sooth public fears of strip mine damage without deterring the damage.

- 6) A final requirement of a good package was the adoption of measures sufficient to protect the surface owner in cases where he did not own the minerals under his land. Many felt the ideal solution was a surface owner's veto over strip mining. A less desirable alternative was giving the landowner positive input into the mining plan so that he might influence adoption of mining methods least harmful to his agricultural operation.

Others, including Secretary of State Thyra Thomson, disagreed with the "tough" approach. This viewpoint held that the energy industry would probably behave as a good corporate citizen, and therefore the state government's role would be more one of coordinator. Persuasion would be a more productive tool than coercion. In an interview with Mrs. Thomson on February 21, I asked what role the state should take in the coming energy development. She replied that it ought to be, "... one of bringing forces together ... of joint planning ... of joint legislation." Her conception of the state's proper role in regulating the mining industry conflicted strongly with environmentalists' ideas about what a strong act required. Governor Stanley K. Hathaway repeatedly warned that while Wyoming needed new legislation, it had to be "flexible" so as not to discourage mining. Just what levels of control would discourage development and why they would deter such a potentially profitable venture was never made clear.



West Virginia, the state most seriously harmed by surface mining, evolved a bill very similar to the one the environmental lobby favored. Speculation aside, we do know the following facts about that bill. It included all the tough measures sought by conservationists here. It included specific standards for reclamation, requiring back-filling and grading, revegetation, control of water quality, and landowner consent. The West Virginia law has brought about significant improvement in that state's mining industry behavior, achieving much better reclamation. At the same time, we know that even with those requirements, which also include a \$600 to \$1,000 reclamation bond per acre, the industry has continued to operate vigorously, disproving charges that tough mining legislation would shut the industry down and seriously damage the area's economy.

During the forty day session, all sides would claim that the other side's views were too radical. However, from an examination of the workability of this kind of legislation, it would seem that the original concept advanced by conservationists at the start was not unreasonable, would have protected Wyoming's land, and would not have closed the state to mining.

Several events occurred prior to the Legislature's opening on January 9 which later had considerable impact in shaping the law. A strong, well-funded lobby was organized by the mining industry. Chief lobbyist for the miners was Bill Budd, Executive Secretary of the Wyoming Mining Association. He was to spend almost the entire session in Cheyenne. Also representing the Association were John Atkins of the Utah International uranium operation in the Shirley Basin, Morris T. Worley of Exxon Corporation (a major mineral lease-holder in the state), and A. V. Quine from San Francisco (whose firm was never revealed). Tom Kidd of Casper registered and spent much time lobbying for the Union Pacific Mining Corporation and Rocky Mountain Energy Company. Finally, Russ Beamer, former Executive Secretary of the Mining Association, filed to represent the Kemmerer Coal Co. Nearly every major coal mining operation in the state kept a highly paid professional in the capital during the session all exercising extreme pressure. Unfortunately, the 1971 law requiring lobbyists to register with the legislative Service Agency doesn't compel disclosure of how much a lobbyist is paid and how much he spends in influencing legislators. Few volunteer the information. Nevertheless, on the eve of the session the mining industry had committed large sums of money in an effort to persuade the lawmakers of the correctness of its viewpoint.

(Continued on page 12)





This scene took place in Belmont County, Ohio, on January 3. The 5½ million pound "Mountaineer" shovel of Consolidation Coal laid its own earth mat across Interstate 70. Following close behind is the 4 million pound "Tiger." The shovels crossed the highway to take up strip mining in a new area.

## Resource Program Launched

The on-again, off-again Northern Great Plains Resource Program seems finally to be successfully launched. An announcement of an Outline of Plan has been made by Assistant Secretary of the Interior John W. Larson.

The program was initially announced on October 3, 1972, by Interior Secretary Rogers Morton. A program director from the U. S. Geological Survey was named and all seemed in readiness to begin. The director later quit the program and it seemed to have fallen by the wayside.

Larson's announcement has revived the program which is supposed to give the information needed for policy and planning decisions on coal development. The Plan says the principal issue concerns the development, or nondevelopment, of land resources within the Powder River and Fort Union areas (Montana, Wyoming, and North Dakota primarily, but also including South Dakota and Nebraska). The program is supposed to provide information on the economic, social and environmental consequences of development or nondevelopment. However, development is a foregone conclusion because of leases, water sales, and other preliminary actions already taken.

The program is to be directed by a review board composed of three top federal officials, a representative of the five states through the Old West Regional Commission, and one governor. The latter has already been chosen, Governor Stanley K. Hathaway. Hathaway is known to be one of the most industrially development-minded of all western governors. It is certainly not difficult then to determine the direction of the program on at least the state level.

### Flash!

The Sierra Club has won a permanent injunction against water backing into Rainbow Bridge National Monument. Water levels in Lake Powell will have to be dropped to comply with the court order. Immediately following the court action, Senator Frank Moss of Utah introduced a bill to amend that part of the Upper Colorado River Storage Act which protects Rainbow Bridge.

High Country News readers can help hold the line against amending out protection for Rainbow Bridge by writing your congressman and protesting the Moss bill.

Several comments from environmental groups have already been made on the program. Miss Laney Hicks, Northern Great Plains Representative of the Sierra Club, wrote Secretary Morton in October that, "We are most concerned, however, that this program remain a study covering all resources and not be a development program for coal."

Dr. Ernst R. Habicht, research scientist for the Environmental Defense Fund, wrote Assistant Secretary Larson. He said, "The Program lacks the force of law and, useful as the data may be, there is little use in fooling ourselves into thinking that it will be a substitute for agency compliance with (the) National Environmental Policy Act." Both Habicht and Miss Hicks questioned the end result of the entire study program.

