

# Sierra Club

BULLETIN/OCTOBER 1970



# EDITORIAL

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Federal forest managers are moving ahead to implement President Nixon's June 19 order to sharply increase cutting in softwood forests. While ostensibly the order is designed to provide enough timber to meet a future housing shortage, it is actually designed to keep lumber prices stable so that lumber will not be displaced by competitive substitutes.

Faced with an order to plan for an increase in cutting of seven billion board feet annually by 1978, the Forest Service is now prepared to ask Congress for a supplemental appropriation to finance stepped-up work. The Service says cutting increases will come mainly from thinning and salvage operations and from added planting. Initially, no shortening in growing cycles is planned, nor quickened liquidation of old growth, nor any increase in the acreage allocated to timbering. Nevertheless, the Forest Service will certainly be under mounting pressure to take these added steps, particularly if the preliminary steps fail to yield the ordered increases. For its part, the Bureau of Land Management is looking at the possibility of commercial timbering on thirty million acres of marginal forest land that previously have not been regarded as capable of sustaining commercial production.

It is not clear when these agencies may put these plans into effect. The Forest Service has yet to determine how compatible increased logging is with heightened emphasis on environmental quality. While President Nixon directed that these plans be prepared in consultation with the Council on Environmental Quality, its study funds have been cut. The Council is now trying to find some other agency to study the question of environmental impact. An independent panel to study the problem, which the President promised he would appoint, has yet to be appointed, though a deadline of April 30, 1971 has already been set for a report from this panel. Meanwhile, the Forest Service has appointed an advisory panel of its own which is mainly comprised of persons associated with the lumber industry.

Representative John Saylor, who calls this a "disastrous" order, rightly accuses the lumber industry of attempting to accomplish "by executive fiat, what could not be done legislatively," referring to the ill-conceived Timber Supply Bill which the House of Representatives turned down on February 26. With the report of the Public Land Law Review Commission now also embracing most of the features of that infamous bill, conservationists face a renewed confrontation with the timber industry. They are writing to President Nixon to express their outrage at his blatant disregard for the public will. The House vote made it clear that the public does not want federal forests to be turned primarily into timber factories.

The President seems to be accepting the premise that ecology should take second place behind economics. Until he reverses his softwood order, the credibility of the President's commitment to environmental priorities will remain in doubt.

Michael McCloskey  
*Executive Director*



# Sierra Club

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VOLUME 55 • NUMBER 10

... TO EXPLORE, ENJOY, AND PROTECT  
THE NATION'S SCENIC RESOURCES ...

COVER: Smoke rises from Pharku Village as natives prepare breakfast in Nepal. Langtang Himal, at 24,000 feet, looms behind the small village overlooking the Trisuli River gorge. See story page 5.

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THE SIERRA CLUB,\* founded in 1892, has devoted itself to the study and protection of national scenic resources, particularly those of mountain regions. Participation is invited in the program to enjoy and preserve wilderness, wildlife, forests, and streams.

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# NEWS

## MINERAL KING

The U.S. Court of Appeals for the Ninth Circuit in October granted the Sierra Club's motion for an order staying that court's decision to dissolve the preliminary injunction barring construction of a Disney resort in Mineral King. The Club will file a petition seeking review of the case by the Supreme Court, and the stay granted by the appellate court will remain in effect pending the filing, consideration and disposition of the Club's petition by the Supreme Court.

In September the Ninth Circuit ruled in favor of the federal government in its appeal of a District Court decision giving the Sierra Club a preliminary injunction which prevented the federal government from issuing permits for construction of a mass use resort in Sequoia National Forest and an access road and transmission line across Sequoia National Park.

In seeking a stay from the appellate court, the Club pointed out that, if the preliminary injunction were dissolved and the federal government allowed to issue permits for construction, the subsequent bulldozing and blasting would deny the Supreme Court jurisdiction over the original subject matter of the suit—namely, the Mineral King Valley and Sequoia National Park in their present condition.

## AIR QUALITY

House and Senate conferees on the Air Quality Standards Act of 1970 reached agreement in October on the measure's key provision, that 1975 autos must meet anti-pollution standards that will reduce emissions levels some 90 per cent below current levels. Conferees will meet again after the election recess, to continue working out the differences between the House and Senate bills. Conservationists are supporting the much stronger Senate version which provides that no motor vehicles can be sold after the 1975 deadline unless they conform to the new standards. The measure also provides that the Secretary of the Department of Health, Education and Welfare can ban fuel or fuel additives harmful to human health or welfare or which impair the effectiveness of emission control devices.

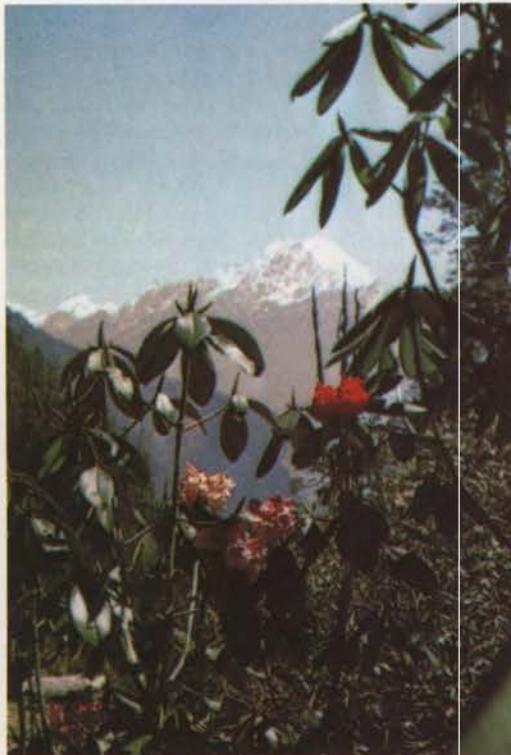
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ACTION NOW  
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# NEPAL

—A Natural History Trek

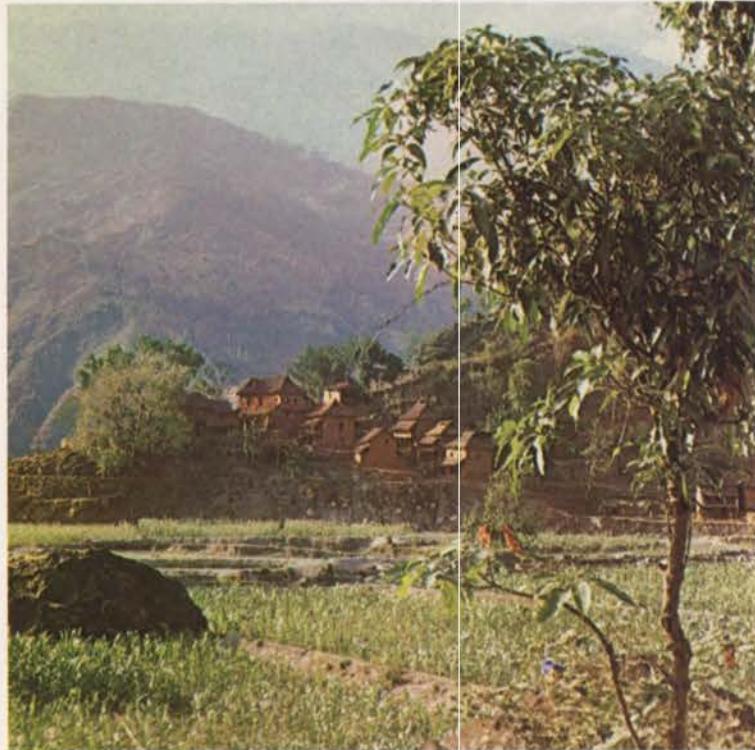
By Martin Griffin



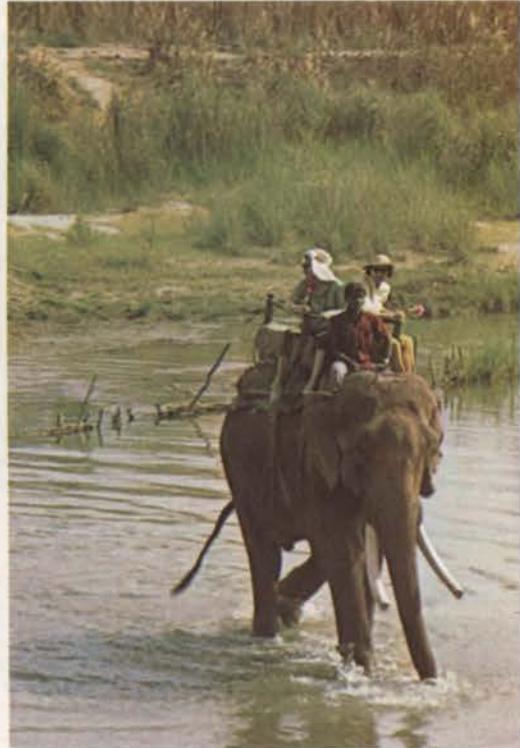
Ganesh Himal framed by rhododendrons.



Indian rhinoceros, National Game Refuge, Terai.



Betrawati Village at the foot of the Himalayas.



Fording the Rapti River.

Last year I was asked to plan and scout a natural history trek in Nepal in preparation for a trip to that area in 1970 and a Sierra Club 1971 Outing. This was an intriguing assignment, which I promptly accepted, because the Himalayas along with western China harbor the world's greatest concentration of rhododendron species. Perhaps a springtime trek could be timed to witness their successive glorious blooms at different elevations against a backdrop of 24,000-foot peaks and ice fields.

I have long been involved in wildlife protection and felt that any survey of Nepal should include the Terai on the Indian border where the last of Nepal's rhinoceros and tigers are found. Here, as in the middle Himalayas, I expected to find a vast variety of birds at the height of their springtime courting and nesting activities.

Nepal is a year-long crossroads for bird migrations from Europe and other parts of Asia. For example, many species of birds from regions as far north as Siberia migrate south into India in the autumn by skirting the Himalayas on either end, following the valleys of the Indus and Brahmaputra rivers. In the spring, they return through Nepal, directly over the crest of the Himalayas, perhaps driven by instinct that developed before the Himalayas were formed a scant million years ago.

Some 850 species and subspecies of birds have been recorded in Nepal, so I thought it prudent to ask an expert on Himalayan birds to accompany me. I found him in the person of Dr. Robert Fleming, a missionary whose wife, Dr. Bethel, was head of the Shanta Bhawan Hospital in Kathmandu. Bob Fleming is one of those rare naturalists who knows the people and cultures as well as the diverse plants and animals of the Himalayas. He is resident ornithologist in Nepal for the Field Museum of Chicago. Also joining our exploratory trek was Howard B. Allen of Belvedere, California, a horticulturalist knowledgeable about rhododendrons, primroses and allied species.

Until twenty years ago Nepal was closed to outsiders, so vast areas have only recently started to be explored botanically. The inner Himalayas contain a wide variety of biotic communities ranging from subtropical to alpine to aeolian, a few miles apart. The latter community is the result of pockets of decomposed windblown pollen, found at 22,000 feet elevation and higher which support bacteria and mites, with the top link in this humble food chain being a small spider. As such, it is the highest and largest permanent resident on earth.

Most sensible people plan treks in the Himalayas in autumn. The monsoon rains which start about June 1

and end in early October are finished. The weather is crisp, rock climbing is safer, mountain peaks are clearly visible.

Springtime trekking, we found, was another matter. Masses of cold air from the snow fields colliding with thermals from the hot plains of Nepal caused brief but violent winds which flattened our tents the first two nights out. Each year haze tends to build up in the valleys starting in March but clears every week or so with a tremendous electrical display off the peaks. With the lightning there is a little rain and wet snow above 12,000 feet. At our lower elevation camp on the edge of the Trisuli gorge the rain activated a few blood-searching leeches. They were quickly forgotten as fireflies hatched and made the evening magic. The patter of light rain on dry ground also brought out winged termites by the millions. Some were attracted to the kerosene lamp on our dinner tarp where they mated and instantly dropped their wings, crawling away to start a new colony.

On the basis of our survey, we planned a tour and trek for eighteen people in the spring of 1970 that took us by elephant, landrover, air, but mostly by foot, from the Indian border of Nepal to the southern border of Tibet. As the jungle-crow flies, we traveled only about 100 miles, from an elevation of 400 feet in the rhino country of swamps and jungle to fields of scrub rhododenron at 13,000 feet, near the crest of the Himalayas. We decided to stay below this level not only for practical physiological reasons, but because the richest plant and animal life is in the forests and fields between seven and eleven thousand feet.

Our headquarters for the tour was Kathmandu and its valley, comprising 250 square miles at four to five thousand feet elevation in the midlands of Nepal. The valley itself contains a surprising variety of wildlife and rich cultures dominated by a peaceful blending of the customs and shrines of Hinduism and Buddhism. Lord Buddha, a notable defender of wildlife, was born in Nepal in the Terai.

Just outside our hotel window in Kathmandu we saw huge fruit bats hanging by day in a tall pine tree; swallows flew at eye level along dirt streets searching for hatching insects, and vultures clustered in the trees near the burning ghats at the edge of town. Dr. Fleming has seen 250 species of birds in the Kathmandu valley alone, and I was surprised at the number of hawks, kites and eagles we saw on one bird walk, indicative of a healthy food chain for these raptors. At our Godavri camp on the edge of the valley we visited a village where primitive life has remained unchanged. Rice was being husked in foot-operated rice-mills which made a high-pitched clink at regular in-

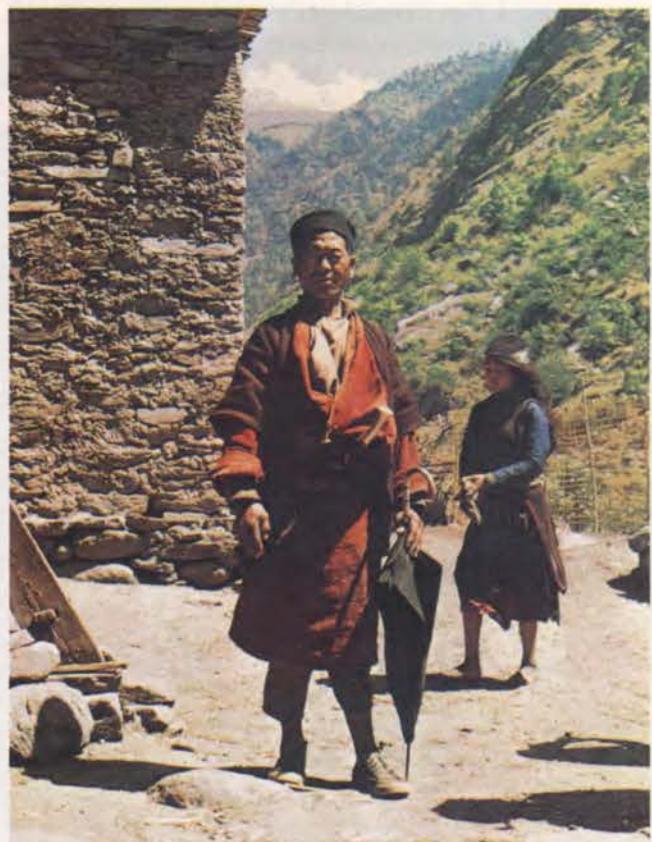
tervals. This sound is heard throughout the rice growing areas of Nepal and curiously is almost indistinguishable from the call of the Crimson Throated Barbet, a large bird of the foothills.

Hindu New Year's celebrations featuring ancient fertility rites coincided with our visit. Actually, fertility is a year-round theme in Nepal as erotic extravaganzas are painted on temple exteriors. To counter the rampant fertility in the face of gradual control of malaria, smallpox, and tuberculosis, family planning is now being cautiously introduced by the government. We saw billboards in remote areas advocating a family of two children.

Our scouting trek introduced us to the immense wildlife conservation problems of Nepal. These are related to an excess of people, over half of whom live in the mountainous regions and nearly all of whom are subsistence farmers and graziers. There is a rapid population growth of the present 11 million people in Nepal estimated at 2.5 per cent per year putting increasing pressure on marginal lands and wildlife. The average population density is nearly 200 per square mile which is high considering that 40 per cent of the entire country is composed of permanent snow and glaciers and steep rocky slopes in the Himalayas. The good intentions of the World Health Organization to eliminate malaria with DDT in the jungle Terai, a river valley containing tropical forests and swamps, has set off a chain reaction of unanticipated events which may lead to the complete destruction of its commercially valuable Sal, *Shorea robusta*, forests, the conversion of big game habitat to pasture, and the end of one of Nepal's greatest economic assets, the National Wildlife Refuge. Because they are no longer endangered by the deadly malaria of the lowlands, farmers from the mountains are relocating in the jungle Terai.

Near Tiger Tops lodge in the heart of the refuge, we were astounded by the encroachment of herds of domestic water buffalo. These animals are driven across the Rapti River in the morning at places clearly marked "sanctuary" and returned at dusk. On the backs of the herdsmen and their families are huge loads of leaves cropped from the forest trees to serve as fodder. The low-lying areas where trees cannot grow support great meadows of 15-foot tall elephant grass which provide essential food and cover for rhino, tiger, boar and a host of other wildlife. This habitat is being gradually replaced in some areas by low turf grasses through burning, trampling and grazing by domestic cattle.