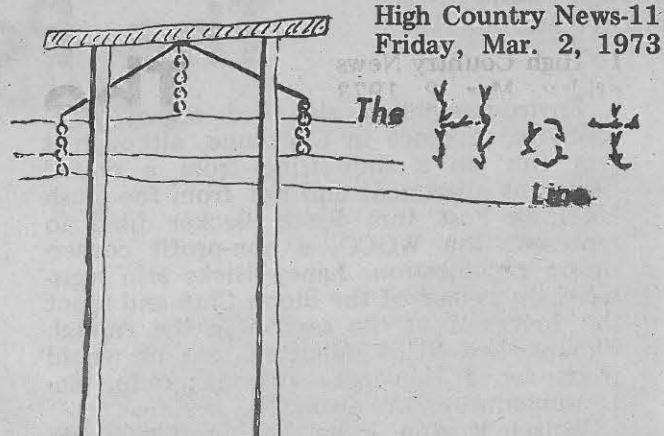
Friends of the Earth told Secretary Larson that, "We would applaud any indication that the future of the Fort Union-Powder River coal region has not been decided, but we are not naive as to the influence of the now vested energy interests." Ed Dobson, Montana representative of FOE, said "... our enthusiasm for the potential of a truly open-ended program is dampened by the reports that approximately 600,000 acres of native American (Indian reservation) land and a total of perhaps 5.5 million acres of federal leases have been acquired by energy development interests."



## Fish Damaged

A buried report by the Bureau of Sport Fisheries and Wildlife, dated April 24, 1972, reveals adverse findings on fisheries by the Wagon Wheel Project in Wyoming. In what is referred to as "the probability of severe, long-term damage to stream fisheries, particularly the New Fork," the Bureau says the fisheries are important.

Wagon Wheel would create severe earth tremors when the five 100-kiloton nuclear devices were exploded deep underground. BSFW says sloughing of earthen banks into the river and the effect on fish eggs could be very damaging. A delegation of citizens from Pinedale recently went to Washington to protest the project.



An all-out effort to solve the nation's energy problems has been proposed by Sen. Henry M. Jackson. The powerful chairman of the Senate Interior Committee proposes a ten-year, \$20 billion research and development program rivaling the man-on-the-moon project. He will propose legislation to make "conservation" and "efficiency" an integral part of a national energy policy. His far-reaching energy conservation bill is expected to rival the National Environmental Policy Act in its implications for energy use.

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Interior Secretary Rogers Morton has announced a policy of federal coal leasing which could slow future development of coal resources in the West. Restrictions on both prospecting and mining have been imposed until environmental and supply-demand studies have been undertaken.

\*\*\*

Montana Power Co. announced last week that two 700-megawatt steam electric plants were being considered for its Colstrip site. Two 350-megawatt plants are now under construction there. The latter have come under considerable attack for inadequacies in the draft environmental impact statement. Several comments on the DEIS have pointed to probable problems with air pollution and the impact of drawing large amounts of water from the Yellowstone River.

\*\*\*

Air pollution laws are not strict enough to protect the nation's health. That is the conclusion of a research study done for the Environmental Protection Agency. The study says air pollution problems now cost the country from \$1 billion to \$3 billion annually in health care alone. Sulfur dioxide is cited as a growing problem and the study says it would be "prudent" to control sulfur dioxide more stringently than is now planned. Some of President Nixon's advisors have said it may be necessary to relax controls in order to provide the electrical energy needed in the next few years.

\*\*\*

Electricity from natural gas through means of a fuel cell is being quietly but diligently pursued. Field tests of the method are now being conducted and will run through 1976. The procedure is far more efficient and much less polluting than conventional methods.

\*\*\*

A proposed powerline through Montana's Bitterroot Valley has drawn together a group to fight construction of the line. Montana Power wants to run the line along a new route through national forest lands. The opponents point out the alternative of using the present corridor.

\*\*\*

State Senator Malcolm Wallop, one of the sponsors of strict strip mining legislation, voted against the final bill which was enacted by Wyoming's Legislature. He said it was not adequate in several vital sections.





# The Politics of Legislating...

Environmentalists also had organized a lobbying presence in Cheyenne, although it was run on a shoe-string from a rented basement apartment and not from the plush Hitching Post Inn. Keith Becker filed to represent the WOCC, a non-profit conservation organization. Laney Hicks also registered on behalf of the Sierra Club and spent the first half of the session in the capital. Finally, Lee Nellis indicated that he would work for a University student group, Environmental Action, during the session.

Warren Morton, R-Natrona, prefiled House Bill 22, the Mined Land Reclamation Act. Morton, a Casper oilman, served as Chairman of the House Mines and Minerals Committee during the session and exercised tremendous influence over the final act as it passed both houses. His 18-page prefiled bill, which he later explained was merely intended as a starting point from which to build a comprehensive bill, contained no standards, had no provision for revocation of a mining permit, and had no provision for a clearcut mining plan or for landowner protection. This was the point from which House consideration of a reclamation act had to start.

Not quite finished at the opening of the session were two comprehensive reclamation bills drafted by Senator Malcolm Wallop of Sheridan and Representative John Turner of Jackson. It was widely recognized that these two legislators would serve in their respective houses as the chief advocates of strong mining legislation. It was at this point that political power began to be exercised in shaping the bill. Both lawmakers, having expressed deep interest in the mining question and having intensively studied the problem, requested assignments to the mines and minerals committees in their houses. These committees were where mine bills would be referred for in-depth review. Much of the most important work on a bill is done in committee and both men wanted to be in a position to be in on ground level. It is also a political fact of life that it is very difficult to change a bill significantly once it is out of committee. The legislature's tendency is to trust the specialized committee which has spent a great deal of time on a measure with which most lawmakers haven't had the time to familiarize themselves.

Neither man got his assignment, although they expressed a far more intense preference for those jobs than most. Turner had even served on the Mines Committee in 1971. It is customary to give senior legislators their old assignments as a matter of course. So as the session opened, the only member of either key committee who had any expertise in drafting mine law was Warren Morton. And his initial attempt had come nowhere near satisfying the requirements of tough legislation established by trial and error in previously mined regions.