There are wardens in the refuge with orders to shoot game poachers on sight, but they seem helpless against

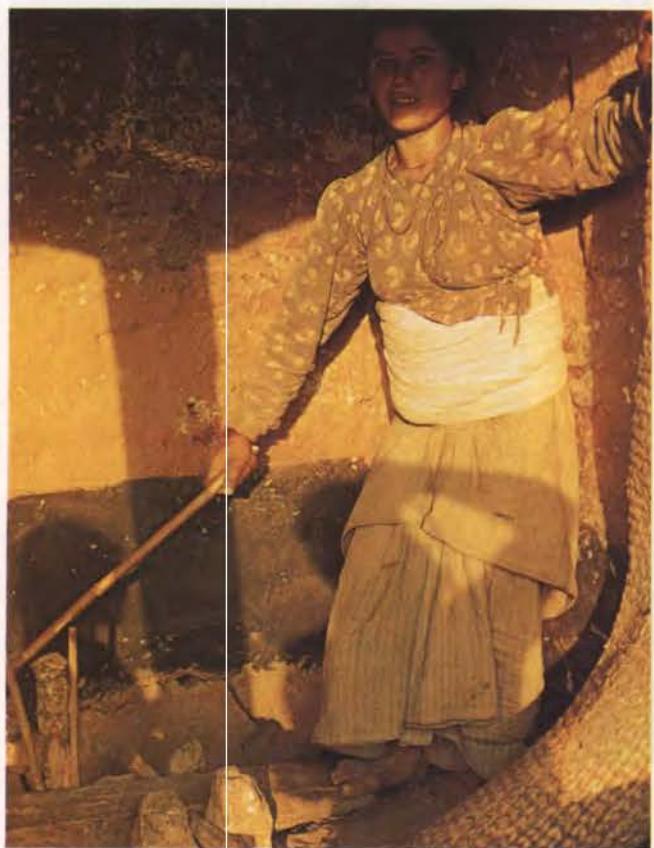


Distinguished tribesman from Syabrubensi, a village near the Tibetan border, on the Trisuli River headwaters.

the more insidious pressure from local graziers and tree croppers. The possible fate of the refuge can be seen across the river, once richly forested, where there are endless shimmering vistas of sun-baked soil barely supporting a mantle of low grasses.

To reach the National Game Refuge in the Terai we travelled by air over a very rugged range of terraced mountains. Landrovers met us at the tiny Meghauli airstrip and drove to the banks of the Rapti River where we mounted elephants for the long ride through jungle to Tiger Tops, a rustic lodge built on stilts. Our party was entranced by the beauty and variety of plants and wildlife. In three days on elephant back and in landrover we saw 163 species of birds and flushed a dozen or more rhino. We did very little walking as an encounter with a baby rhino and its mother while we were on elephant back convinced us that bird watching by foot was indeed risky.

The area of the Himalayas we chose for our wildlife and rhododendron trek lies northwest of Kathmandu, in the upper watershed of the Trisuli River. Our trail followed the east side of the Trisuli River gorge on an ancient trade route to Tibet. The geology of the still rising Himalayas was readily seen in the



Woman husking rice with foot-driven mill, in the village of Godavri in outer Kathmandu Valley.

deep river-carved gorges, the streams carrying glacial silt from high ice fields. There were numerous rock slides from unstable slopes where house-sized boulders showed sedimentary striations laid down when this was a sea bed in Precambrian times.

Adding greatly to the enjoyment of the trek were the personnel recruited by Col. James Roberts of Kathmandu. They represented three ethnic groups. There were sherpas, a tribe of Tibetan stock from the Mt. Everest region who handled logistic and camp details; one problem—the packing of 1,000 fresh eggs with which we started the trek. Our 36 porters were chiefly boys and young men drawn from the mountain Tamang tribes, and Newars, an indigenous tribe of the Kathmandu valley. One evening at campfire in a small meadow at 10,000 feet, surrounded by massive displays of rhododendrons in full bloom, they entertained us with sinuous tribal dances and melancholy songs.

Having hiked in the silence of the high Sierra, we were surprised and delighted with springtime songs of both humans and birds of the Himalayas. Tamang boys tending an animal or terrace-field yodeled little mountain melodies back and forth across chasms or played

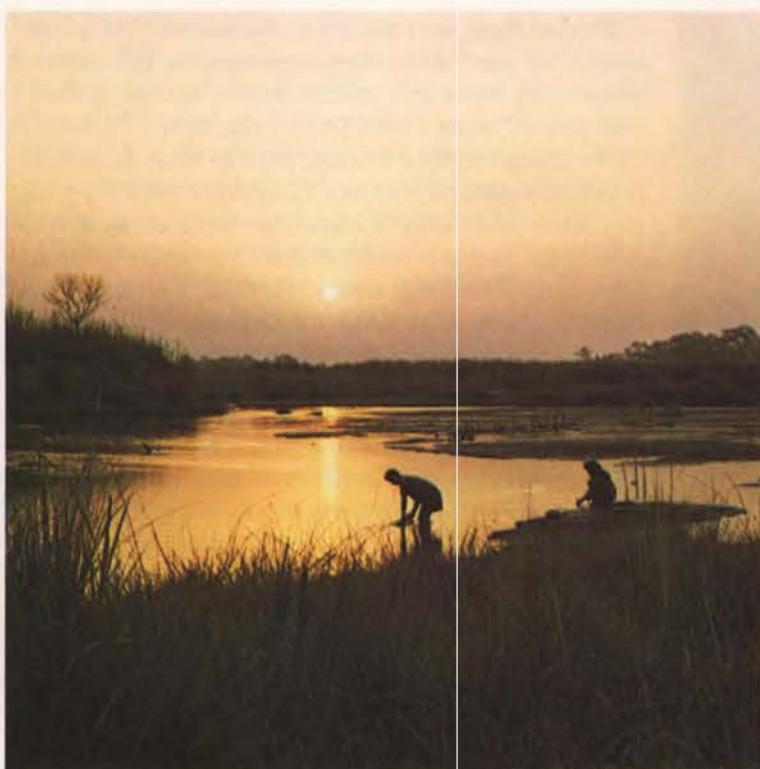
a wooden flute for their own enjoyment. The resemblance of the minor key melodies to the calls of Himalayan birds was unmistakable, especially the "I told you so" song of the Indian Cuckoo.

We passed several trading parties from Tibet composed of men and women. They wear their long hair in braids and have mongoloid features similar to American Indians with whom they share common ancestors. Their flat faces, formed by large nasal cavities, are an adaptation that permits them in freezing weather to warm the air they inhale. They were light-hearted and gregarious people and a peek into their packbaskets almost always revealed roots and tubers of mountain plants. These were valuable commercially and were to be traded for supplies in Kathmandu. At least 14 different roots of wild plants have medicinal importance in Nepal, some of which are claimed to prevent goitre, an extremely common affliction. In the Himalayas many other wild plants are used in some manner.

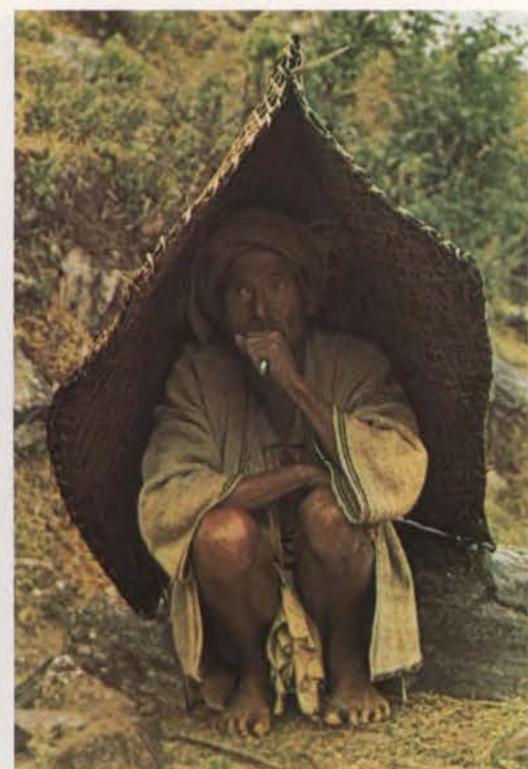
A major source of animal fodder is a band of evergreen oaks (*Quercus semicarpifolia*) extending nearly the length of the Himalayas between the six and eight-thousand foot level. Barefooted herdsmen moved high in these trees lopping off leaves and small branches with their sharp curved kukris knives. This practice has drastically altered the ecology of these oak forests and its related insect and bird life; the oaks are no longer dominant, other species are pressing in or land is turning to high desert.

The watershed of the upper Trisuli River and its tributaries, some of which arise in Tibet, is a vast area of about 1,000 square miles. Four years ago His Majesty's government, primarily concerned with siltation into a hydroelectric dam that serves Kathmandu, undertook a study and demonstration project of the watershed with the United Nations Food and Agriculture Agency. The watershed is divided into two areas, a southern portion which has a very high density of population. Here, terrace farming of corn, barley, wheat, and millet has spread everywhere up to 7,000 feet. The forests have been completely removed, except on the steepest slopes. Now even these areas and higher are being subjected to overcutting for firewood, overgrazing, burning, and leaf cropping. As a result, erosion and massive landslides of the already geologically unstable soils are occurring and floods and siltation are aggravated downstream.

The goal of our trek was the more remote, northern portion of the Trisuli watershed. It is sparsely populated and contains wild areas and great forests, still relatively unscathed. This area includes parts of the Langtang and Ganesh Himal, nearly 24,000 feet



Terai tribesmen washing clothes in the Rapti River at sunrise.



Newar tribesman waiting out a rainstorm on a trail leading out of the Himalayas.

high with perpetual glaciers, and the dramatic Gosainkund Range, sacred to Hindus and Buddhists. Ganesh is the elephant-faced god of the Hindu faith. Instead of turning east into the Langtang Khola tributary which has been the locale of several botanical expeditions, we headed west near the Tibetan border into seldom-visited Gatlang Valley. Gatlang, we learned, means goitre, a most appropriate name for this valley with its iodine-poor soils. At the 10,000 foot level, facing the snow plumes of double crested Langtang Himal and Mt. Everest eighty miles beyond it, we set up a base camp in a magnificent three-tiered forest of Himalayan hemlock, (*Tsuga dumosa*) maple, bamboo and rhododendron.

The contrast from the previous day was enormous. In order to cross the Trisuli River we had dropped down to the border village of Syabrubensi, only 5,000 feet above sea level. Here I treated the head man for malaria, a fairly common disease in these interior sub-tropical valleys. On a huge rock outcrop there was a botanical curiosity: both native palms and pines were growing side by side. This rock, larger than Gibraltar, would have been an appropriate symbol for imperial England when its dominion extended from "palm to pine." A large prickly plant also grew in these low Himalayan valleys which reminded us of

a cactus (there are none in Asia); it is a relative of the poinsettia called euphorbia. There were kapok trees in this valley which we had last seen in the Terai, and fragrant bauhinia, a tropical tree with an orchid-like flower smelling of vanilla we had admired in Hong Kong.

Two things especially make springtime trekking in Nepal worthwhile. First are the cuckoos; these large parasitic birds, who lay their eggs in other's nests, call back and forth along the trail in April and May, the rest of the year they are silent. The haunting, often wildly distractive call of each species, of which we heard five, is never forgotten. The Great Himalayan Cuckoo says "Oh-poo-poo-poo" like someone pounding on a hollow drum. Altogether, we saw 100 species of birds on this trek. Himalayan birds generally are larger than our Sierran birds; their colors and patterns more striking; and their calls are especially distinctive and loud to bridge the great distances. In the upper forests and scrub of Gatlang valley we flushed native chukar and pheasant. Large magpies with foot-long tails flitted through the hemlocks; laughing thrushes laughed, and the nutcrackers similar to ours jawed at us. The greatest thrill came when we saw a pair of Spiny Babblers engaged in noisy courting activities. Nepal with all its birdlife, has only one

species indigenous to it—found nowhere else in the world. This is the Spiny Babbler, so rare and so exciting to ornithologists (the world over) that anyone who has seen it becomes a member of the exclusive Nepal Spiny Babbler Club. The Smithsonian Institution organized a great expedition to learn about this bird, but the first nest was found and observed by Bob Fleming on the Trisuli River.

Second are the old plant friends one sees along the trail. Many of the favorite varieties in our gardens originated in the Himalayas and were dispersed to the world by early British botanical explorers. At the 7,000 to 9,000 foot level one sees daphne, clematis, rhododendrons, wintergreen, pyricanthus, berberis, cotoneaster and the magnificent *Pieris formosa* with reddish leaves and large clusters of creamy bell-like flowers.

There are two other intriguing plants, poisonous or unpleasant to animals, that are indicators of serious overgrazing in the Himalayan meadows. These are stinging nettles which our porters cautiously gathered every evening with wooden tongs and boiled into a nutritious soup. The other plant is *Cannabis sativa*, known as hemp or marijuana which grows wild and, we discovered, has a pervading tomato-like odor when we pitched our tent in a meadow of it. The rough, dried stems and leaves are sold legally in Kathmandu and are called Ganja.

The glory of a Himalayan spring are the rhododendrons, blooming successively from lower elevations to high, starting in February and ending on the alpine scrub after the monsoons have started in June. In a wet year such as 1969, blooming occurred about one week later than the dry spring of 1970. There are no azaleas in the Himalayas, their niche being filled by different rhododendron species. The largest, the tree rhododendron (*R. arboreum*) was seen along the trail starting at 6,000 feet on north-facing slopes. Some of these gnarled giants reached five feet in diameter and seventy-five feet in height; there were red, white and pink varieties. Our base camp was located in a low forest of *Rhododendron barbatum*, a species which has a stunning scarlet flower and soft barbs on its stem, from which it derives its name. Its trunk was smooth and madrone-like. It formed grotesque forests about twenty feet high shaded by graceful Himalayan hemlock, often six feet in diameter. The most attractive rhododendron, we agreed, was the lavender bell-shaped flower of *R. campanulatum* which we found in full bloom in small forests draped with lichen on the edge of grazing meadows called "alps" at 11,000 feet. They were associated with the great silver fir of the Himalayas, *Abies spectabilis*. Above this el-

evation on a knife-like ridge, at the head of Gatlang Valley where a little-used trail leads across wild valleys to the Annapurna country, were species of pungent scrub rhododendron in snow banks at 12,000 feet. Nearby were birch and willow and a few of the Himalaya's most westerly larches, a deciduous conifer.

While the upper Gatlang Valley is only sparsely populated — by Nepalese standards — by friendly, primitive herdsmen with their flocks, we saw unmistakable signs that these awesome forests may well disappear in a generation, while adding little or nothing to the economy of Nepal. The forests belong to the government of Nepal and herdsmen pay a small fee for using them. However, there is no supervision of grazing practices and we observed herds of goats (tails up) and sheep (tails down) moving through the forest like locusts, consuming every conifer seedling and even armed shrubs. Those they could not reach were lopped over by the herdsman with his kukris. To increase grassland we saw where many small fir and hemlock had been girdled and fires set in the buttresses of larger trees. Sadly, the small primary schools we visited along the trail teach little about the magnificent natural heritage of the Himalayas to their barefoot students. The textbooks read by these children, whose future depends on the conservation and wise use of their remaining forests and precipitous farmlands is more oriented to urban life with unreal scrubbed children in black shoes peering from the pages. As elsewhere in the world Himalayan mountain children suffer from a lack of relevant education.

There are proposals being made to create an Alpine National Park in Nepal. Surely the forests of the upper Trisuli watershed would make splendid inclusion providing the activities of graziers could be controlled or eliminated. From personal observation over the past two years I predict that if Nepal can save its remaining forests and wildlife the number of visitors who come to see these wonders will far exceed those who choose to climb its noble peaks.

*Dr. Griffin is a Marin County, California, physician and conservationist. He initiated the Audubon Canyon Ranch Wildlife Sanctuary project at Stinson Beach, California, ten years ago and has been its chairman for the past two years. He was a member of the scientific expedition that explored Kipahulu Valley on Maui, Hawaii and helped add it to the Haleakala National Park as a biological preserve.*

*Dr. Griffin will lead one of the two Spring 1971 Club outings to Nepal. For further information on these trips, see insert of this issue.*

# ACTION NOW



A rush of land claims may soon develop in Alaska. With the discovery of major oil reserves at Prudhoe Bay, the incentives have never been greater for such a rush. A premium will be put upon ingenuity to find ways to bend the terms of the obsolete land disposal laws, like the Homestead Act, to let land speculators get title to federal holdings for little or nothing. If such a rush takes place, many choice public properties will be lost, many fragile sites will be despoiled, and a crazy-quilt pattern of land-holding will develop.

This rush is threatened because of an oversight in our public land laws. On most of the public domain, the unrestricted operation of various historic land disposal laws came to an end in 1934 with the passage of the Taylor Grazing Act (43 U.S.C. sec. 315 *et seq.*) (1964). This act authorized the President to withdraw lands from the operation of these laws (there are over 5000 of them), and 163 million acres were withdrawn soon thereafter in the 11 western states to which the Act applied. The Bureau of Land Management was then given authority to selectively open just those lands which it felt should be exposed to limited claims under particular disposal statutes (a process called segregation). Unfortunately, the Taylor Grazing Act did not apply to Alaska, which only became a state in 1959.