Shortly after the session opened, the Morton bill was referred to his committee. Soon John Turner finished his 52-page reclamation bill patterned after the West Virginia and Pennsylvania acts and it went to Morton's committee. All the committee meetings that followed in the House on the bills were closed to the press and public, and even to authors of the other mine bills, Wallop and Turner.

Wallop's bill was introduced in the Senate during the second week and was sent to Tom Stroock's Senate Mines Committee. Stroock, another Casper oil broker, did not consider the bill intensively due to an arrangement between the two houses.

During the last legislative interim, the committee charged with governmental reorganization had, in cooperation with the Governor, drafted a bill that was to place all environmental regulatory agencies in the state under one roof. This super body, to be called the Department of Environmental Quality, would deal with all matters of air, water, and land quality. A bill creating the Department, SF 135, was prefiled by Senator L. V. Stafford. An unofficial agreement existed that the House would debate reclamation first and then send the finished product over to Senate where it would lose its identity and be plugged into the overall EQA package.

However, both committees, mindful of the political advantage of being linked to a bill "for the environment", and wanting some public input, did hold public hearings. The Morton committee hearing came on January 17. Members heard 45 minutes of testimony delivered by environmentalist witnesses lined up by Keith Becker, 45 minutes allotted to representatives of the mining industry, and statements from government officials, including Homer Derrer, current mined-land reclamation director.

The Stroock committee held its hearing Friday, February 2, the same day the HB 22 emerged from the House committee completely overhauled. That hearing, considerably less well-attended than the Morton hearing, featured short testimony on all aspects of the EQA. The main witness concerned with mine reclamation was Ernest Preate, a well-known Pennsylvania lawyer whose practice deals largely with litigation under that state's mining bill. Preate met informally later that afternoon with members of the Morton committee in the only open session that group held. Morton was not present. Preate tried to convince the committee that forthcoming tough federal law would require recognizable uniform reclamation standards and that the Wyoming Legislature should go ahead and include

Reprinted from THE IDAHO STATESMAN, Boise

## Idahoans Vote For Streams

by Mindy Cameron  
Statesman Staff Writer

Strong preservationist attitudes outnumber strong development attitudes in Idaho by five-to-one, a public opinion survey conducted for the Idaho Water Resource Board has revealed.

L.E. (Erv) Johnson, of L. E. Johnson and Associates, Inc., reported the findings Tuesday of a survey conducted by telephone in all 44 Idaho counties Aug. 21-Oct. 6.

The survey team began with a random sampling of 1,100 Idaho residents. Of that number, 770 interviews were complete and analyzed for the findings reported Tuesday.

The maximum number of interviews conducted in any one county was 60 and the minimum was 15.

Johnson told members of the Idaho Water Resource Board during their two-day meeting in Boise that more than 70 per cent of the persons polled believe water pollution is a problem in Idaho.

He outlined other highlights of the survey findings:

- Fifty-two per cent of the state's farm population surveyed (about one-quarter of the sample) believes more sagebrush land should be irrigated. Of the total sample, 46 per cent favor irrigating sagebrush acreage.

- Almost half — 49 per cent — support inclusion of some or all of the proposed 484 miles of stream in the National Wild and Scenic River system. Seventy per cent favor state control of that system however.

- A majority of Idahoans appear to oppose another dam on the Middle Snake River. Eighty-one per cent favor state control of that river. Johnson reported "great indecision" on dams, but an indication that many people are "open" to new dams if the need is shown.

- Statewide, people favor the federal government compensating the state for revenue lost by not developing certain rivers through placement in a wild river system.

- Idahoans are strongly opposed to sharing Idaho waters.

- A majority supports interest-free loans to stimulate improvement of below-standard water systems.

- A majority favors having a state agency set minimum flows for fish and wildlife, recreation and water quality.

- Seventy-eight per cent believe water resource quality and use has some impact on their lives.

them both to avoid later conflict and simply to better protect the state by making the law effective. He claimed discretion on the part of the regulatory agency would only lead to weakened enforcement and informal concessions. The interchange was charged with friction at times. The next morning Preate spent an hour with the Governor. That session ended with the Governor charging Preate with outside agitation.

At the same time, certain sources indicated that Senator Stroock was considering breaking the agreement with the House and reporting out of his committee a reclamation bill which would have born much of the Wallop stamp. He met with Preate and local environmental lawyers that Friday morning to discuss the legislation's particulars at length. However, no action was taken and the stage was set for the House to begin debating the face-lifted Morton bill the following Monday.

In the concluding part of this series, Jenkins will cover in detail the debate which centered on the various pieces of legislation dealing with strip mining in Wyoming. It is illustrative of how special interests operate in the political arena, and how the public is excluded from the political process simply because it is not there to protect its interest.

- A majority of Idahoans don't believe there is a strong need for more artificial lakes for recreation. (Johnson noted this response was not greatly influenced by the degree to which the respondent participates in outdoor recreation.)

- On the fisherman preference question, the response was clearly in favor of stream and river fishing with 57 per cent choosing streams over lakes and reservoirs, he said.

- Fishing, hunting and camping ranked tops in outdoor activities enjoyed by Idahoans with water skiing last.

- Three-quarters of the sampling saw no need to invest in more deep-water recreation. Newcomers are most emphatic about no more reservoirs, Johnson said.

- He said boaters and fishermen who use the reservoirs agree with the general public that there are enough flatwater areas now.

- Johnson broke down the concern over water pollution as follows:

- Boaters and fishermen are more concerned than non-boaters and non-fishermen.
- Non-farmers are more concerned than farmers.

- Newcomers are more concerned than residents of one to 10 years.

- Concern is in direct proportion to education.

- The greatest concern was expressed by upper middle-income bracket.

- Men are more concerned than women but that difference is "minute," Johnson noted.

- City residents are more concerned than rural residents.

- The Salmon, Southwest Idaho and Bear River areas are less concerned than the Panhandle, Clearwater and Upper Snake regions.

- Johnson reported to the board that the word dams "is a fighting word to 16 per cent of the state." Dam opposition is strongest in North Idaho, among the young, outdoorsmen, newcomers, educated, higher income and men.

- IWRB member Scott Reed, Coeur d'Alene, questioned portions of the questionnaire. He said he thought they "were strongly water development oriented."

- The results "are far different than I expected. . . I must have a constituency somewhere," noted Reed, often described as a "maverick" board member who frequently finds himself in opposition to the seven other members.

- Johnson emphasized that the survey reflects just the current attitudes of Idahoans.



# Western..... Roundup

High Country News-13  
Friday, Mar. 2, 1973

Photo by Annette Tussing

## Mellem Named Representative

Roger Mellem, a student at Evergreen State College at Olympia, Washington, has been named Northwest Representative of the Sierra Club. He replaces Brock Evans who became the Washington, D. C. Representative of the club.

Mellem, 22, has an extensive background in local, state and national conservation issues and battles. A graduate of the University of Oregon Honors College in conservation, he has served as an assistant to Evans.

In one of his first acts after being named, he criticized the "Hells Canyon National Forest Parklands Area" bill recently introduced in Congress. The sponsors are Senator Mark Hatfield and Rep. Al Ullman, both of Oregon. Mellem said the Sierra Club and the Federation of Western Outdoor Clubs feel the bill "falls far short of what is needed to protect the magnificent beauty of this spectacular area. Hells Canyon deserves better."

## Limits to Growth Premature

Colorado Governor John Love and the Colorado Springs Chamber of Commerce think moves to limit growth along the Front Range are premature and not necessary. A Democratic proposal would give the governor authority to ban large companies from the area. Love says the proposal goes "too far."

## Compromise on Lands

In moves to acquire interest in lands in Hells Canyon, the U. S. Forest Service says it is willing to acquire less than full interest. A compromise being discussed would leave ranch lands in the hands of the owners but the federal government would acquire development rights. Appropriations to acquire the property have already been passed by Congress.

## Stream Flows Protected

The Colorado Senate has given approval of a bill to protect minimum stream flows. It will obviously protect environmental values — fisheries, aquatic life, recreation and aesthetics. Water appropriation laws of most western states allow total diversion of stream flows for "beneficial" uses. Leaving minimum flows in streams for environmental reasons is not considered beneficial under antiquated laws.

## Lands Could Be Acquired

A bill to purchase a 205,000-acre ranch has passed the Utah Senate and gone to the House. It would cost \$8 million. The ranch, which ranges from 9,800-ft. peaks to lush meadowlands, would be used mainly for outdoor recreational pursuits. A sponsor declared it was one chance in several lifetimes to acquire wildlands for "our children and grandchildren to enjoy." Sponsors fear the lands will be acquired for sub-divisions and ranchettes if the state does not acquire them.

## Cabin Burned by Arsonists

A Montana Representative, Harrison Fagg of Billings, had his mountain cabin burned by apparent arsonists. Fagg said he believed it was a result of vehement opposition to a wild and scenic rivers bill he sponsored. The bill was killed the same day the cabin burned.

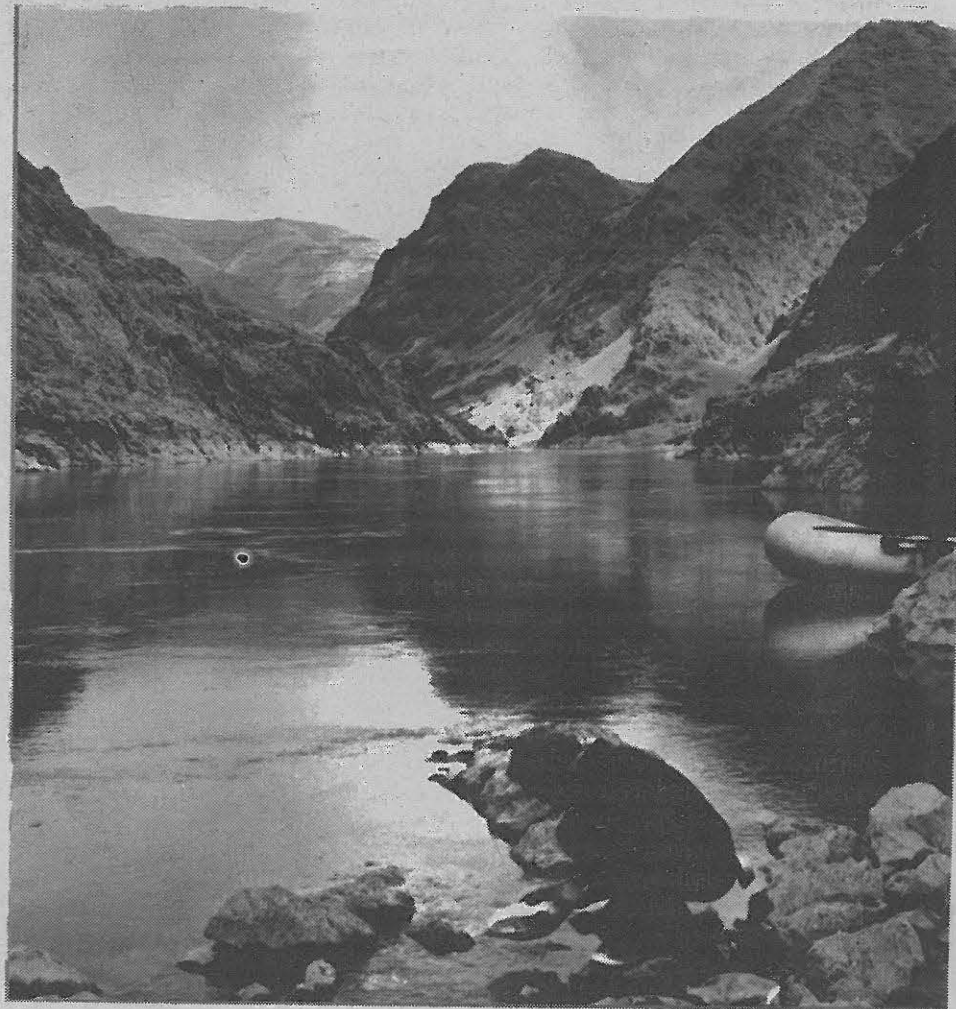
## More on Eagle Killings

Letters written by High Country News readers to the United States Attorney General in regard to eagle slayings have elicited an interesting reply. The letters have been answered by Mr. Harold D. Koffsky, Chief, Legislation and Special Projects Section, Criminal Division.