A number of factors have so far held back the bulk of the Alaskan land rush. (1) Most importantly, a "freeze" has been imposed on processing land claims throughout 1969 and 1970. This "land freeze" was ordered by former Interior Secretary Stewart Udall as he left office. It was issued to allow Congress two years within which to settle the vexing question of Native Claims. Alaskans objected vehemently to this order, claiming it put their economy "in the deep freeze." It did nothing of the kind (in that it did not curtail any established enterprise but only land speculation), but the local outcry moved Secretary Hickel to pledge early in his term that he would not extend the freeze. Now the two-year period is about to expire.

(2) Congress has made progress in trying to settle the Native Claims question, but it now appears doubtful that action will be completed in the 91st Congress. The Senate took the lead in fashioning a massive measure (S. 1830) to settle these claims (the Natives have asked for 40 million acres and \$1 billion as the price for settling their claims of aboriginal rights to all of Alaska), but the House has not yet acted, despite heavy pressure from many quarters. It seems likely that the House will not favor the Senate formula of a large cash settlement (\$1 billion) and a small land

offer (10 million acres), but instead will suggest a larger land offer and a smaller cash settlement.

Chances of final action next year appear reasonable, but the land freeze needs to be extended. Without a land freeze, many of the lands the natives claim may pass into other hands. The natives, for their part, can challenge the validity of private claims with lawsuits, and a number are already on file, including one on the oil pipeline route.

(3) Another factor in the deteriorating situation is that a key statute which gave the BLM temporary authority to segregate lands in Alaska from the effects of the general disposal laws is about to expire. This is the Classification and Multiple Use Act of 1964 (43 U.S.C. sections 1411-1418) (1964), under which the BLM will soon have classified about 80 million acres as largely closed to private disposal. The Act expires at the end of 1970, though the classifications stay in force. Nevertheless, only a start has been made in curbing the unrestricted application of the disposal laws in Alaska. After state land grant selections are satisfied, there will still be about 200 million acres of public domain land left in Alaska. With only 80 million classified, 120 million will be open to haphazard entry and loss.

Obviously, the BLM needs some continuing classification authority in Alaska. Senator Henry Jackson has introduced legislation to make the BLM's general classification authority permanent (S. 3727), but its prospects are stalemated by Representative Wayne Aspinall's desire to move ahead on enacting the recommendations of the Public Land Law Review Commission, which he chaired.

Somewhat more hopeful is the possibility of extending that authority temporarily just in Alaska. The Senate's Native Claims bill includes a provision that would continue such authority for a period of five years. It would allow the BLM to draw a plan to provide a general framework for land ownership in Alaska. While the House is not likely to favor extending this authority, there is reason to hope that such a provision might emerge from the bargaining in a conference committee.

(4) Upon the expiration of the "land freeze" and the BLM's classification authority, the State of Alaska will be able to resume its own selections of land. Under its admission act, it was given the right to select 104 million acres of federal land out of the 365 million acres which lie within the state's boundary. So far it has selected about 26 million acres and has until 1984 to select the rest. With one minor exception,

the state is limited to BLM lands. Under its recent classifications, only about 17 million acres are closed to state selection. The balance of the classifications will be open to state selection, although the state may not be likely to select within them. It is more likely to select from the some 220 million BLM acres which remain unclassified. While the state is generally selecting lowlands that have commercial potential, some of these areas have national values, such as the spectacular Wood River-Tikchick Lakes area which should have been made a national park. Moreover, in many cases the state does not intend to retain selected lands but instead plans to sell them, or to virtually donate them, to developers.

If the "land freeze" is not extended, early next year the state may very well select as much of the route of the oil pipeline as the BLM then has not yet classified. If this happens, the BLM will then not be in a position to enforce its protective stipulations. The state will then be the landlord, as it is at Prudhoe Bay where until recently environmental protection has been notably absent.

Thus, extension of the "land freeze" for another one or two years is critical if planning for environmental protection is to have a chance in Alaska. Without it, a land rush will make a "hodge-podge" of Alaska's future; private claims will be ensnared by native claims lawsuits; priceless federal assets may be lost to state selection; and the oil pipeline may be rammed through without the controls promised.

It is not clear whether Secretary Hickel has changed his mind about extending the "land freeze." As an Alaskan, it may be difficult for him to reverse his position, but he has certainly become more responsive to his national responsibilities. In any event, the final responsibility rests with the President. It is the Executive Branch which has the inherent duty to protect the national interest, and it has the authority. The Pickett Act of 1910 (43 U.S.C. sections 141-143) (1964) gives the President authority to make temporary withdrawals, and the Executive Branch has long asserted it has inherent power to make permanent withdrawals (see 40 Op. Atty. Gen. 73) (1941).

Secretary Udall used these authorities, and they can and should be used again. Environmentalists will be looking to President Nixon to exercise leadership. At this moment, only he can safeguard Alaska's environmental future. He must act before the year is out. Write: President Richard M. Nixon, The White House, Washington, D.C., 20006. Urge him to extend the land freeze.



# SEA OTTERS

By Judson E. Vandevere  
& James A. Mattison, Jr.

*A healthy population of sea otters is once again swimming in Pacific waters. The sea otter, Enhydra lutris, is a marine mammal of the weasel family. Once abundant in the North Pacific on both American and Asiatic coasts, the sea otter was slaughtered continuously for 170 years from the middle of the eighteenth century, for his beautiful, rich fur coat; one trading company took 15,000 sea otter pelts, valued at \$1 million, in one year. In 1910, the animal nearing extinction, an international treaty placed the sea otter under protection. The otter began making a comeback. Today, there are at least 30,000 sea otters in Alaska with smaller colonies in California, Oregon and Washington.*

Only thirty-two years after its exciting rediscovery, the rare southern sea otter, opening its polluted shellfish with pop bottle, rock, or beer can for tool, is faced with new threats to its survival. In the southern portion of their range otters are not infrequently shot and, in the north, with increasing small craft traffic, more are being fatally injured in boating accidents. Females continue to bear pups within sight of oil tankers whose frequency of passage and potential for spills increase yearly.

Since 1954, the Point Lobos State Reserve, south of Carmel, California, has offered interested observers from all nations some of the finest views of the behavior of sea otters.

Recent observations of mothers with newborn pups reveal a part of the appeal this mammal has for residents of California's Monterey and northern San Luis Obispo counties and for the tourists who flock to the area. The constancy of body contact during early maternal care has been demonstrated for a number of mammals. Sea otters should be the least neurotic of all mammals, for they apparently enjoy the most body contact and early maternal care of any mammal. One mother kept her pup constantly upon her chest and abdomen from sunrise to sunset for three weeks. Occasionally she held the pup by the

side of the head and rotated her own body in the water or floated her sleeping baby off her chest and groomed alongside it without awakening it. Frequently during the otter's toilet she would float her baby back onto her chest and then gently re-float it, resuming her grooming without having disturbed the baby. Not once for these three weeks was the nursing mother seen to feed during daylight hours. Each evening, at dusk, she swam on her back, with her pup asleep on her chest, to an in-shore feeding area. On a few occasions, just before darkness, we saw the mother float her pup off her chest and commence her feeding.

Why would a nursing mother forego nourishment during the long day while floating in a 53°F environment? Could she "remember" predation by the bald eagle? Man has essentially spared her from that threat by greatly reducing the number of bald eagles in California. A well-developed pup will dive with its mother finding some of its own food, and occasionally a tool with which it will practice opening shellfish. Often, when its mother surfaces with a large, tasty object, it will discard its tool and shellfish and rush to its mother who generously hands out large sections of tissue which she has removed from the shell. Occasionally mothers and pups lose track of one another. The worried one begins issuing alarm calls which are soon answered by another.

In March, 1970, as many as 140 otters would rest simultaneously in a kelp bed off Pacific Grove. This "raft" of sea otters constituted the largest group yet observed in modern times in one kelp bed in California. More otters could be seen resting in mid-morning than at any other time of the day as the peak hours for feeding were early morning and late afternoon. In mid-afternoon many of the otters would begin active grooming, rubbing their heads and chests with their paws, rubbing their feet together, rolling in the water, and interacting with each other. They would then move off singly or loosely in two's or three's.

As they left their resting area to forage for food, approximately half of these otters would swim south, the other half swimming north. A similar, almost fifty-fifty division, of north and south foraging otters from a resting area off Cambria Radar Station, California, in the southernmost extension of the sea otters' range was also observed. Not all of the otters moved out of the rafting area to feed. Some dove in the bed in which they were resting while others came to shore opposite the resting bed and began foraging close to shore for food items. Some would swim several miles before commencing their feeding bout. How-

ever, most otters fed within a half mile of their resting area.

Most food-searching dives require from forty-five seconds to a minute-and-a-half, and although otters generally obtain their food from the bottom, kelp crabs and turban snails are removed from the kelp canopy by otters who forage just beneath the water's surface. When collecting turban snails, as many as ten are pressed down and back against the fur and loose skin of the chest forming a pouch which secures the snails until they are removed for eating. The temporary chest pouch thus formed is continuous with a pouch formed under the arm for the purpose of securing a rock-tool. While surfacing, the left paw often pushes the rock from the left auxiliary pouch to a position over its left, lower rib cage. The snails are removed one at a time, held between the paws, and with repeated fast arm swings, the shells are cracked; the otter's head being thrown back or turned to one side during the banging.

One otter was observed breaking a bottle open on its rock-anvil and the occupant, a shellfish, consumed. Rocks are also commonly used to open large mussels when they are obtainable. Occasionally an otter may be seen clinging to a mussel bed on a nearly vertical cliff face, having been carried to a high bed on an incoming swell. The otter is then left by the outgoing surge, clinging to a clump of mussels until the force of the next swell assists him in tearing free the gold, byssal hairs by which the mussels adhere to the rock.

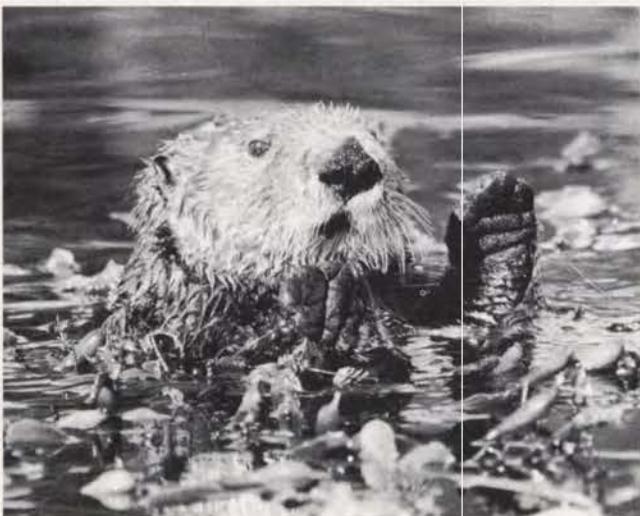
Sea stars, like their relatives, the sea urchins, are sometimes utilized for food. The greater part of the spines and tests of urchins are discarded after the soft parts are eaten. Similarly, sea bats are bitten open and the soft parts are removed before the remainder is cast back into the water. In many common stars, some of the five rays are removed close to the central disk. They are either discarded or masticated and swallowed. In either case, soft tissue from the central disk is usually removed before the common star is returned to the water. During the last eleven years, otters have been occasionally observed eating the largest and softest of sea stars, the sunflower star.

During our months of close observation, we have identified 25 food species in the southern sea otter's diet. The red and black abalone are but two of these. However, the otters' consumption of these two species prompted California State Senator Donald Grunsky to introduce to the State Legislature Senate Bill 442 which would amend the fully-protected mammal section of the State Fish and Game Code to permit the netting of unlimited numbers of otters south of



Cambria and north of the Carmel River, California, for the purpose of tagging and removal to scientific institutions, such as Marineland of the Pacific, Sea World and Stanford Research Institute.

The excessive human take of both abalone and spiny lobster near the Channel Islands and in Southern California, where sea otters do not occur, is causing the decline in these fisheries, but the otter is being blamed for it. Also, recent public health awareness of chlorinated hydrocarbons (such as DDT) and heavy metals (such as mercury) appearing in many species of marine life has resulted in the suspension of landings in some affected fisheries. For example, the Jack Mackerel fishery in Southern California was condemned last year because of high DDT levels. Some fisheries are also close to collapse because of over-fishing and this may well be the plight of the commercial and sport abalone fishery both in and outside of the southern sea otter's range



The wisdom of Senator Grunsky's bill was considered at a public hearing in Sacramento on April 6, 1970. Dr. Robert T. Orr, Associate Director of the California Academy of Sciences, and Curator of its departments of Ornithology and Mammalogy, testified, in part:

"What will SB 442 do? It proposes to curb sea otters which are barely past the danger point. Why? So that a small group of market hunters who are commercializing on something that belongs to all of us can continue their exploitation to produce a gourmet item."

Dr. John A. Phillips, Director of Hopkins Marine Station of Stanford University, testified that Senate Bill 442 presents a simplistic answer to the abalone decline by using the otter as a scapegoat. He further testified that legislation is needed to increase chances for survival of otters, as well as our declining abalone

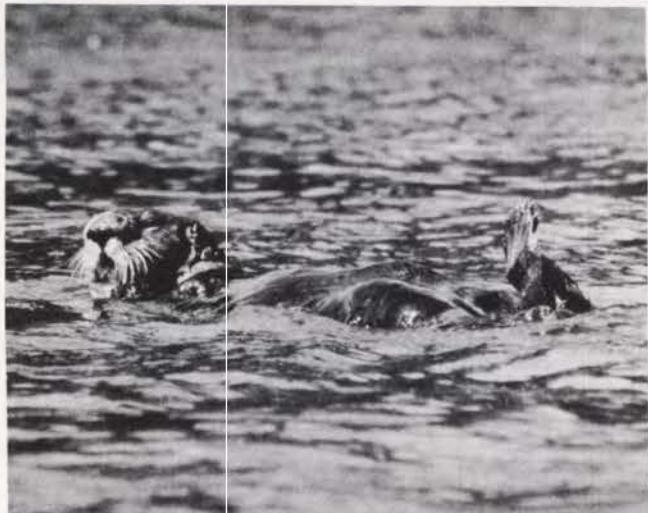


industry. Dr. Phillips concluded, "Senate Bill 442 is not such legislation."

Unfortunately, attempts of some commercial and sportmen's groups to encourage legislation that would "manage" the sea otter so as to avoid "resource conflicts" may be unnecessary. On September 24, 1970, three commercial abalone divers were each sentenced to three years probation and \$1,000 fines for shooting sea otters. Far more subtle forces than these may threaten the otter's survival. At the present time Dr. John Martin at Hopkins Marine Station, Pacific Grove, California, is testing some of the ninety-two dead sea otters recovered since January, 1969, to determine to what extent otters are absorbing heavy metals in their environment. Extremely high cadmium concentrations in their livers and kidneys have prompted us to begin a search for its source. The ac-

cumulation of toxic levels of pesticides and other environmental poisons may eventually cause such a reduction in the number of sea otters as to make man's efforts to reduce their numbers seem ludicrous. One of the sea otters killed by the three commercial abalone divers sentenced on September 24 contained thirty-six parts per million total DDT residues in his fat. A food item with seven parts per million total DDT residues is considered unfit for human consumption.

Although the fate of the California brown pelicans is well-known, most readers are unaware of the large numbers of aborted California sea lions that were discovered in May 1970. Karl Kenyon of the Fish and Wildlife Service told us that 1200 parts per million DDT were discovered in one sea lion fetus on San Miguel Island. Concentrations of this magnitude can



cause reproductive damage.

In this kind of crisis situation it is extremely unlikely that sport and commercial abalone fishermen will recognize the country's profligate use of dangerous chemicals and their own over-fishing as the real culprits in the decline of their fishery.

If the sea otter can overcome the effects of environmental degradation and the threat of the abalone fishermen, this remarkable animal has something to offer man besides being one of the more photogenic members of the animal kingdom. This pitiful remnant of a once abundant population actually adds to our marine resources by reducing sea urchin populations, thereby enhancing kelp growth which in turn supports rock fish nurseries. Also, lush kelp beds permit harvest by the kelp industry which makes a far greater contribution to the world's economy than does the abalone



industry. Significant users of kelp colloids include the beer, ice cream, dairy, textile, cosmetic, pharmaceutical, paper and paperboard industries.

But the sea otter's right to existence should not be dependent on his usefulness in relation to man's activities. As a life species on earth, he should be subject primarily to natural law, and not the whims of a consumer, or an abalone fisherman, or a fur hunter.

*Mr. Vandevere is a Marine Biologist at the University of California at Santa Cruz, and Dr. Mattison is an Underwater naturalist and photographer. Both are on the Advisory Council of Friends of the Sea Otter, an organization founded in 1968 by its current president, Margaret Owings, to save the animal. Further information on this conservation group may be obtained from: Friends of the Sea Otter, Big Sur, California 93920.*



**SST**

Despite efforts by Senate Majority Leader Mike Mansfield to dislodge the Transportation Appropriation bill—with its \$290 million subsidy for the supersonic transport program—from the Appropriations Committee, the measure did not make it to the floor of the Senate before the election recess. The vote will come after November, when the Senate reconvenes for the first "lame duck" session held in 20 years. The Coalition Against the SST, an organization of conservation, consumer, labor, and taxpayer groups headquartered in the Sierra Club's Washington, D.C. office, regarded the delay as an attempt to avoid the necessity for senators to face up to a tough vote just prior to election. "The effectiveness of pressure from constituents to vote against the SST would be diluted after the election," a coalition spokesman said.

Meanwhile Dr. Jeremy J. Stone, director of the Federation of American Scientists, circulated information to senators that "the finished SST seems likely to be far more noisy than the public would willingly tolerate." He said, "These areas of noise pollution have nothing whatsoever to do with the sonic boom, but arise from the so-called 'side-line' noise of the SST engines while the aircraft is over the airport." Stone said, "Its side-line noise will cover the large and highly populated areas. In such areas schools, hospitals, churches and theaters are not considered compatible on land-use compatibility charts of the Department of Transportation." According to Stone, the indicated areas of noise pollution would blanket all or most of the metropolitan areas of New York City, San Francisco, Seattle, Honolulu, Anchorage, Boston, and Los Angeles.

**REORGANIZATION**

The House by voice vote in October approved reorganization plans proposed by President Nixon to create the Environmental Protection Agency as an independent agency and the National Oceanic and Atmospheric Administration as a branch of the Commerce Department. The Senate concurred with the House action, and EPA and NOAA went into operation immediately under the Presidential order. Heads of the new agencies are expected to be announced soon.

Rep. John Dingell of Michigan said that placing NOAA under Commerce was like "putting the fox in charge of the chicken coop." NOAA will include the Environmental Science Services, most of the Bureau of Commercial Fisheries and some of the Bureau of Sport Fisheries, and several minor oceanographic programs of the Corps of Engineers.

Navy, and Department of Transportation. EPA will include the Federal Water Quality Administration, the National Air Pollution Administration, standard-setting from the AEC, and some research functions of the Council on Environmental Quality and the Federal Radiation Council.

**IRS THREAT**

On October 9, the Internal Revenue Service opened another round in its campaign to curb the freedom of environmental groups to act. It announced that it was suspending action on applications for tax deductibility for new non-profit groups which wish to engage in litigation. Claiming it doubted that such activity was "charitable," the IRS announced it was conducting a 60-day study into the question. Among the groups whose applications are pending are the Sierra Club Legal Defense Foundation, a new non-profit corporation being organized to handle litigation, and the Natural Resources Defense Council, a New York-based group founded by Club leader, David Sive.

The IRS also announced that it was notifying donors that it no longer guaranteed deductibility for contributions made to groups whose deductibility has already been established. A week later, however, the IRS reversed this warning and said it would not challenge these. Nevertheless, it asked groups such as the Sierra Club Foundation to avoid "major commitments" for long-range funding during its study period. The Sierra Club Foundation is now funding most Club litigation.

The IRS justified its new move by claiming that public-interest litigation is placing private defendants at an unfair disadvantage, and that litigation is hurting private parties and as such may not be "charitable." Environmental lawyers are pointing out that most of the lawsuits are against governmental entities, not private interests, and that private defendants can deduct legal costs as business expenses. Moreover, the purpose of environmental litigation is not to harm anyone, but to force all interests to abide by the law. Conservationists, civil rights, and consumer groups, who are all affected, have banded together to form the Coalition to Preserve Citizen Access To The Courts (Stuart H. Johnson, Jr., 910 17th St. N.W., Washington, D.C. 20006). Without deductibility much of the funding now supporting the development of environmental law will dry up. With more than four dozen cases pending, the Sierra Club could be heavily affected.

Write at once to protest this action to President Richard M. Nixon, The White House, Washington, D.C. 20006.

**WILLS**

Many generous members have provided for the Sierra Club in their wills. But legislative threats to conservation have been so severe, that the Sierra Club has had to take direct legislative action, thus losing freedom from Gift and Estate Taxes under current tax law. However, the non-legislative work of the Club can be supported by the Sierra Club Foundation. A change in wills can easily be accomplished in most of the United States by a simple "codicil" wholly written, dated and signed by the testator, all in his own handwriting, stating that the Sierra Club Foundation is substituted for the Club in the will. It is always wise to check with your attorney to be sure of the law in your state.

**EDWARD H. HILLIARD, JR.**

Edward Hobbs Hilliard, Jr., 47, Denver industrialist and national conservation leader, was killed August 15 in a climbing accident in the Maroon Bells-Snowmass Wilderness, west of Aspen, Colorado. Mrs. Jay Robert Fowler, also of Denver, a member of the climbing party of four, was climbing with Hilliard at the time of the accident. Both were killed instantly in a rock fall. Long active in the conservation movement, Hilliard was vice president of the Wilderness Society, headquartered in Washington, D.C. He was one of the founders of the Colorado Open Space Council, a statewide conservation association of some 30 private citizens' organizations.

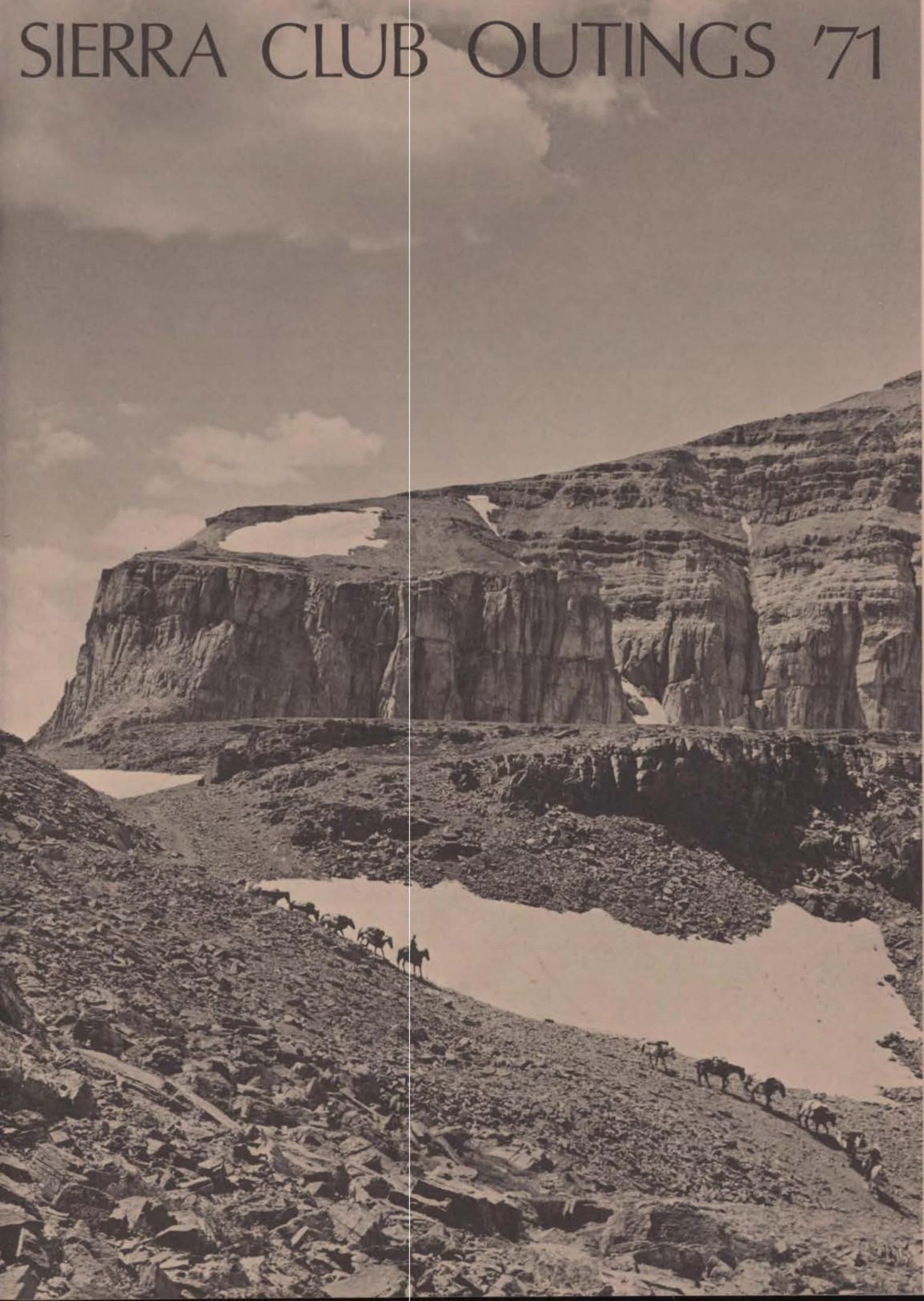
**AWARDS**

Special achievement awards were presented during the September 19-20 Board of Directors' meeting by Ruth Bradley, chairman of the Honors and Awards Committee, to Dorothy Varian, Dorothy Leonard, and George Collins for their extraordinary achievements as "Conservation Associates" in acquiring money and land for parks, reserves and refuges, and to Francis Walcott for his devotion, work, and persistence as chairman of the Wilderness Classification Study Committee.

Mrs. Bradley announced that a special achievement award had been presented earlier to Joe Momayor for his long years of service and accomplishment on behalf of conservation in general and the Riverside Chapter and the area under its jurisdiction in particular.

The Board of Directors resolved that an honorary life membership be given to Carl Buchheister, a longtime member of the Sierra Club and formerly president of the Audubon Society.

# SIERRA CLUB OUTINGS '71



# 1971 FOREIGN TRIPS

**(300) Galapagos Islands, Ecuador — February 6-March 6.** Limit 12. Leader, Alfred Schmitz, 2901 Holyrood Drive, Oakland, California 94611.

Often spoken of as "islands of mystery," "land of enchantment," or "world's end," the Galapagos have long stirred the hearts of men. In this unique laboratory of wildlife one can follow in the footsteps of Charles Darwin and observe quietly and intimately the bird and animal communities which have adapted to their own peculiar ecological niches. In a starkly beautiful setting you can see Darwin finches, vermillion flycatchers, flightless cormorants, blue-eyed doves, pink flamingos, frigate birds, masked boobies and green herons. On sun-beaten lava cliffs you'll see marine iguanas and in giant cactus forests, land iguanas. You will be within arm's reach of petrels, shearwaters, gulls, sea turtles and giant tortoises.

The swimming is excellent. There are sparkling beaches, blue lagoons, and quiet coves where snorkeling will allow you to observe fantastic displays of fish. Baby sea lions will cavort around you as you explore pools rich with marine life. There will be visits to areas of contorted lava formations, overnight hikes to volcanoes, excursions to rain forests, and a tour of the famed Charles Darwin Research Station on Santa Cruz Island.

After a flight from Miami, three days will be spent in quaint and colorful Quito, Ecuador. You'll then fly to Baltra and board three small sailboats, owned and manned by European settlers who are highly skilled as guides and seamen.

This is a unique venture, for it is the first time the Sierra Club has ever used small sailboats on an outing, and previous trips to the Galapagos have all been conducted on large schooners.

The all-inclusive price of the outing is \$1,100 round trip from Miami. For further details, request a trip supplement from the outing office.

**Nepal, Natural History Trips:** (310) April 2-May 2, limit 15. Leader, Dr. Martin Griffin, 313 Goodhill Road, Kentfield, California 94904; (315) April 23-May 23, leader, Alfred Schmitz, 2901 Holyrood Drive, Oakland, California 94611. Cost \$1900.

This springtime natural history trek has been carefully planned and scouted to include the most interesting biotic areas in central Nepal, ranging from the jungle Terai on the Indian border to the great hemlock and rhododendron forests in the inner Himalaya, only 100 miles apart. The trek is timed when the high rhododendron forests are in full bloom and during the height of the spring migration of birds. To visit these diverse areas we will travel by elephant, by land rover, by air, and by foot. Dr. Robert Fleming, Jr., of Kathmandu will accompany both treks. He is an outstanding authority of the natural history of the Himalayas. The trek will be limited to 15 persons in each group. See page 4 of the October 1970 Bulletin for a detailed report on the 1970 Nepal trip.

**(500) Micronesia — February-March.** Leader, John Edginton, 1508 Fernwood Drive, Oakland, California 94611.

The outing to Micronesia consists of five 15-person groups leaving at one-week intervals beginning February 14, 1971. The first, second and fourth trips are four weeks in duration, the remainder are for three weeks. All trips visit the six Micronesian districts encompassed in the Marshall, Mariana and Caroline islands. The groups will journey by boat to an atoll in the Marshalls, explore the turquoise lagoons and ivory beaches of the Rock Islands of Palau, sample the primitive culture of Yap and also visit Ponape, Saipan and the Truk islands. The trip is essentially a camping excursion although some time will be spent in more civilized facilities. The trip will begin and end in

Honolulu; the estimated cost of the outing is \$900 to \$1,100 from Honolulu.

There has been a substantial sign-up for these groups, but anyone promptly reserving space has an excellent chance of joining the outing. Write the club outing office for a trip supplement.

**(350) Yugoslavia — Summer.** Leader, H. Stewart Kimball, 19 Owl Hill Road, Orinda, California 94563.

From a distance the mountains of Yugoslavia resemble the Sierra Nevada in general form and color, but on closer examination the differences become readily apparent. There are few running streams or lakes in these mountains due to the relatively porous white limestone which absorbs water rapidly. However, upland meadows and abundant flowers are found in the high reaches of the mountains as they are in the Alps. Scenes of summer herders — especially in Montenegro — tending their sheep and cows and preparing cheese and Kajmak (akin to sour cream) for winter use, reinforce the altogether unique feeling of the Yugoslavian mountain ranges.

Our trip will travel through the Slovenian area of the Julian and Kamniskan alps, along the Dalmatian coast, and into the Montenegro Mountains. In Slovenia we will spend 3 days in the Kamniskan Alps, and 6 days in the Julian Alps centered around Triglav, the highest mountain in Yugoslavia (9,393). We will stay in mountain hostels, which will provide food and lodging. There will be opportunity to climb Triglav and other peaks, as each day's trip is relatively short.

Six days are planned along the Dalmatian coast. It may be possible to obtain our own boat to take us between Rejika and Kotor (or vice versa), with stops at interesting islands and at renowned cities such as Split and Dubrovnik. If we are unable to obtain a boat, we will travel by private bus along the shore with frequent stops, layovers, excursions to offshore islands and opportunities to swim.

Montenegro is another world in itself. Historically it is a land into which people retreated to maintain their freedom from the constant attacks of both European and Islamic powers. One can understand their ability to defend themselves in this rough terrain. It is a little-developed region (there are no mountain hostels and poor, if any, trails) and the old time customs and methods still survive. Our trip in Montenegro will consist of a two-day walk up one valley and down another from Ivanograd to Lake Biograd, and a four-day visit to the Durmitor range. Trip members may choose to hike to a base camp situated two hours hiking distance from the end of the road in the center of the Durmitor area, or they may spend their time at Hotel Durmitor on the edge of the area. Those who choose to hike to the base camp must bring their own sleeping bags and ground protection. It is hoped that most everyone will opt for this plan as it will afford an opportunity to get away from the tourist crowds into a unique mountain area. The Alpine Association of Montenegro will set up camp, including tents, and provide the other equipment and food, but it is expected that members of the trip will organize duties as on domestic trips.

Four 25-day trips are offered; two start in the north (Slovenia) at Ljubljana, and two start at Titograd (Montenegro). Each trip will first explore the area in which they meet, then proceed down or up the coast, and finally visit the other mountain area. When sending in your reservation, please indicate whether you wish to participate in the Montenegro base camp or not.

Trip 1: Ljubljana to Titograd, July 26-August 19.

Trip 2: Titograd to Ljubljana, August 4-28.

Trip 3: Ljubljana to Titograd, August 7-31.

Trip 4: Titograd to Ljubljana, August 16-September 9.

# 1971 SPRING OUTINGS

The 1971 Spring outings will encompass a wide range of wilderness trips, from a canoe trip on the Suwannee River in Georgia to a luxury outing in the Hawaiian Islands. Most of the trips, however, will focus on the canyon and desert country of the Southwest, an area that is in its prime in the early spring when water is plentiful, temperatures are comfortable, and flowers are in full bloom.

Trips vary markedly in type, size and cost. Some are more rugged and require trip members to help with all camp chores, while others are leisurely and supply a crew to do the cooking and packing. To determine which outing best fits your needs, read the following trip descriptions carefully. If you have questions, write directly to the trip leader. Reservation requests are being accepted now for all spring trips. See "How to Apply for Sierra Club Trips."

## HAWAII SPECIALS

(2) **Island of Hawaii — April 2-11.** Limit, 100. Leader, Ray Simpson, 1300 Castec Drive, Sacramento, California 95825.

The "Big Island" of Hawaii will be the destination of this Easter trip. We will visit such Hawaiian spectaculairs as the waterfall-rimmed Waipio Valley; Hapuna Beach near the historic Kona coast, to take advantage of some especially fine swimming; and Hawaii Volcanoes National Park, to visit the latest Kilauea cinder cone.

Most of our camps will be beach sites except at Volcanoes National Park. Fine meals will be prepared by the commissary crew with emphasis on island fare. Daily activities will include swimming and snorkeling, short hikes to places of special interest, and ample time for photographers and bird watchers.

Several knapsack trips are planned. One will be a three-day hike to the isolated Halape Beach; another trip will be to Mauna Loa, a 13,018-foot volcano. (An extra charge of up to \$35.00 per person may be made for the Mauna Loa trip.) Sign-ups for the knapsack trips will be on a first received basis and all are accepted subject to the leader's approval.