Mr. Koffsky says of the Herman Werner matter: The scheduling for trial of a filed case is a matter for the court. As you may know, Mr. Werner's attorney suffered a heart attack in August, 1972. Accordingly, the court postponed trial pending his recuperation. We are advised that trial is now expected to commence in March or April, 1973. You may rest assured that the Department of Justice is ready to proceed in the prosecution of this case as soon as the trial date is set by the court.

Meanwhile, back in Wyoming, U. S. District Judge Ewing T. Kerr has taken under advisement two motions filed by Werner's attorney, William Brown. Brown has asked the court to dismiss all charges, or to allow separate trials for Werner and his Bolton Ranch.

The 79-year old Werner is charged with the deaths of 363 golden eagles, three bald eagles, and seven Canadian geese, and a charge of conspiring to kill eagles. Conviction on one eagle killing charge calls for a maximum penalty of \$500 fine and six months imprisonment.



Hells Canyon of the Snake River is still the center of a swirling controversy. Outspoken proponents of still another dam are now outnumbered by opponents. But the future of the great area is still to be determined.

## No Plan to Reduce Bison

There is "no plan to reduce the bison and elk of Yellowstone National Park as a part of a brucellosis eradication program, nor is such a proposal under consideration." That is the word of Assistant Secretary of the Interior Nathaniel Reed in a letter to Congressman John Dingell. Saying the main impetus for the pressure to eradicate brucellosis within the park stems from two sources: Dr. Paul Holcomb, D. V. M., U. S. Department of Agriculture in Bozeman, Montana, and the Wyoming Livestock and Sanitary Board through its president, Fulton C. Jameson of Riverton, Wyoming, Reed says the park program is essentially one of boundary control. He says both the Montana and Wyoming fish and game departments have agreed to cooperate in this control.

Reed says, "We have been unable to learn of any cases of brucellosis at any time which could be attributed to the Yellowstone bison. Brucellosis has not been reported from cattle herds adjacent to the park for more than 10 years, to the best of our knowledge."

## Another Dam Protested

A proposal to dam another stretch of the Snake River in Idaho has drawn a protest from the National Audubon Society. Robert K. Turner, a regional representative of the Society, said he will request an environmental impact study of the Swan Falls-Guffey Dam. Turner said all the options had not been considered in the dam proposal. The site of the dam is in an area of canyon which has been nationally recognized for its population of nesting eagles and hawks.

## Some Dams Deferred

Operating under new priorities and the restraint of budget cutbacks, the Bureau of Reclamation has announced six projects in Colorado have been "indefinitely deferred." They are Animas-La Plata, Closed Basin, Fruitland Mesa, San Miguel, West Divide, and Savery-Pothook. The latter is also in Wyoming.

The Bureau's new priorities, in order, are power generation, municipal and industrial water, supplemental irrigation service, and development of new land for irrigation.

The Colorado projects are obviously casualties resulting from the absence of Wayne Aspinall in the Colorado delegation. All were in Aspinall's home district, and all were economically unjustifiable, as well as environmentally disastrous.

The Office of Management and Budget did allow over \$2 million for fiscal years 1973 and 1974 for construction of the China Meadows Dam in Utah. This environmentally destructive project, to be built on the national forest, would supply supplemental irrigation water for marginal lands in Wyoming. Political pressures from Wyoming were obviously strong enough to get the authorization.

## Notice!

High Country News will cease publication with the March 30 issue. For details, see editor's column on page 2.





... the enjoyment of scenery employs the mind without fatigue and yet exercises it; tranquillizes it and yet enlivens it; and thus, through the influence of the mind over the body, gives the effect of refreshing rest and reinvigoration to the whole system.

... Frederick Law Olmsted

## Unique Lab Tests Pesticides

by Anne Turner

A revolutionary test to determine the overall impact of pesticides and herbicides on the environment is being perfected by a Brigham Young University scientist. Dr. Gary M. Booth, assistant professor of zoology and entomology, has created a "model ecosystem," a carefully controlled "mini-world" where the effects of new chemicals can be tested in the laboratory without harm to the environment.

The BYU laboratory is one of two unique in the world. The other is at the University of Illinois where Dr. Booth studied under Dr. Robert L. Metcalf, the originator of the method. While the University of Illinois concentrates on DDT derivatives, BYU tests herbicides and new pesticides.

The Metcalf-Booth method has received international acclaim as a major breakthrough in a decade of research for successful advance testing of noxious chemicals — ever since the harmful effects of DDT were belatedly realized in the early 1960's. It took 20 years of damaging use to discover, only partially, the impact of DDT on the environment. By contrast, the new method requires a mere 40 days of safe testing in the laboratory.

The miniature test environment is a glass aquarium containing earth, water, and up to 10 different species of plants and animals. The constituents of a typical "mini-world" include duckweed, algae, snails, clams, fish, mosquito larvae, water fleas and micro-organisms. Sorghum seeds are planted in the soil. When the plants reach a 6" height, they are treated with the test pesticide or herbicide made slightly radioactive for tracing. Saltmarsh caterpillars are then introduced to the environment. These eat the sorghum plants and their wastes are in turn eaten by snails and other organisms.