We will leave San Francisco and Los Angeles by commercial jet on Friday morning, April 2. Total cost of the outing is \$370 for adults, \$250 for children under 12, and \$150 for Hawaiian residents joining at Hilo. A deposit of \$75 per person, which includes the \$15 non-refundable fee, must accompany each reservation request.

(3) **Bicycle Tour, Island of Hawaii — April 2-11.** Limit, 30. Leader, Paul DeWitt, 2430-A Ashby Avenue, Berkeley, California 94705. Cost \$365.

Seven days of cycling, with a beach layover day, are planned on the island of Hawaii. The route will include the spectacular east coast with cliffside views of the ocean, the canefields of the Hamakua coast, the white and black sand beaches, and the saddle road over Mauna Kea. Travel days will average 30-40 miles with frequent stops. All personal gear and commissary equipment will be carried in a truck. Trip members will be expected to share commissary duties. There will be some steep hills to climb and 10-15 speed bikes will be required. Bikes will be air-shipped from San Francisco two to three days before the trip starts. Acceptance is on a first received basis and subject to the bicycle leader's approval.

We will leave San Francisco and Los Angeles by commercial jet on Friday morning, April 2. A deposit of \$75 per person, which includes the \$15 nonrefundable fee, must accompany each reservation request.

## HIGH-LIGHT TRIPS

(4) **South Coast High-Light, California — April 3-10.** Limit, 30. Leader, Jerry Lebeck, 430 Pine Avenue, Pacific Grove, California 93950. Cost \$120.

This Easter week High-Light Trip will explore the Ventana Primitive Area and surrounding portions of the northern section of the Los Padres National Forest. We will hike from the rugged and remote, oak- and pine-filled valleys of the interior, to the coastal redwood groves along the Big Sur Coast. From the 3,000- to 4,000-foot peaks of the Santa Lucia Mountains, which are the backbone of this country, we will enjoy magnificent views of the California coastline and the Pacific Ocean. Spring promises full waterfalls, colorful ferns and wildflowers, and the occasional sight of deer or even wild boar on the steep slopes. Picturesque place names such as Pico Blanco, Pat Springs, Devil Peak, Rainbow Camp, Indian Valley, Outlaw Camp designate just a few of the areas we will hike through. The trip will be moderately difficult and members are expected to help with camp chores. For more information on this area see the Sierra Club Exhibit Format Book, *Not Man Apart*.

(5) **Thunder River-Deer Creek High-Light, Arizona — April 4-10.** Limit 30. Leader, John Ricker, 2950 North 7th Street, Phoenix, Arizona 85014. Cost \$160.

On this High-Light Trip we will explore two beautiful streams and hike from the North Rim of the Grand Canyon down to the Colorado River. Thunder River pours out of the Redwall as a full-fledged stream, then tumbles down a steep canyon to join Tapeats Creek, a tributary of the Colorado. Nearby, Deer Creek courses through a wooded valley, enters a deep rocky gorge and then plunges over a 200-foot waterfall to the Colorado River. This will be different from the usual High-Light in that trip members will carry their personal gear, while the stock pack the food and commissary equipment. Water will also be carried as there will be two dry camps. Moderately strenuous.



(11) **Esplanade-Tuck-up Canyon High-Light, Colorado — April 24-May 1.** Limit 40. Leader, Howard B. Mitchell, 65 Hillside Avenue, San Anselmo, California 94960. Cost \$180.

This is another in a series of trips in the remote wilderness of the North Rim of the Grand Canyon. Our trip will explore the Esplanade, which we will reach by a 2,500-foot descent from the North Rim, and the area around the base of Tuck-up Dome. Those who have made a float trip down the Colorado River will remember seeing the dome as they drifted by Kanab, Tuck-up and National canyons. There will be tremendous views of the Colorado and of the South Rim. Each layover day we will explore a different part of the Esplanade and several of the interesting side canyons of the Colorado. One layover day we will hike out to an overlook above the Colorado. The last layover day we will explore Tuck-up Canyon, and strong hikers will be able to hike to the Colorado and back.

## RIVER TRIPS

(7) **Okefenokee Swamp-Suwannee River Canoe and Kayak Journey, Georgia and Florida — April 4-10.** Limit 25. Leader, Marvin Stevens, 6010 Franklin Avenue, Hollywood, California 90028. Cost \$125.

The Okefenokee National Wilderness Refuge in southeastern Georgia remains perhaps the most enigmatic and pristine "swamp" in the continental United States and the most famous in the world. Yet it is not really a swamp at all. It is the well-spring for two rivers which flow respectively to the Atlantic Ocean and the Gulf of Mexico. The hidden source to the watershed is found deep within the cypress and mistletoe forest in the great ponds and alligator runs. Compounding the mystery of this strange land are the numerous legends which surround it, the colorful place-names that have withstood the wave of history, the profusion of uncommon plant communities and wildlife which are spread throughout its boundaries, and the literature from some of America's erstwhile fictionists. Fiction becomes the Swamp Province; there is a sense of the unreal and a time-stood-still melancholy about the place.

We will divide our time between the Swamp Province and the Suwannee River where it flows through the lush green country of the panhandle towards the Gulf. Canoe and kayak skills are desirable, but the most important prerequisite is some wilderness camping experience and a cheerful acceptance of any surprises this remote environment may hold. This is a journey for adventuresome people, although boating days on the river will be modest. A resident ecologist from Georgia will accompany the party again this year and help interpret the botanical tangle. Age limit 16 years without parents.

(8) **Grand Canyon of the Colorado Raft Trip, Arizona — April 4-13.** Limit 30. Leader, Rouen Faith, 5434 Cribari Green, San Jose, California 95135. Cost \$315.

Running the Grand Canyon in the spring offers ten days of deep canyons and exciting rapids, all during the most temperate and delightful time of the year. The Grand Canyon is a country of contrasts: crashing rapids just around the bend from quiet swirling eddies, delicate fern grottos side by side with lifeless desolation, and waterfalls seeming to spring from barren rock. It is also an area of great historical interest and we will camp in many of the same spots as did Major Powell on his pioneer exploration of the Colorado. We will cover 312 miles of river from Lee's Ferry to Temple Bar in Lake Mead with layovers at Phantom Ranch and Tapeats Creek. This is a trip for active people who preferably have had some river experience. Minimum age 16.

## KNAPSACK TRIPS

(1) **Kanab Canyon-Deer Creek Knapsack Trip, Arizona — March 21-27.** Limit 20. Leader, Charles Kroger, 411 First Street, #2, Davis, California 95616. Cost \$60.

This strenuous backpack will descend from the North

Rim of the Grand Canyon, down the colorful canyons of Jumpup and Kanab to the Colorado River. We will follow the north bank of the Colorado to Deer Creek, which plunges through a deep gorge and finally falls 200 feet into the Colorado. The climb out will be along old trails to Surprise Valley with a chance to visit Thunder River. The final day is a 3000-foot climb, partly on the horse trail, back to the North Rim.

(6) **Grand Canyon Knapsack, Arizona — April 4-10.** Leader, Edith Reeves, 1739 East San Miguel Avenue, Phoenix, Arizona 85016. Cost \$55.

Many have tried to convey, by word and picture, the grandeur of the Grand Canyon. To really "see" the Grand Canyon one must venture down into it. When viewing the canyon for the first time from the rim, one wonders how man ever found a way down into its vastness. On this trip we follow a few of the earliest routes as we explore Monument, Hermit, Boucher, Topaz and Slate canyons. Springtime is especially beautiful in the canyon; at this time of year it is not unique to camp comfortably among early-season wildflowers while a snow squall blows across the canyon rim 5,000 feet above. Temperatures will be moderate, possibly quite warm during the day. The trip is moderately strenuous.

(9) **Smoky Mountains Knapsack, Tennessee and North Carolina — April 10-17.** Limit 12. Leader, Keith Olson, 410 Berkley, Elmhurst, Illinois 60126. Cost \$78.

The Great Smoky Mountains, highest mountains in the United States east of the Mississippi, will be the locale of this early-spring Knapsack Trip. We will meet Saturday night at one of the Park Service campgrounds and begin hiking on Sunday. Although there will be no layover days, there will be plenty of time to enjoy the scenery along the Appalachian Trail and other trails in the park. Moves will average 7 to 8 miles per day and changes of 4,000 feet in a day are possible. So, while beginning backpackers are welcome, they should be in good physical condition. Minimum age is 14, and those under 16 must be accompanied by an adult.

At this time of year considerable variation in weather can be expected — from warm, even hot, days to frosty nights. Frequent rains are likely. It may be possible to use trail shelters, but they may not always be available, so good rain protection is necessary.

(10) **Grand Gulch Knapsack, Utah — April 24-30.** Limit 15. Leader, Frank Nordstrom, 800 Glade Road, Farmington, New Mexico 87401. Cost \$65.

Grand Gulch is the largest and most remote canyon in southern Utah. Here, walls tower one thousand feet above the hiker and bar escape from the canyon in all but three places. Cliff dwellings and numerous pictographs, remnants of an ancient Indian civilization, can be seen along the canyon walls. In spring the desert water holes are full and wildflowers are plentiful. The hike will be moderate in difficulty.

## FOR MORE DETAILS OF SPRING OUTINGS

For further details of our coming spring outings, ask the club office for the specific supplement for the trip in which you are interested. Trips vary greatly in size, cost, in physical stamina demanded, and in distance covered. New members, particularly, may have difficulty judging from these brief *Bulletin* write-ups which outings are best suited to their experience and

ability. Don't be lured into the wrong camp! If you are in doubt as to whether you and a trip are mutually compatible, ask for a trip supplement before you send in a reservation — saving yourself the cost and inconvenience of changing or cancelling your reservation later. Telephone or write the trip leader (not the club office) if you have further questions.

# TRIP RESERVATIONS AND CONDITIONS

## RESERVATIONS

**It is essential that you apply on the reservation form** provided in this issue of the *Bulletin*. If you are applying for more than two trips, send to the club office for additional forms, one per trip. Please print (in ink) in block letters. Fill out your application carefully and completely; writing you for missing information could delay processing your request and result in your not obtaining a place on the trip you want.

• In the space asking for "Membership No. of Applicant," it is imperative that you insert the 7-digit number you will find on your membership card or on the address label of your *Bulletin*.

**Sierra Club outings are open only to members, applicants for membership, and members of conservation organizations granting reciprocal privileges.** Children under 12 need not be members; juniors 12 to 21 must be junior members. You may apply by completing a membership application (see fall and spring Outing Issues of the *Bulletin*, or ask for one) and sending your admission fee and annual dues with your reservation fee.

**Children.** Unless otherwise specified, a minor under 18 years of age may participate on outings without the consent of the leader, only if he or she is accompanied by a parent or sponsored by a responsible adult. If you lack a sponsor, write the trip leader for assistance.

**When the trip of your first choice is filled,** but the alternate is open, you will automatically be placed on your second choice. If the alternate choice is filled also, you will be placed on the trip with the shorter waiting list and notified. If you wish to be placed on the waiting list of your first choice only, regardless of status, do not indicate an alternate choice. A reservation for more than one waiting list requires a separate application and deposit for each.

**Listed trip fees** will probably cover expenses; the management reserves (but has seldom exercised) the right to levy small assessments.

## PAYMENTS, CANCELLATIONS, REFUNDS AND TRANSFERS

**All payments will be refunded** under the following conditions: 1) if a vacancy does not occur; 2) if a person cancels off the waiting list; 3) if a reservation is not accepted; or 4) if the Sierra Club must cancel a trip.

The following rules, pertaining to both Foreign and Domestic trips, will apply as indicated unless different provisions are expressly stated in the *Bulletin* write-up and in the trip supplement, which applicants should review carefully.

### Domestic Trips

**The total cost** of a trip applies to each trip applicant, including family members on non-family trips.

A **reservation deposit** of \$15 per family or per person must accompany each reservation application. The **reservation deposit is not refundable, and is counted as part payment of the trip cost.** "Family" means husband, wife, and their own children under 21 — all of whom must be Sierra Club members, except children under 12. Grandchildren, nieces and nephews are not considered "family."

**The balance of the trip cost** is due two months before the beginning of each trip; if payment is not made, the reservation may be canceled.

**Refunds** (not including the nonrefundable \$15 reservation deposit) following cancellation are made in accordance with the following schedule, based upon the date notice of cancellation is

received by the outing office: 1) 100% up to 30 days before the trip starts; 2) 90% if cancellation occurs in the period 14 to 30 days before the trip starts; 3) 75% up to 14 days before the trip starts (not including the day of departure); and 4) 75% or less, at the discretion of the leader, if cancellation is made on the day trip starts or if a trip member leaves during the trip. A "no-show" will generally not receive a refund.

A \$15 transfer fee is charged for changing reservations from one trip to another.

### Foreign Trips

These trips require **payment** in accordance with the following schedule: 1) a deposit of \$100 per person with each reservation application, and 2) the balance of the trip fee, paid in full, 90 days before the trip leaves. The trip leader may replace a reservation holder with a person from the trip waiting list, if full payment is not made 90 days before trip departure date.

**Refunds** following cancellation are made in accordance with the following schedule, based upon the date notice of cancellation is received by the outing office: 1) the entire amount paid, less \$15, up to six months before the trip begins; 2) within six months of departure, the entire amount paid, less \$15, if the vacancy created by the cancellation is filled; and 3) if no replacement is available, the entire amount, less \$15, less out-of-pocket trip expenses and Sierra Club outing office overhead expenses. This charge will be computed by the trip committee after the trip is concluded and bills have been paid.

A **transfer** of reservation from a foreign trip is treated as a cancellation, and entitles the applicant only to refunds in accordance with the cancellation policy.

### EMERGENCIES

In case of accident or illness, the club, through its leaders, will attempt to provide aid and arrange evacuation when the leader determines evacuation is necessary or desirable. Costs of specialized means of evacuation, such as helicopters, and of medical care beyond first aid, are the financial responsibility of the person involved. Medical insurance is advised as the club does not provide this coverage.

### MEDICAL PRECAUTIONS

Since the trips are fairly strenuous, a **physical examination** is advised. The danger from tetanus (lockjaw) is extreme in accidents occurring where stock has been, and members are strongly urged to consult their physicians regarding the advisability of anti-tetanus injections, or a booster shot as appropriate. Full effectiveness from an initial tetanus immunization takes about two months — do it now!

### TRANSPORTATION

Transportation to and from a trip is the responsibility of the individual. For information, write to the trip leader whose address is supplied in the trip supplement and *Bulletin* write-up. A form is provided with your reservation acknowledgement for advising the leader whether you want, or can provide, transportation on a shared-expense basis to the roadhead. The outing office does not make transportation arrangements.

### CONDUCT OF TRIPS

The leader is in complete charge of the trip. He may require a trip member to leave the trip at any time if, in his sole discretion, he feels that such member's further participation in the trip may be detrimental to the trip or to the member's health. Any such required departure may be treated as a later cancellation insofar as any refund is concerned. Acceptance of a trip reservation is at the discretion of the club and the trip leader.

# INSTRUCTIONS

1. Read carefully "Trip Reservations and Conditions" in the fall and spring Outing Issues of the Bulletin.
2. It is imperative that you include your MEMBERSHIP NUMBER on the reservation application. The Outing Department is using a computer system based on membership numbers.
3. The reservation deposit for each domestic trip is \$15 per family or per person, unless otherwise specified. A larger deposit is required for a foreign trip; the exact amount is stated in the Bulletin. The reservation deposit is not refundable and must accompany each reservation application. "Family" means husband, wife, and their own children under 21. Grandchildren, nieces, and nephews are not considered immediate family and should send in separate applications and deposits.
4. If you wish, include an alternate trip choice. If your first choice is filled, you will automatically be placed on your second choice only. If the alternate choice is also filled, you will be placed on the trip with the shorter waiting list. If you wish to be placed on the waiting list of your first choice, regardless of status, do not indicate an alternate choice. A reservation for more than one waiting list requires a separate application and deposit for each.
5. If you write a trip leader requesting additional information or to obtain the leader's approval for a trip, please use a separate sheet of paper, not this reservation form. See trip write-up for his address.
6. If you have any special instructions or requests please enclose them with the application blank below.

# APPLICATION

One family or one individual may use this form to apply for one trip.

MEMBERSHIP NO. OF APPLICANT			Trip number	Name of first choice trip	Departure date
Print Name Mr. Mrs. Miss	FIRST	LAST	Alternate number	Alternate choice trip (if first choice is filled)	Departure date
Mailing Address			DEPOSIT Minimum \$15 per trip; make check payable to Sierra Club.	No. of reservations requested	
City		State	Zip Code	Residence telephone (area code)	Business telephone (area code)
Print your name and the names of all family members going on this outing FIRST _____ LAST _____ _____ _____ _____ _____			Member or applicant?	Age	Relationship
					About how many S.C. trips (not chapter) have you been on?
					On future domestic trips, what length would you prefer?

CUT

mail to: SIERRA CLUB OUTING DEPT.

1050 MILLS TOWER 220 BUSH STREET, SAN FRANCISCO, CALIFORNIA 94104

# 1971 WILDERNESS OUTINGS REVIEW

For those who plan their vacations far ahead, we present this summary of the Sierra Club's 1971 wilderness outings. Places and dates of a few outings are still tentative and may be changed. You will find complete information and prices of all summer and fall trips in the Annual Outing Issue to be published in February 1971. Unless otherwise specified, reservation requests for all trips are now being accepted.

## HIGH TRIP/HIGH-LIGHT TRIPS

- (15) Northern Yosemite High Trip Sierra — August 14-28. Leader, Marsh Pitman.  
(4) South Coast, California — April 3-10. Leader, Jerry Lebeck. See Spring Outings for further details.  
(5) Thunder River-Deer Creek, Arizona — April 4-10. Leader, John Ricker. See Spring Outings.  
(11) Esplanade, Tuck-Up Canyon, Colorado — April 24-May 1. Leader, Howard Mitchell. See Spring Outings.  
(20) Woodchuck Country, Sierra — July 10-17. Leader, Chuck Schultz.  
(21) Red Mountain Basin, Sierra — July 17-24. Leader, Chuck Schultz.  
(22) Mineral King, Sierra — July 17-24. Leader, Don Parachini.  
(23) Kings-Kern Divide, Sierra — July 24-August 7. Leader, Norton Meyer.  
(24) Beartooth Country, Montana — August 1-12. Leader, Tony Look.  
(25) Glacier Peak Wilderness, Washington — August 1-13. Leader, Al Coombs.  
(26) Bob Marshall Wilderness, Montana — August 15-27. Leader, Tris Coffin.  
(27) Monarch Divide, Sierra — August 21-28. Leader, Jerry South.  
(28) San Juan Mountains, Colorado — September 12-23. Leader, George Hall.  
(30) Deep Canyon, Utah — September 26-October 3. Leader, Jack Goodman.  
(31) Southern Arizona Desert — December 26-January 1, 1972. Leader, John Ricker.

## BASE CAMPS

- Baboon Lake, Sabrina Basin, Sierra: (40) July 3-16, special family rates; (41) July 17-30. Leader, Ed Miller.  
Granite Park Alpine Camp, Sierra: (42) August 7-20, special family rates; (43) August 21-September 5. Leader, Steve Thompson.  
San Juan Mountains, Colorado — special family rates: (44) July 4-16; (45) July 18-30. Leader, George Hall.  
(49) Back-Country Camp, McGee Canyon-Evolution Valley, Sierra — July 25-August 7. Leader, Allen Van Norman.

## WILDERNESS THRESHOLD CAMPS

Basic to the program of family outings are the Wilderness Threshold Camps. These camps are planned especially to introduce families with little camping experience to the wilderness. The hike in ranges from 4 to 9 miles and is easy enough for most children, although very small children may have to be carried by their parents. Mules carry the loads. While in camp, all families take turns preparing the meals. Each camp is limited to ten families. This year we will sign up applicants on a delayed system in order to make it more equitable for those families who receive the Annual Outing Issue later than others. All applications will be held for several weeks and places will be assigned by a lottery system. It is hoped this will rectify the difficulties encountered last year. Campsites will be in the Sierra, in the Sawtooth Mountains of Idaho, in North Cascades National Park, in the Colorado Rockies, and in Arizona's Navajoland.

## FAMILY KNAPSACK TRIPS

- (85) Silver Lake, Caribou Wild Area, Northern California — July 17-24. Leaders, Betty and Jim McCracken.  
(86) Leopold Lake, Emigrant Basin Wild Area — July 31-August 7. Leaders, Marcia and Rudy Kupfer.  
(87) King Creek, Minarets — August 21-28. Leaders, Carol and Howard Dienger.

## FAMILY CANOE TRIPS

These trips are planned especially for families with teenagers. Reservations will not be accepted until the Annual Outing Issue has been published.

## FAMILY BURRO TRIPS

- (95) Kings Canyon-Ranger Lakes, Sierra — July 17-25. Leaders, Rosina and Bud Siemens.  
(96) Matterhorn Canyon, Sierra — July 24-August 1. Leaders, Vicki and Bill Hoover.  
(97) Banner-Ritter, Sierra — August 14-22. Leaders, Judy and Pete Nelson.  
(98) Evolution Valley, Sierra — August 15-27. Leaders, Diane and Al Fritz.

## Other Family Trips

See listings under Base Camps and Eastern Trips.

## SERVICE TRIPS

Service Trips are offered for those who want to actively spread the conservation message while enjoying the fun of an energetic outing. All Service Trips are limited to responsible, cooperative workers with a minimum age of sixteen. Camp organization is informal and trip members handle all chores.

The success of an experimental Action Clean-up Project this past summer has prompted us to list Roadhead Clean-up Teams as an official part of the Service Trips outing program.

For information, write Don Mitchell (Service Trips Chairman), P.O. Box 4610, Stanford, California 94305. (see news notes November '70 Bulletin).

## CLEAN-UP PARTIES

- (100) Airplane Wreck Clean-up, Bear Basin, Trinity Alps, California — June 28-July 7.  
(101) Beach Knapsack Trip, Olympic National Park, Washington — July 14-23.  
(102) Tuolumne Meadows to Yosemite Valley Moving Trip, Sierra — July 24 - August 2.  
(103) Grand Canyon Float Trip, Arizona — July or August (10 days).

## TRAIL MAINTENANCE PARTIES

- (104) Selway-Bitterroot, Idaho — June 30-July 9.  
(105) Vogelsang, Yosemite, Sierra — July 12-21.  
(106) Sawtooth, Idaho — July 14-23.  
(107) North Cascades National Park, Washington — July 28-August 6.  
McClure Meadow to Muir Pass, Sequoia-Kings Canyon, Sierra: (108) August 9-20; (109) August 23-September 3.  
(110) Kauai, Hawaii — August 27-September 5.

## RIVER TRIPS

- (7) Okefenokee Swamp-Suwannee River Canoe and Kayak Trip, Georgia-Florida — April 4-10. Leader, Marvin Stevens. See Spring Outings for further details.  
Grand Canyon of the Colorado Raft Trips, Arizona: (8) April 4-13, leader, Rouen Faith, see Spring Outings; (115) May 10-19, leader, Bob Fuller; (116) May 17-26, leader, Paul Hewett; (117) May 31-June 9, leader, John Wagner; (118) June 14-23, leader, Elmer Johnson; (119) June 21-30, leader, Martin Friedman; (120) June 28-July 11 (two weeks), leader, Peter Myers; (121) September 20-29, leader, Frankie Strathairn.  
(122) Desolation-Gray Canyons Raft Trip, Utah — June 14-18. Leader, Frank Hoover.  
Rogue River Raft Trips, Oregon: (123) June 14-18, leader, Sam MacNeal; (124) June 21-25, leader, Hunter Owens.  
Hells Canyon of the Snake River Raft Trips, Idaho: (125) June 14-19, leader, Rolf Godon; (126) September 6-11, leader, Monroe Agree.  
(127) Cataract Canyon of the Colorado Raft Trip, Utah — June 20-25, leader, Frank Hoover.  
(128) Canadian San Juans Canoe and Kayak Trip, British Columbia — June 20-27. Leader, Doug Watkins.  
(129) Yampa-Green Rivers Raft Trip, Dinosaur National Monument, Colorado-Utah — June 21-25. Leader, Charles Fisk.

- (130) Lodore Canyon of the Green River Raft Trip, Dinosaur National Monument, Colorado-Utah — June 28-July 2. Leader, Charles Fisk.
- (131) Klamath River Kayak and Car Camping Trip, California — June 28-July 3. Leader, Ray Cochrane.
- (132) Lewis and Clark Wilderness Waterway Canoe and Kayak Trip, Missouri River, Montana — July 5-12. Leader, Rouen Faith.
- (133) Middle Fork of the Salmon River Raft Trip, Idaho — July 12-17. Leader, Steve Anderson.
- (134) Bowron-Spectacle Lakes Canoe and Kayak Trips, British Columbia: July 27-August 6, July 28-August 7, July 29-August 8. Leader, Lynn Dyche.
- (135) Snake River Canoe and Kayak Trip, Grand Teton National Park, Wyoming — August 9-18. Leader, Ross Miles.
- (138) Rio Grande Canyons Canoe Trip, Texas — October 17-23. Leader, Cass Germany

### KNAPSACK TRIPS

- Unless otherwise specified, trips listed are in the Sierra Nevada.
- (1) Kanab Canyon-Deer Creek, Arizona — March 21-27. Leader, Charles Kroger. See *Spring Outings* for further details.
- (6) Grand Canyon, Hermit-Boucher, Arizona — April 4-10. Leader, Edith Reeves. See *Spring Outings*.
- (10) Grand Gulch, Utah — April 24-30. Leader, Frank Nordstrom. See *Spring Outings*.
- (140) Cañon Del Diablo, Baja California, Mexico — May 23-29. Leader, Wes Bunnelle.
- (141) Indian Lakes, Bear Lakes — June 26-July 5. Leader, Carleton McKinney.
- (142) Devil's Crags — July 3-11. Leader, Cliff Mastenbrook.
- (143) Miter Basin Juniors Trip — July 3-11. Leader, Mike Rockford.
- (144) Talchako-Caribou Mountain, British Columbia — July 7-14. Leader, Bill Simmons.
- (145) Pioneer Basin Leisure Trip — July 11-17. Leader, Terry Bis-singer.
- (146) Sangre De Cristo Range, Colorado — July 12-22. Leader, Bob Berges., (147) Trinity Alps, Northern California — July 17-25. Leader, Dave Perkins.
- (148) Glacier Peak Wilderness, Washington — July 19-30. Leader, Dave Corkran.
- (149) Blackcap Basin — July 24-August 1. Leader, Bob Maynard.
- (150) Sierra Crossing Juniors Trip — July 24-August 1. Leader, Raleigh Ellisen.
- (151) Granite Park Leisure Trip — July 24-August 7. Leader, Paul DeWitt.
- (152) San Juan Wilderness, Colorado — July 31-August 6. Leader, Frank Nordstrom.
- (153) Rolling Thunder Mountain, Grand Teton National Park, Wyoming — August 2-13. Leader, Jim Watters.
- (154) Nine Lakes Basin — August 7-15. Leader, Bud Siemens.
- (155) French Canyon Juniors Trip — August 7-14. Leader, Raleigh Ellisen.
- (156) Arrow Peak — August 7-21. Leader, Ellen Howard.
- (157) Trans-Sierra, Goddard — August 14-22. Leaders, April Miller and Doug Dreyfus.
- (158) Evolution Valley Juniors Trip (Ages 12 and 13) — August 15-21. Leader, Molly Reeves.
- (159) Ragged Spur Juniors Trip (Ages 14 and 15) — August 22-28. Leader, Molly Reeves.
- (160) Coffee Creek Corridor Leisure Trip, Trinity Alps, Northern California — August 22-29. Leader, Merrill Hugo.
- (161) Inner Olympics, Washington — August 22-September 1. Leader, Morse Trine.
- (162) High Uintas Leisure Trip, Utah — August 22-September 5. Leader, Norton Meyer.
- (163) Idaho Primitive Area — August 23-September 4. Leader, Larry Dwyer.
- (164) Yosemite South — August 28-September 5. Leader, Walt Oppenheimer.
- (165) Glacier Lakes — August 28-September 6. Leader, Gordon Peterson.
- (166) Around the Palisades — September 4-12. Leader, Bill Colvig.
- (167) Saurian Crest Leisure Trip — September 11-19. Leader, Claude Sink.
- (168) Mount Clark — September 11-18. Leader, Jim Skillin.
- (169) Pine Creek Leisure Trip — September 18-26. Leader, Ken Lass.
- (173) Navajo Country, Arizona-Utah — October 3-9. Leader, John Ricker.

- (174) Grand Canyon, Arizona — December 26-January 1, 1972. Leader, John Ricker.

### BURRO TRIPS

- Miter Basin, Sierra Nevada: (180) July 3 - 10, leader, John Simpson; (181) July 10 - 17, leader, Don White; (182) July 17 - 24, leader, Jake Bronson; (183) July 24 - 31, leader, Jeff Cohen; (184) July 31 - August 7, leader, Jack McClure; (185) August 8 - 21 (two weeks), leader, Ted Bradfield; (186) August 21 - 28, leader, Tom Pillsbury; (187) August 28 - September 4, leader, Ron Gilmer.

### SADDLE TRIP

- (189) Teton Wilderness Saddle-Light Trip, Wyoming — July 7 - 16.

### ALASKA

- (35) Southeast Alaska Boat Trip — June 20-July 3.
- (36) Prince William Sound Boat Trip — June 27-July 10. Leader, Gus Benner.
- (37) Brooks Range Knapsack Trip — July 26-August 13. Leader, Doug Powell.

### HAWAII

- Spring: (2) Island of Hawaii — April 2-11, leader, Ray Simpson; (3) Bicycle Tour, Island of Hawaii — April 2-11, leader, Paul DeWitt. See *Spring Outings* for further details.
- Fall: (215) Kauai and Molokai — August 27-September 5, leader, Jim Dodds; (216) Oahu Base Camp — August 27-September 5, leader, Walt Weyman.

### MIDWEST TRIPS

- (9) Smoky Mountains Knapsack Trip, Tennessee-North Carolina — April 10-17. Leader, Keith Olson. See *Spring Outings*.
- (190) Buffalo River Canoe Trip, Arkansas — June 6-12. Leader, Harold Hedges.
- (191) Porcupine Mountains Trail Maintenance Trip, Michigan — July 11-17. Leader, Joseph Chandler.
- (192) Lac La Croix Canoe Trip, Minnesota — July 20-29. Leader, John Wheeler.

### EASTERN TRIPS

- (205) Dolly Sods-Canaan Valley Knapsack Trip, West Virginia — June 20-26. Leader, Bruce Sundquist.
- (206) George Washington National Forest Family Knapsack Trip, West Virginia — July 3-10. Leaders, Marilyn and Clifford Ham.
- (207) White Mountains Knapsack Trip, New Hampshire — July 4-10. Leader, Thomas Hard.
- (208) Adirondack Mountains Base Camp, New York — July 18-24. Leader, Dewey Seeger.
- (209) Appalachian Trail Knapsack Trip, Maine-New Hampshire — August 1-7. Leader, Lowell Krasner.
- (210) Adirondack Mountains Clean-Up Trip, New York — August 15-21. Leader, Henry Scudder.
- (211) Allagash River Canoe Trip, Maine — August 15-26. Leader, Walter Blank.
- (212) Allagash Wilderness Waterways Service Trip, Maine — August 28-September 4. Leader, Robert Reeves.

### 1971 FOREIGN TRIPS

- (300) Galapagos Islands, Ecuador — February 6-March 6. Leader, Al Schmitz. See *Foreign Trips*.
- (500) Micronesia — February-March. Leader, John Edginton. See *Foreign Trips* for details.
- Nepal, Natural History Trips: (310) April 2-May 2, leader, Marty Griffin; (315) April 23-May 23, leader, Al Schmitz. See *Foreign Trips*.
- (350) Yugoslavia — July-August-September. Leader, H. Stewart Kimball. See *Foreign Trips*.
- (340) Kashmir — August 14-September 11. Leader, Ray Jewell.
- (355) Jumla, Nepal — October 1-November 7. Leader, Al Schmitz.
- (360) Yucatan Bicycle Trip, Mexico — October 9-24. Leader, Marvin Stevens.
- (139) Puerto Vallarta Boat Trip, Mexico — November 10-19. Leader, Ellis Rother.

### 1972 FOREIGN TRIPS

- Central East Africa (month-long trips) — January 15 through November.
- Nepal, Natural History Trip — April.
- Indonesia — Summer.
- Nepal, Kali Gandaki-Annapurna Sanctuary — Fall.
- Nepal, Mount Everest Base Camp — Late Fall.

No reservations accepted before March 1, 1971.)

# Highlights of the September Board Meeting

Three new chapters were formed, six *ex officio* vice presidents appointed, and the Public Land Law Review Commission Report assailed at the regular meeting of the Sierra Club Board of Directors on September 19 and 20 at Clair Tappaan Lodge.

• **New Chapters.** The Board approved three applications for chapter status. The new chapters are: Joseph LeConte Chapter, North and South Carolina; Delta Chapter, Louisiana and Mississippi; and Northern Rockies Chapter, Idaho, Montana, and the seven eastern counties of Washington.

• **Six Vice Presidents.** Under a new interpretation of the Club by-laws, the Board named as *ex officio* officers of the Board, to serve as Vice Presidents at the pleasure of the President, Richard Cellarius, Ann Arbor, Mich.; Alfred Forsyth, New York, N.Y.; William Futrell, New Orleans, La.; Anthony Ruckel, Denver, Colo.; Richard Searle, Los Angeles, Calif.; and Sanford Tepfer Eugene, Ore.

• **By-Laws Amendment.** The Board certified a proposed amendment to the Club by-laws that would limit a director's term of office for inclusion on the ballot at the next election. The Board recommends to the membership that Article IV, Section 2 be amended by adding the following statement: "A director may serve an unlimited number of terms provided a minimum of one year's absence from the Board of Directors elapses after any two consecutive full terms."

• **Public Land Law Review Commission Report.** The Sierra Club declares that the majority of premises underlying the Public Land Law Review Commission Report are anti-environmental, blatantly in favor of exploitative development of resources, and antithetical to societal interests. The Club declares its intention to rebut the unsatisfactory conclusions of the report and will prepare alternative views.

• **Chemical Warfare, Herbicides.** The Sierra Club opposes all further production and use of chemical warfare agents, as defined by international treaty, including defoliants, and urges that all existing stockpiles of dangerous materials of this nature be detoxified and rendered harmless as soon as practicable.