A 7-step food chain is thus established, and approximately one month later the cycle is completed. During this period the system is regulated to duplicate actual environmental conditions including temperature, humidity, day and night light cycles.

At the conclusion of the cycle, all the components are analyzed for radioactive con-

tent. The results indicate chemical degradability and which organisms are likely to be affected by the substance. If a new pesticide or herbicide designed to kill only one type of organism shows a substantial effect on others, it is rejected.

The method, which sounds deceptively simple, required more than four years of research to determine the proper balance and controls to be used.

The University of Illinois study is being financed by an \$89,000 grant from the Environmental Protection Agency. Dr. Booth's work at BYU is being financed by private industry and a grant from the BYU Research Division.

## Save Money

The Consumer News publication passes along this money-saving bit of advice, which is also probably good from an ecological point of view — when you buy a new bottle of hair shampoo, empty half of the new bottle into the old, empty bottle and fill both of them with water. The diluted shampoo is reportedly just as effective as full strength shampoo — and you have twice as much of it.

The same advice applies equally well to dish-washing detergent and laundry detergent.

: : EARTH NEWS

## Rich Award Posted

The person judged to be doing the most to improve the world's environment could be the recipient of a \$150,000 award in future years. The award will be made from a \$5 million trust fund established by Mr. and Mrs. John Tyler at Pepperdine University in California. Tyler was one of the co-founders of Farmers Insurance Group. He died early this month.

Mrs. Tyler said she and her husband hoped the award "will help keep the United States in the forefront of the fight against pollution and those forces that are despoiling the world's land, air and water." The award will be made annually beginning next October.

## Thoughts from the

### Distaff Corner

By Marge Higley

The King was in his counting house, counting out his money. He was the King of Progressia, and he loved to count the money because it gave him such a sense of power. The more gold he amassed, the more powerful he became, and this worked the other way around, too — as his powers grew, the counting house coffers were replenished again and again by those who sought to profit by that power.

One day a messenger from the far-away kingdom of Concordia rode up and handed him a scroll. He brushed the gold dust from his fingers, read the message, and hurried into the parlor, where the Queen sat eating bread and honey.

"Guess what!" he cried. "The Prince of Concordia is coming to visit. We must show him that we are the most progressive kingdom in the world."

"Oh my!" gasped the Queen. "I must see to the visitors' suite in the palace." And off she dashed to alert the maid, who was out in the garden hanging up the clothes.

"We'll throw a State dinner," decided the King, "that the Prince will never forget. I'll have the chef cook up a very special dish. He shall bake four and twenty blackbirds into a pie! And each bird shall be trained to sing about the greatness of this kingdom!"

For days and days, the palace staff was in an uproar, preparing for the royal visit.

Meanwhile, the Prince of Concordia and his aide had set off on the long journey. Soon after crossing the border into Progressia, they noticed an appalling thing. Great areas of forests had been cut away. Nearby, barren hillsides were ugly and scarred, where the soil had been stripped off.

"What manner of misfortune could possibly have caused this devastation?" the Prince wondered.

They traveled on and soon came to a river crossing. "How sad," he murmured. "This once beautiful flowing river seems to have turned into a silt-filled, dying stream! Hard luck has certainly befallen Progressia."

"Hmmm," remarked the aide. "I had heard that this was a land of vast resources and much gold."

"Gold!" scoffed the Prince. "All the gold in the kingdom couldn't replace the trees and mountains and rivers. Why, I think so little of gold that I carry hardly any with me." He pulled out a handful of coins. "See — all I have here is sixpence, and yet we haven't gone cold or hungry on our journey."

"True," answered the aide, reaching into the saddlepocket and pulling out a sandwich. "Yonder is the palace, and we still have a pocketful of rye!"

After seeing the dismal-looking countryside, the travelers were astounded at the jovial manner in which the King of Progressia greeted them. They were urged to sit down at the long banquet table, in the center of which was an enormous pie.

"Now isn't that a dainty dish, to set before the King!" exclaimed the aide.

"Before we get to that," said the King, "tell me of the progress in your father's realm. Have you yet learned to build great dams across your rivers? And have you invented huge machines to gouge the minerals from the earth? Have you harvested all your trees? We have accomplished all those things," he added, proudly.

"Well," answered the Prince, "we haven't dammed our rivers because we like the freshness of a flowing stream. We dig our minerals carefully, so the land is not laid bare. We love our forests and all the birds and animals therein, so when we cut trees we select them carefully. You see, we live a simple life."

"Simple indeed," thought the King — "Won't this country oaf be surprised now!" And he ordered that the pie be opened. But those well-trained birds had been listening to the conversation — especially what the Prince said about the trees — so when the pie was opened, the birds refused to sing!

The King was furious. "I command you to come out!" he shouted.

So out came a blackbird, and bit off his nose!

Moral: If you ignore what's in front of your face it might someday fly up and bite off your nose.



# Environmental Eavesdropper

LOONEY LIMERICKS

by Zane E. Cology

Is there a law that says: "Where water floweth,  
There a dam must certainly goeth"?

Bureaucrat engineers

Must have thought so for years!

'Tis time that this custom, we sloweth!

\* \* \*

Japan's drive for even more economic growth could lead to disaster within ten years according to a central anti-pollution council. The government panel says irreparable damage to the country's environment could result from the unrestrained economic growth and resulting deterioration of air, water and soil.

\* \* \*

A unique utilization of resources in the coal mining regions of Appalachia could drastically reduce or eliminate electrical costs in the greenhouse industry. Experiments in greenhouse heating by warm air drawn from an abandoned coal mine are being conducted by the University of Kentucky. The air, which remains a constant 60 degrees F, is drawn by powerful suction fans into a plastic and steel greenhouse located at the mouth of the mine. If successful, this technique could be applied to active mines as well and used in coal-rich areas in the West.