• **Oil Resources Development.** The Sierra Club opposes development and production of the oil resources of the Outer Continental Shelf and any inland areas from which oil resources cannot be extracted and transported without endangering the environment.

• **Predator Control.** The Sierra Club opposes the policy of bounty payment for wild animals and con-

demns the practice of indiscriminate killing of predator species with poison and traps. It urges all levels of government to discontinue these practices.

• **Clear Cutting.** On commercial forest land, the Sierra Club urges all forest managers, public or private, to practice excellent forestry, consisting of limiting annual cutting to that rate which can be extended in perpetuity, growing timber on long rotations, practicing one of the various selection systems of cutting as consistent with the biological requirements of the species involved, and taking extreme precautions to protect the soil.

• **Nature Protection Act.** The Sierra Club supports federal legislation, such as S. 3888 (91st Congress), to prohibit the killing or capturing of animals which are endangered species.

• **Redwoods.** The Sierra Club notes with alarm the extensive clearcut logging of the watershed of Redwood Creek, that is proceeding apace within intact primeval forest of park quality adjacent to the new Redwood National Park, threatening the ecological and scenic integrity of the park and the greater Redwood Creek area. The Club calls upon the United States Congress to terminate this logging immediately and to assure permanent protection.

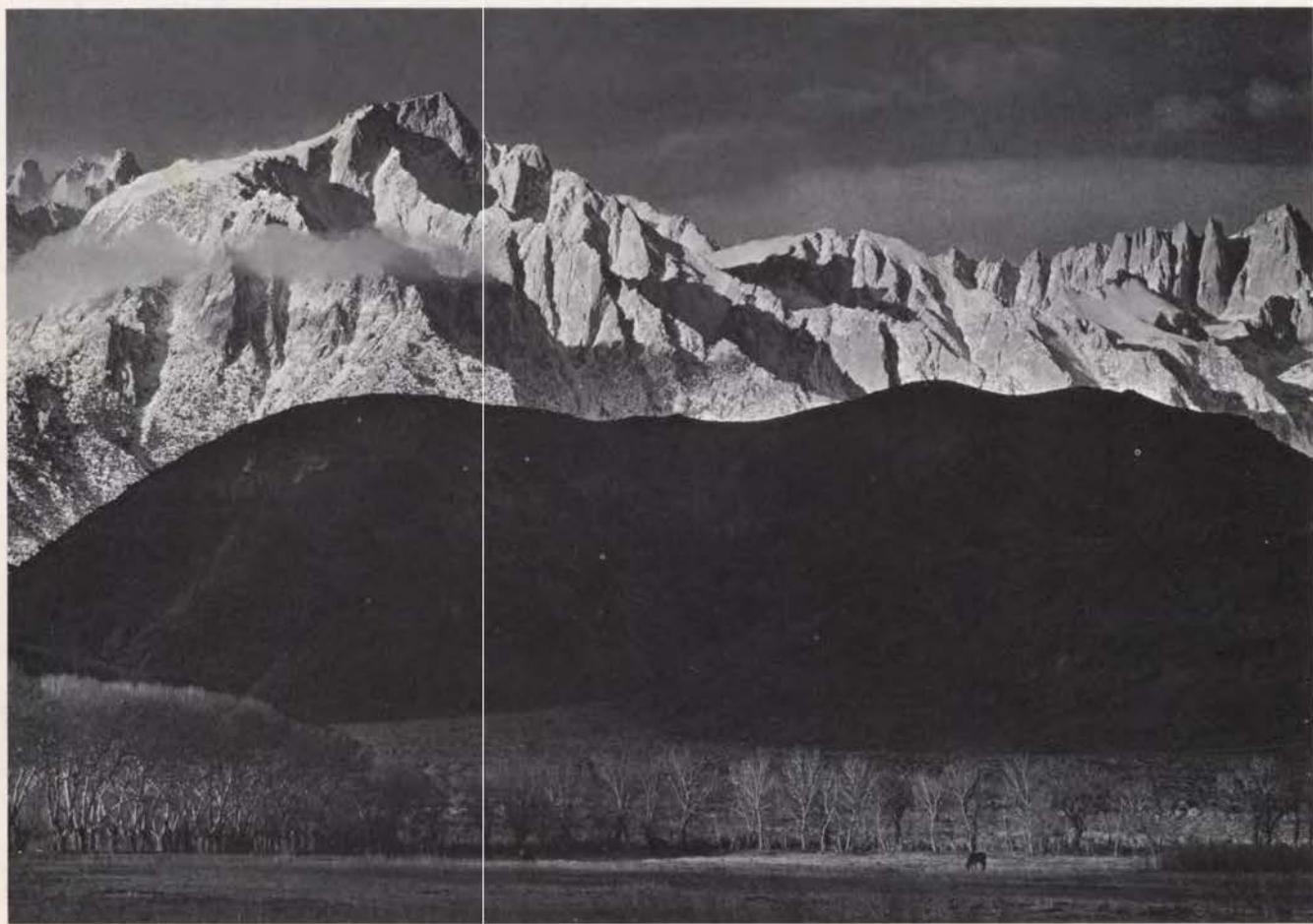
• **Alaskan-Canadian International Park.** The Sierra Club urges the governments of Canada and the United States to conduct a joint study to consider the establishment of an international park in the St. Elias, Chugach, and Wrangell mountain ranges, which would include some of the most spectacular areas on the North American continent.

• **Storm King Powerplant (New York).** The Sierra Club and its Atlantic Chapter have for the past five years engaged in the battle to save Storm King Mountain and are now actively challenging the grant of license by the Federal Power Commission which would allow Consolidated Edison to build a pumped storage electric plant in the mountain, firmly believing that ours is a meritorious cause with good prospects of success. The Board of Directors of the Sierra Club strongly supports the effort of the Scenic Hudson Preservation Conference, and it urges all Sierra Club members to back its efforts to carry the fight to ultimate victory.

• **Atlantic Salmon.** The Sierra Club requests President Nixon to work toward an international agreement to abolish fishing for the Atlantic salmon on the high seas.

# *AN ANALYSIS:*

## The Public Land Law Review Commission Report



Sierra Nevada from Lone Pine, California. From *This is the American Earth*, by Ansel Adams and Nancy Newhall.

On September 19, 1964, Congress established the Public Land Law Review Commission to study most federally owned lands in the United States and to recommend the best ways of utilizing them for maximum public benefit. Chaired by Representative Wayne N. Aspinall, the Commission's task of assessing federal policy for its real estate meant wading through thousands of pieces of land use legislation passed by Congress in over two centuries of the country's history. Their final report, released June 23, 1970, proposes basic changes in our land laws.

The directive of the nineteen-member Commission was to (1) "study existing statutes and regulations governing the retention, management, and disposition of the public lands; (2) review the policies and practices of the federal agencies charged with administrative jurisdiction over such lands... (3) compile data necessary to understand and determine the various demands on the public lands which now exist and which are likely to exist within the foreseeable future; and (4) recommend such modifications in existing

laws, regulations, policies and practices as will, in the judgment of the Commission, best serve to carry out the policy...to provide the maximum benefit for the general public."

Federal land totals 755.4 million acres (as of 1968), compared with the nation's total of 2 billion acres. Of these: 470.4 million acres, or 62 per cent, are under the jurisdiction of the Bureau of Land Management; 186.9 million acres, or 25 per cent, under the Forest Service; 30.7 million acres, or 4 per cent, under the Department of Defense; 26.6 million acres, or 4 per cent, under Fish and Wildlife Service; 23.3 million acres, or 3 per cent, under the National Park Service; and 17.5 million acres, or 2 per cent, under other agencies.

Leaders of the Sierra Club have begun to intensively review the Public Land Law Review Commission (PLLRC) Report, weighing the effects of its recommendations on the future of our public lands, half of which are in Alaska with much of the rest in the eleven contiguous Western states.

“... The basic assumption of the Report is that we will continue to have the no deposit - no return, use-once-and-throw-away, Philistine culture we have today ...”

By Phillip Berry  
Sierra Club President

The Report of the Public Land Law Review Commission proceeds from premises and assumptions which may have been acceptable in 1920, to conclusions which have scant public validity in 1970. While purporting to deal with national concerns, the Report focuses narrowly on regional, state and local interests, to which it gives priority, while relegating to second or third place the broad, national interests of the entire public. The Report ignores the established trend of national resource utilization by favoring now declining short-term commercial, exploitative uses and by consigning long range economic, environmental and recreational considerations to the back of the bus.

The basic premises and assumptions of the Report are wrong. The Report assumes that the twin evils of (1) population growth and (2) the notion of a limitless, ever-expanding economy are here to stay. It assumes that the attendant demands for more and more economic affluence, involving massive consumptive uses of finite natural resources, can and will always be met. The Report purports to plan for the year 2,000 A.D. when, it assumes, there will be 100 million more Americans, each with the same insatiable appetite for "fibre and materials" which has caused the present generation of Americans to consume 50 per cent of the world's production of non-renewable resources each year. The basic assumption of the Report is that we will continue to have the no deposit-no return, use-once-and-throw-away, Philistine culture we have today.

The basic conclusion of the Report is that the one-third of the nation's land belonging to the federal government must be utilized to the full for production of commodities, and if necessary, sacrificed, to satisfy the fires that glow in memory of the archaic Chamber of Commerce cliché that economic growth is necessarily always progress, necessarily always good, and necessarily always desirable.

The assumptions of the Report are fundamentally at odds with modern conservation thinking. For example, it fails to acknowledge that if we plan for population growth, that's exactly what we will get, to-

gether with massive deterioration of the environment which the press of many additional people inevitably brings. It therefore is a disservice for the commission to assume without question or protest that by the year 2,000 there will be 100 million more of us. It is also counter-productive for it to assume we can continue to ride the juggernaut of so-called economic progress, involving built-in obsolescence, conspicuous consumption and massive waste of power and other resources. Certainly we cannot continue either these things or the pollution attendant thereto.

The Report is clearly oriented toward maximum, immediate commercial exploitation. The commission frankly acknowledges it considers "all resources and uses of public lands to be commodities." Public benefits are conceived of as "net benefits," determined by comparing costs and benefits of a possible course of action. While denying any intention by use of these terms to exclude non-economic considerations, the Report nonetheless concedes that the benefits-costs approach "has a decidedly economic ring." In fact, the whole Report has such a ring.

It urges adoption of a "dominant use" concept oriented to commodity production. The traditional principles of multiple use and sustained yield forestry are abandoned in favor of a program to manage forests, and more importantly, to make allowable cut determinations "primarily on the basis of economic factors." The principal thrust of the Report proposals with regard to mineral resources is to give more security to exploiters of the public domain and less control to public authority. Nowhere, for example, does the Report elevate environmental considerations to a position where they might effect a clear veto of any proposed exploration. The commercial orientation of the Report is also clearly reflected in its recommendations regarding grazing which it proposes as a dominant use on much of existing federal lands. As if these proposals were insufficient to swing the balance heavily in favor of commodity uses, the Report urges a number of direct government subsidies to the exploitative natural resources industries.

Collectively, all commodity users would be benefited under the Report's recommendations by termination of all prior land withdrawals within ten years unless "expressly affected as new withdrawals under the laws and procedures" recommended by the commission. Such new laws and procedures would involve a crucial requirement of Congressional approval for any major withdrawals. The Congressional hurdle thus raised would obviously be more difficult to surmount, thereby tending, on the whole, to reserve lands for commercial exploitation. Ironically, at the same time, the Report proposes a number of policies which would inhibit federal acquisitions for parks and protection of environmental values.

In keeping with its general commodity use orientation, the Report emphasizes local control and influence in decision making. Since local and regional interests are, by and large, in tune more with short term economic exploitation, the emphasis on local control really is just part of the overall bias favoring commodity uses. This bias also shows through in the Report's argumentative discourse over what is in the public interest. The Report imposes a distorted definition thereof which prejudices many of its conclusions. At first eschewing any attempt to define general public benefit or even to set forth criteria by which to judge it, the Report nonetheless later suggests that such benefit can be "most nearly . . . ascertained" by a balancing of six categories of interests. Of the six categories identified, the Report lists three — (a) the regional public, (b) state and local governments and (c) users of public lands, which are by no means national in scope. In other words, the Report suggests a self-stultifying method for determining the general public benefit (i.e., the national interest): weigh national interests against local interests and accept the compromise which necessarily results. Thus, by gerrymandering definitions the Report elevates local and regional concerns and correspondingly subordinates the broad national interest.

With similar intent the Report splits the role of the Federal Government into two pieces — the Federal Government as sovereign and as proprietor, each to be considered separately as one of the six categories of interests. As proprietor the government is said to favor maximum economic return from public lands and by this artifice the Report creates another "interest" which in land use decisions would weigh in favor of exploitative, consumptive commodity uses.

The more specific recommendations of the Report also favor local control. Public land use planning should, according to the Report, be oriented toward complimenting uses of local, privately owned lands.

Federal agencies are urged to be particularly responsive to local and regional needs and desires. Land use plans "should conform to state and local zoning" to the "maximum extent feasible" and must be submitted to state and local agencies prior to adoption. Timber is to be managed primarily on the basis of economic factors with special consideration for the local firms dependent thereon. Forage policies are to be designed to promote regional economic growth. Selection of state grant lands are to be given priority over the BLM land classifications heretofore made, thereby nullifying much good work already done in the public interest.

The specific deficiencies of the Report are numerous, and are carefully catalogued in the accompanying article by Mr. McCloskey, but a more important question now is how can its basic errors be eliminated? The worn out assumptions on which it is based should be cast aside and we should resolve to put an end to the wasteful extravagances of our Dixie Cup and tail-fin culture. Let us plan use of federal lands on the assumption that our economy in the year 2,000, and thereafter, will not be dedicated to consumption for its own sake and will involve a stable population.

Clearly we need timber, mineral, forage and power. We need all the essentials for a healthy economic life. But we don't need to turn our national forests into tree farms, especially if the tree farms already in existence can really do the job the lumber industry for years has represented they can do.

Nor do we need to sacrifice peace of mind and risk grave environmental degradation through helter-skelter mineral prospecting almost anywhere on public lands. To provide access to our mineral wealth we can and should rely upon a reasonable leasing system under which the major control and crucial choices are firmly vested in competent administrators with sufficient power to protect environmental quality. We should reject the proposal to, in effect, subsidize mining exploration by allowing expenditures therefore to be credited against payments to the government. In short, with respect to mining activities, we should put the environment first, ahead of the interests of the mining industry.

Our primary concern with respect to grazing lands should be their protection and rehabilitation and not their disposal or use for maximum economic return. Attempts to convert grazing privileges into rights should be resisted.

In summary, we should focus on the long range needs of the country, beyond the year 2,000, and should plan according to criteria which will have validity then.

“... The Report is not balanced at all. In fact, the pattern is one of preserving maximum advantage for western commercial interests . . .”

By Michael McCloskey  
Executive Director

The authors of the Public Land Law Review Commission Report are trying to persuade the American people that it is actually a balanced report. Throughout their report are consistent references to the environment. Yet if one leaves aside this language and looks at the essence of the recommendations and the basic pattern they assume, it becomes apparent that the report is not balanced at all. In fact, the pattern is one of preserving maximum advantage for western commercial interests to the extent that it may still be politically feasible to do so in the closing third of the twentieth century.

One way of testing this hypothesis is to look at the basic tasks that environmentalists felt were the useful ones for the commission to undertake and to examine the relevant responses of the commission. Environmentalists felt the commission could usefully have served the following functions:

- 1) it could recommend repeal of the backlog of obsolete disposal laws, and enunciate a clear policy for retaining nine-tenths or more of the public lands in a permanent public land reserve;
- 2) it could suggest some modern management authorities for the Bureau of Land Management (BLM);
- 3) it could recommend reform of the antiquated mining laws so as to protect environmentally sensitive areas;
- 4) it could suggest ways to strengthen environmental programs on public lands;
- 5) and it could undertake the housekeeping tasks of recommending revisions in federal laws to make them more uniform, consistent, and rational in their treatment of interested parties: users, land claimants, and local government.