\* \* \*

The American Honey Producers Association has stung Congress with a \$1 million appropriations request for the declining bee industry and assurance of indemnity payments for losses resulting from federally approved insecticides. It is reported that the heavy use of pesticides in recent years has reduced the nation's captive bee population by 26 percent. Not only honey is at stake. Ninety other food crops worth \$3.5 billion depend on bees for pollination.

\* \* \*

Colorado State University plans to build the first dormitory heated and cooled by solar energy, provided a grant is received from the National Science Foundation. CSU engineering professor, Dr. George O. E. Lof, who has lived in a solar heated house for 15 years, said the high cost of utilizing solar energy prohibits its widespread use.

\* \* \*

One of our little-known national heritages is the 342-year-old Endicott Pear Tree planted in 1630 in America's first tree nursery on a Massachusetts farm. The tree, located at GTE Sylvania Inc. Lighting Center, Danvers, Massachusetts, is protected by a wire fence placed by Sylvania.

\* \* \*

Air pollution controls are only in their infancy according to Dr. Noel de Nevers, a University of Utah professor of chemical engineering and an expert on air pollution. He said that many areas consider air pollution control a financially prohibitive luxury and many poorer rural areas encourage unrestricted industrial development. Although the Clean Air Act of 1970 sets air quality standards to be met everywhere, always, in actual fact, compliance to these regulations is seldom complete or universal. Dr. de Nevers said that improved methods of determining true costs and damages of air pollution are needed. Anticipating increased political controversy over pollution controls, he urged that "those who value clean air must continue to pressure the government, to help offset the pressures exerted by those who place other values higher."

## Off-Road Regulations Out

High Country News-15  
Friday, Mar. 2, 1973

Proposed regulations for off-road vehicle use on public lands have now been published in the Federal Register. The Bureau of Land Management is inviting comments on amendments to 43 CFR, Parts 2070, 6250 and 6290. The amendments are to provide regulations to implement Executive Order 11644, concerning use of off-road vehicles on public lands.

BLM says the proposed rules would provide procedures to control and direct the use of off-road vehicles so as to protect the resources of those lands, promote the safety of all users of the lands, and minimize conflicts among the various uses. The proposed rules also would prescribe operating regulations and vehicle standards for the use of off-road vehicles. Areas and trails would be designated as open, closed, or restricted, with regard to use.

The attention of High Country News readers is called to Paragraph 6291.1, Use of Off-Road Vehicles, section C, which says: Except as provided in the following sentence hereof, the operation of Off-Road Vehicles is prohibited

Our world has a limited supply of the  
**LAND, WATER, AIR** and other resources  
needed to support life.

So--we have some decisions to make--

on those areas and trails designated as closed to Off-Road Vehicle use. This prohibition does not apply to any vehicle while being used: (1) to explore or develop public lands for minerals pursuant to the United States mining laws; or (2) to conduct oil and gas geophysical exploration operations on the public lands.

It would seem that once again a special interest group is made an exception to rules which apply to other vehicular users. It appears that recreational vehicles damage the lands while the bulldozers, drilling trucks, and similar equipment do not.

If it is in the public interest to bar vehicular uses from certain fragile public lands, then all uses should be barred and not just those who would drive upon them to hunt, look for rocks, photograph, or otherwise use them. Concerned users of the public lands might well question this section.

Send your comments to the Director (210), Bureau of Land Management, Washington, D. C. 20240. Your comments must be in by March 16, 1973.



A growing population means  
**MORE and MORE**  
**PEOPLE** to share  
our limited resources

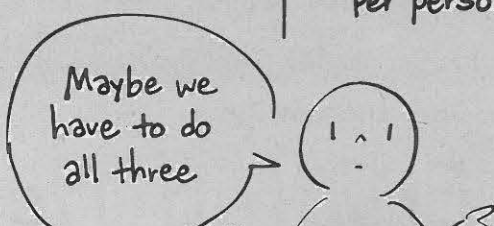
①  
Slow  
**POPULATION**  
**GROWTH**  
and use less  
of our resources

②  
Change our  
**STYLE**  
**OF**  
**LIVING**  
and use fewer  
resources  
per person

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Find  
**"CLEANER"**  
and  
**"BETTER"**  
**WAYS**  
to use and  
reuse our  
resources

EDITOR'S  
CHOICE

WHAT'S  
YOUR  
CHOICE  
?



Channing L. Bete Co., 45 Federal St., Greenfield, MA 01301, is publishing a series of 11 scriptographic environmental booklets. All have been carefully researched and accuracy checked by experts. As the company says, here's a booklet to help Get the Individual Involved. It's a unique, timely, thought-provoking message in each booklet about how we can use our technology, productivity and people to preserve our environment. The booklets cover air and water pollution, population problems, pesticides, electric power, and similar issues. Purchase and distribution of the booklets could be a worthy project for womens clubs, PTA's, youth groups, and others.

## Board Out of Step...

Rather than being a small minority, the "preservationists" (those who prefer to preserve remaining free-flowing streams) are a majority of Idahoans. The Water Board's policies have represented a minority of the people.

The Water Board should not argue with its own survey.

Idahoans prefer stream fishing, they prefer to preserve streams rather than dam them. They are strongly against a dam on the Middle Snake. A majority do not rule out any and all dams, but those who fundamentally oppose dams outnumber those who fundamentally favor them by three to one. A majority favors irrigation of more sagebrush land. This can be done without additional dams.

One of the fundamental assumptions of the board, reflected in some of the questions, is that stepped up irrigation development is "needed" to halt an out-migrating of Idaho people. This is contradicted by the facts. During the past decade 500,000 acres was

brought under irrigation. There was a net out-migration. The rapid irrigation of new land did not prevent an out-migration.

Irrigation development has slowed down. Yet recent research indicates that since about 1970 Idaho has experienced a net in-migration of people. This is also a contradiction of the board's basic premise.

With some new members on the board, with a new director, perhaps the board can begin to reflect the thinking of the people as reflected in its survey. The board should change some of its established positions — support of a dam on the Middle Snake, for one, support of the Garden Valley dam for another. Other positions should be reviewed.

Idaho can preserve most of its major remaining free flowing streams and also have an expanding agriculture. Hundreds of thousands of acres could be irrigated without further dams. The people do not have to sacrifice their desire to preserve remaining streams.



Photo by National Park Service



Schonchin Butte from Devil's Homestead Overlook Area.

## Volcanoes Once Erupted Here

Centuries ago, a group of volcanoes erupted great masses of molten basaltic lava, which spread over the surrounding level land as rivers of liquid rock. The lava cooled and hardened, forming a rugged landscape, part of which is now preserved in Lava Beds National Monument. The monument lies on the flank of the Medicine Lake Highlands, 30 miles from the town of Tulelake, in northern California.

This is an area of diverse interest. Volcanic activity of the past has left varied formations. Cinder and spatter cones dot the landscape. Schonchin Butte (see photo) is one of the largest cinder cones. Most of the monument is covered with relatively smooth, undulating pahoehoe (pronounced pah-hoy-hoy) lava. Devil's Homestead Flow, Schonchin Flow, and Black Lava Flow are examples of rougher aa (ah-ah) flows. Viscosity, flow patterns, and cooling of the lava flows created the lava-tube caves that honeycomb the area.

The monument ranges in elevation from 4,000 to 5,700 feet, a difference of only 1,700 feet in altitude between the highest and lowest points, but the resulting differences in temperature and rainfall account for distinct plant associations. The grassland-sagebrush community at lower elevations merges into juniper-chaparral, which gives way at higher elevations to coniferous forest dominated by ponderosa pine. The variations in plant life provide habitat for a variety of wildlife.

The monument is also of historic interest.

A major Indian war, the only one to be fought in California, took place in these rugged lava flows.

In 1872, after several years of disputes with settlers, "Captain Jack" and his band of Modoc Indians took refuge in the lava beds immediately south of Tule Lake. In the area now known as Captain Jack's Stronghold, the small Modoc band held out against Federal and volunteer troops for nearly six months. This and four other sites prominent in the Modoc War are included in the monument. Hospital Rock marks the nearest military camp east of the Stronghold. In the Stronghold, both Indian and troop positions can still be seen. Canby's Cross marks the spot where peace negotiations were held and where Gen. E.R.S. Canby, during one such meeting, was killed.

Gillem's Camp was U.S. Army headquarters during later phases of the war. It is named after Col. A.C. Gillem, who, in an effort to demoralize the Modocs by a show of strength, moved all his troops on the west side of the Stronghold to this point. The Thomas-Wright Battlefield at Hardin Butte marks the site of the defeat of an army patrol. Of nearly 70 soldiers, five officers and 20 enlisted men were killed, and another 16 were wounded. The rest fled in panic.

Lava Beds National Monument contains about 72 square miles. It was established on November 21, 1925.

## Plea for Ban

Overgrazing and poor animal husbandry are the real causes of sheep ranchers' problems, not coyotes, the National Audubon Society has declared in its national newsletter, the Audubon Leader.

The conservation organization is making a nationwide appeal to its 221,000 members asking them to support President Nixon's ban on using the wildlife poisons thallium, compound 1080, strychnine and cyanide for killing coyotes and other wildlife. The sheep ranchers are trying to overturn the ban.

Not many years ago every band of sheep in the Western grasslands was tended by a herdsman and sheep dogs. Today, the great flocks are virtually untended and many ranchers do not even know what happens to ewes and lambs that disappear. Simplistically, they blame losses on predators — perhaps because they can deduct such losses for income tax purposes, says National Audubon.

The Society says it has never opposed protection of ranchers from actual livestock losses caused by wild animals. What it has opposed for years, in testimony before Congress, in its publications and elsewhere, is the old frontier eradication philosophy of wholesale killing of wildlife in order to eliminate a few specific killers.

The 1971 report of a federal Advisory Committee on Predator Control, which provided much of the basis for President Nixon's order ban, points out that there is no conclusive research showing the actual efficacy of poisons in preventing sheep losses, that predation is only one of a variety of causes of sheep deaths, and suggests that "predator losses may in fact be of such a low magnitude as to be a minor part of total losses."

The Advisory Committee, headed by Dr. Stanley A. Cain of the University of Michigan, pointed out that sheep losses are caused by genetic defects, inadequate mothers' milk, disease, parasites, sudden blizzards and cold rains, toxic plants, straying, and other mishaps.

The difficulty of determining the actual cause of sheep death is pointed out in a doctoral thesis by R. M. Evanson for George Washington University on predator control and the sheep raising industry, which documents many cases where coyotes were seen to be feeding on sheep which upon examination proved to have died of other causes.

Coyotes are scavengers, feeding on carrion and likely to prey on sick, weakened, or crippled sheep which would soon die anyway. Their natural food supply is rabbits and rodents that compete with sheep for forage. Some ranchers have learned to welcome the coyote's aid in rodent control.

However, despite extra efforts from the federal government in providing alternative controls since the ban was issued last spring, the National Wool Growers Association has been claiming that predators are "putting sheepmen out of business." The Association has launched a campaign for withdrawal of the poison ban, putting pressure on the White House, the Environmental Protection Agency, and Western congressmen, governors, and state agriculture departments.

The Audubon Society asserts the wholesale killing approach can lead to widespread death of unintended wildlife victims, specifically in the case of poisons being spread around the countryside.

The Executive Order ban was the first substantial result of years of campaigning by environmentalists to stop the overkill and environmental damage of predator control policy, the Society said. There are alternatives such as fencing and the extension trapper system now used with great success in Missouri and Kansas. More research is needed but, according to the Audubon Society, the cost would be far greater to the public if the ban were lifted than to the sheepmen if it is retained.