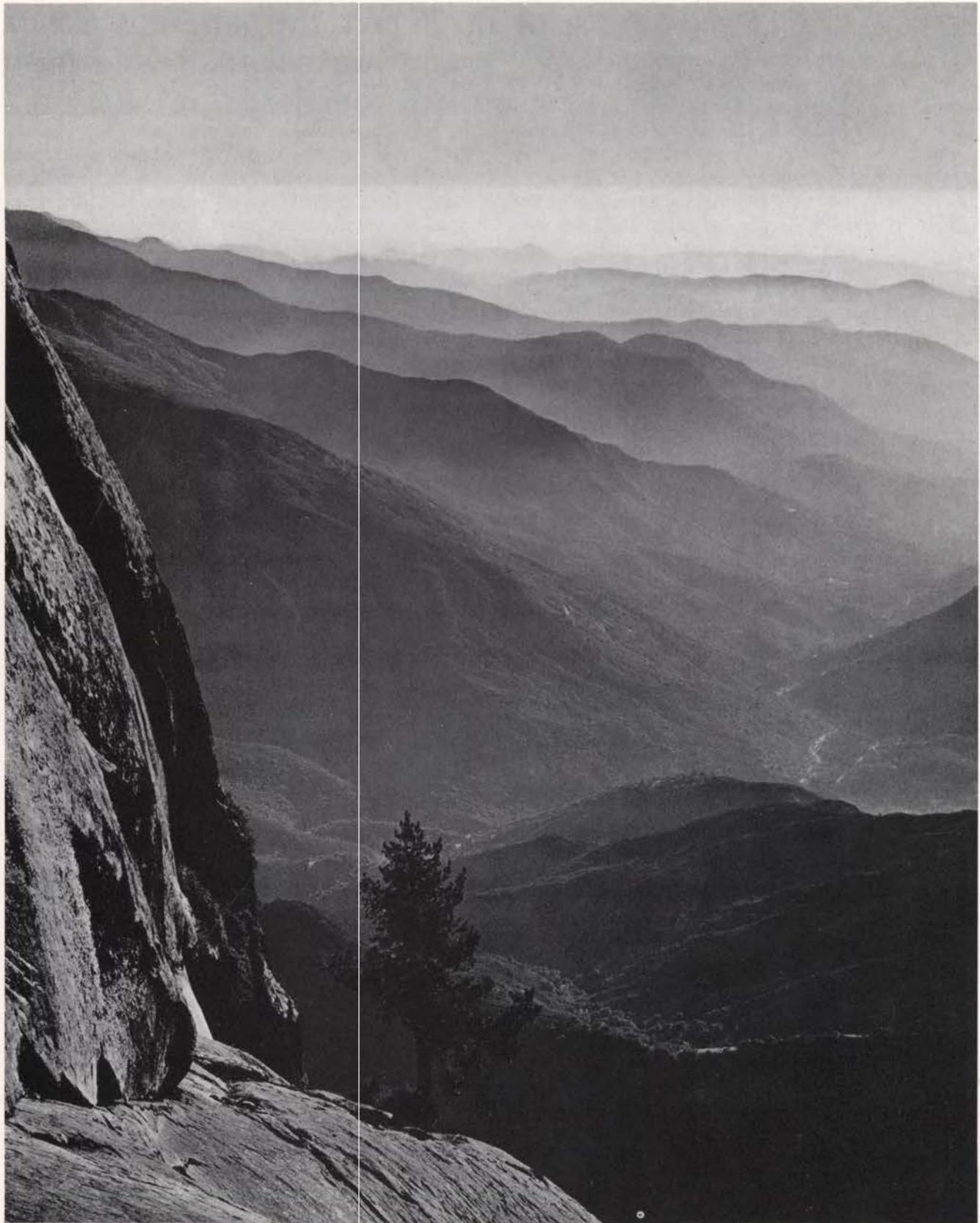
#### *Disposal*

While the commission concedes that most of the existing disposal laws are obsolete,<sup>1</sup> it consciously stops short of enunciating any real policy on retaining public lands. Rather it articulates a new policy for disposing of the public domain.<sup>2</sup> It acknowledges

that the majority of the public lands will probably be retained, but it is not clear whether the percentage retained should be closer to 51 or 95 per cent. Presumably, the figure will not be close to 95 per cent because the commission says it is against “wholesale” retention.<sup>3</sup>

Curiously enough, the commission seems to endorse the system the Bureau of Land Management is now using under the temporary Classification and Multiple Use Act for determining which lands should be retained,<sup>4</sup> and it calls for continuation of the same system.<sup>5</sup> Nevertheless, the commission chastises the BLM for classifying about 90 per cent of its lands (outside of Alaska) for retention, saying its planning was “hurried” and “inadequate,”<sup>6</sup> though admitting that Congress imposed a tight deadline. While calling for review of these classifications, the commission says categorically, without citing any basis for its conclusion, that these classifications “should be changed.”<sup>7</sup> The implication is clear that the commission thinks too much has been earmarked for retention.

The commission enunciates a new disposal policy which offers every commercial user, except the timber industry, a basis for acquiring pieces of the public domain which should be useful in their operations. Farmers and miners would be given an unconditional right to acquire any public land in the national forests or under the BLM which they could feasibly use, regardless of how great competing public values might be.<sup>8</sup> The marginal dust-bowl lands that the Forest Service has restored in land utilization projects would be sold off again to farmers.<sup>9</sup> Grazing interests could get what they want of the public domain and national forests, as long as no important public values were jeopardized — a slight concession. Utilities, irrigators, and builders could buy the sites they want for power stations, lines, canals, resort projects, and commercial buildings wherever they propose heavy investments, regardless of how great competing public values might be.<sup>10</sup> Wherever summer cabin sites are not needed for public recreation, these would be sold off.<sup>11</sup>



Moro Rock, Sequoia National Park. From *This is the American Earth*, by Ansel Adams and Nancy Newhall.

To make things simple, all restrictions on eligible claimants would be waived; corporations, out-of-state buyers, and land speculators would all be eligible and they could get as much as might be needed to accommodate their projects.<sup>12</sup> The only requirement would be that they actually devote the land to the project for a short period.

Despite the fact that no suitable indemnity lands exist in some western states, the commission recommends that state land grants be pushed through to conclusion under antiquated expectations.<sup>13</sup> Regardless of the importance of outstanding natural areas in Alaska that deserve national protection, the commission also recommends that the state of Alaska be given priority in its state selections (for up to one-third of the state), which it plans to use for commercial purposes.<sup>14</sup> As a matter of accommodation, the commission concludes by recommending that the title of illegal occupants of railroad rights-of-way be confirmed, and it recommends allowing trespassers on the public domain to quiet their titles under the claim of adverse possession held in good faith (conceivably this even extends to national parks and wilderness).<sup>15</sup>

The commission's only restriction on this largesse is that it suggests that Congress reserve the decision to itself in cases of exceedingly large and valuable acreages.<sup>16</sup>

To make sure that these disposal policies are not outflanked by active programs to acquire too much new public land, the commission, which inveighs against "unnecessary land acquisitions," recommends curtailment of acquisition approaches. It suggests that the Forest Service should limit its acquisitions under the Weeks Act, which are largely predicated on watershed values, to "critical watersheds" alone.<sup>17</sup> It recommends that watershed land, which does not rise to this status, be open to disposal where it has already been acquired.<sup>18</sup> It suggests the National Park Service should place maximum reliance on acquiring less than fee interests, such as easements, in rounding out its system.<sup>19</sup> It recoils from employing the technique of immediate taking to prevent price escalation or the loss of a wasting asset except in "special situations," as in the case of the Redwood National Park.<sup>20</sup> While recognizing that it is theoretically defensible, the commission turns down the use of federal zoning to protect its lands when they adjoin private lands, and instead suggests reliance on easements, and restrictive covenants where it has already disposed of land.<sup>21</sup>

The most that can be said for the commission's recommendations on disposal is that "wholesale" disposal of the bulk of the public domain is not

recommended, and that the disposal "game" would no longer be played within the thicket of all the old disposal laws. The commission, however, would build a new and more efficient system to get rid of the public domain wherever a plausible taker can be found.

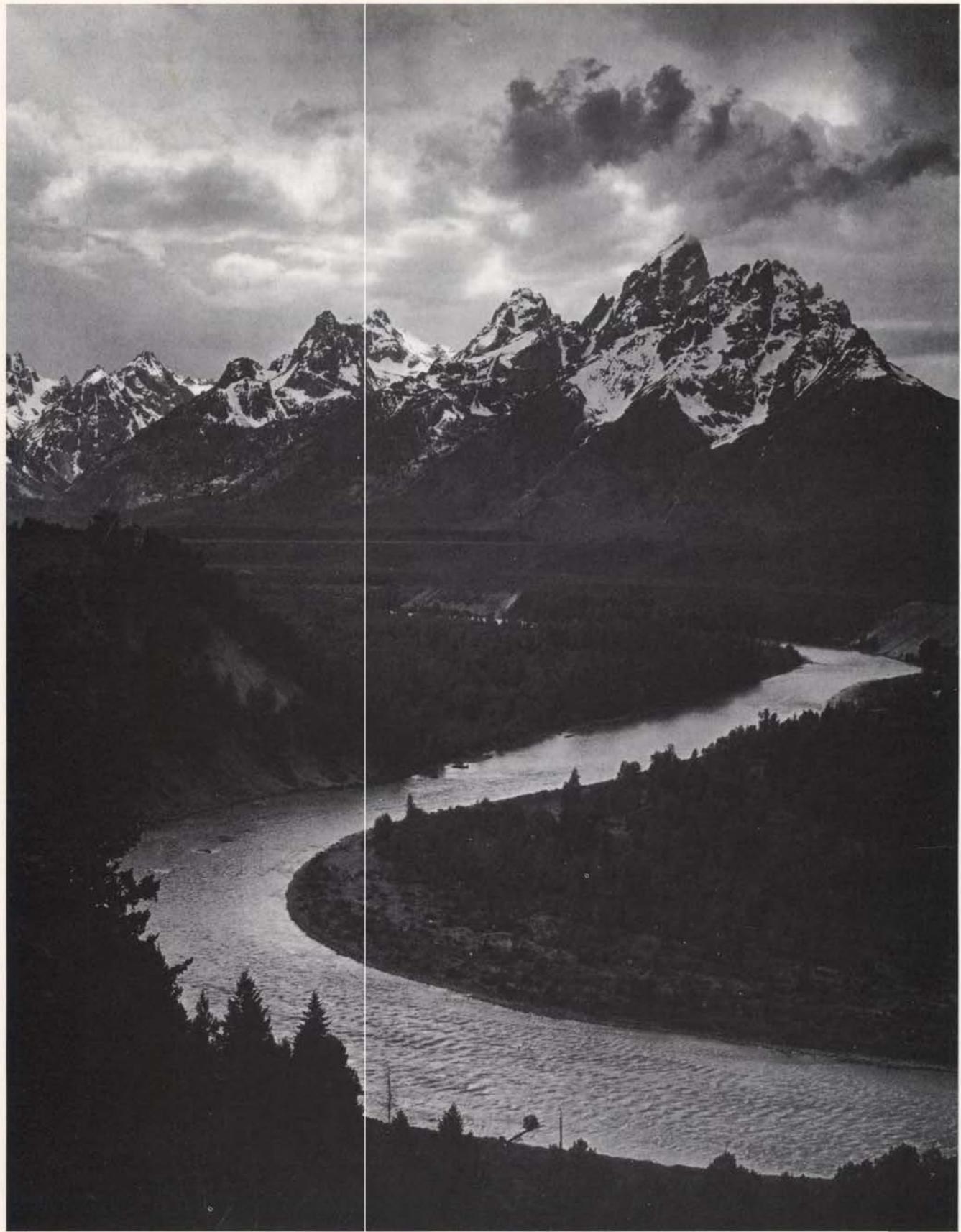
#### *Management*

After complaining about the way in which the BLM has classified lands for retention, the commission does concede that the BLM needs permanent management authority, and it recommends that it be given it.<sup>22</sup> The commission also endorses the general planning and management system the BLM has developed for its lands, though it expresses its impatience with the lack of guidelines for resolving land allocation conflicts, having to confess, however, its own inability to find any satisfactory ones.<sup>23</sup> The commission also suggests that the BLM be given police authority to apprehend vandals and those who violate its regulations.<sup>24</sup> And finally, it suggests that the BLM and other land management agencies be obliged to prepare the management plans they have customarily been preparing.<sup>25</sup>

Up to this point, the commission's recommendations on management are helpful, if not particularly novel. Beyond them, however, the commission's management recommendations embody a steady regression away from balanced management. The regression has its genesis in the commission's amazing inability to determine whether the national interest and the sovereign interest of the federal government should be paramount in managing federal lands.<sup>26</sup> It regards these interests on a par with local and regional interests of commercial users.<sup>27</sup> The commission confesses in due course that it thinks "greater consideration must be given to regional and local impacts" in public land management,<sup>28</sup> and the commission is at pains throughout the report to find ways of elevating the role of the states. Also the commission looks upon noncommercial users, such as recreationists who have no personal profit at stake, as no more disinterested and deserving of consideration than the most self-serving economic interest.<sup>29</sup>

The commission states finally that it is also committed to protecting adjoining private property owners from any adverse impact from federal lands, and it calls for strong controls to prevent fire, insect, and disease outbreaks from having any such impact. (This applies to wilderness areas too, where federal managers now try to balance public and private interests in determining whether full suppression is warranted.)<sup>30</sup>

The commission makes it clear that it does not think there is much content in present concepts of



The Tetons, thunderstorm. From *This is the American Earth*, by Ansel Adams and Nancy Newhall.

multiple use,<sup>31</sup> but it is not very clear in articulating the new concepts it suggests. Basically, the commission seems to feel that the output of goods and services from public lands ought to be pushed to maximum limits.<sup>32</sup> Presumably uses would be combined and managed in the fashion that produces the greatest total output. While the commission observes that it is not thinking just of economic output, the calculation of output does put a premium on measurability and standard units of comparison. Dollars are the only unit that is even partially useful for this purpose. Thus, the new system appears to reflect a basic bias toward maximizing economic output, and it contradicts the present stricture in the Forest Service's Multiple Use Act against necessarily favoring the "combination of uses that will give the greatest dollar return or the greatest unit output."<sup>33</sup> The aim of maximizing output is also not qualified by the twin goals of maintaining sustained yield and productivity of the land, as the Forest Service's Multiple Use Act also now requires.<sup>34</sup> This emphasis on economics is further reinforced by a suggestion that land management agencies justify their budgets in terms of benefit-cost ratios for both their commodity and their noncommodity programs.<sup>35</sup>

The commission joins its emphasis on maximizing output with a system for classifying lands for "dominant" use where there is a particular use which is thought to clearly represent the highest use of the area.<sup>36</sup> Despite the subjectivity of such a determination, the commission feels this approach will settle many disputes between users.<sup>37</sup> Land managers will select the areas to have dominant uses, just as the Forest Service did in some regions at one time. Within such dominant or primary use areas, all compatible secondary uses would be encouraged to further maximize the output of goods and services. It is implied that this should be the practice even within national parks and wilderness areas,<sup>38</sup> just as it is now within national recreation areas and wildlife refuges. Unlike the way the Forest Service once used the dominant-use system, however, the commission acknowledges that not all areas will have a dominant use. Within zones lacking this designation, the commission seems to imply that all uses which the area is physically capable of sustaining are to be accommodated.<sup>39</sup>

Within areas in which timber is supposed to be the dominant value, all the emphasis is on economics. In place of emphasis on biological factors, the commission suggests making marketing factors crucial in setting allowable cutting levels, including the rate of return on investment.<sup>40</sup> It feels current cutting levels should be increased based on a faster liquidation of

the old growth and on shorter growing cycles.<sup>41</sup> It would subsidize the destruction of more *de facto* wilderness by accelerating construction of timber access roads from appropriated funds. It would set up a special timber corporation financed by earmarked funds from timber sale receipts to undertake these and other intensive management activities in the areas dominantly valuable for timber,<sup>42</sup> which it estimates at about 45 million acres. This fund, similar to that proposed in the discredited Timber Supply Bill, is to be set up to promote increased cutting despite the commission's professed antipathy to earmarked funds. However, the commission simultaneously calls for an end to Knutson-Vandenberg reforestation funding because this type of earmarking, which has accounted for most of reforestation done to date, is alleged to be "back door financing."<sup>43</sup>

Special concessions are also made to grazing interests. Despite the commission's emphasis on receiving fair market value in selling public land or the right to use public land, the commission recommends keeping grazing fees at less than fair market value to conciliate ranchers who bought their ranches with the value of low grazing fees for their permit reflected in the purchase price.<sup>44</sup> Moreover, the commission appears to recommend that the graziers also be allowed to deduct the full value of their range improvements from their permit fees, regardless of how temporary the improvements may be.<sup>45</sup> This gives them a windfall in that they get both the value of the improvements and a reduction in a price that was predicated on the value of a permit without improvements. And finally, the commission advocates that stockmen be given a greater voice in range management and that "no limits... be placed on the number of animals to be grazed," with the stockmen to be relied upon to keep the range from deteriorating.

Within the field of recreation, the commission's changes would liberalize the rules for private resort developers by removing the 80-acre limit on term permits.<sup>46</sup> However, the development of recreational facilities by federal authorities would be made more difficult. The federal government would be under a mandate to sell or lease all its heavy development sites that are not nationally significant, to state or local interests unless there is some overriding resource conflict.<sup>47</sup> If there is no taker, the federal government would be barred in proceeding with anything but minimal protective facilities unless the state would agree to share the cost.<sup>48</sup> The federal government would also be under a mandate to quit just serving public demand and to start justifying its recreational expenditures in economic terms.<sup>49</sup> To further make



Aspens, New Mexico. From *This is the American Earth*, by Ansel Adams and Nancy Newhall.

sure that recreationists do not benefit from a "free good," the commission calls for imposition of a general entry fee on all public lands.<sup>59</sup> This would be in the form of a license that would be in addition to facility fees, such as the Golden Eagle permit. Finally, to assure that excessive recreational staffs are not built up, the commission advocates that agencies share their recreational staffs.<sup>60</sup>

#### *Mining Law*

While the commission purports to retain the location-patent system of mining for the minerals presently under it, actually major changes are recommended which, in many respects, resemble a mineral leasing system. During the exploratory phase, an exclusive right is conferred under rental fees. These fees, however, are to be reduced by the amount the miner invests in exploration, so that the government actually subsidizes the work.<sup>61</sup> During the development phase, a permit is issued which can set some terms for environmental protection and rehabilitation (though these terms are restricted to what is regarded as economical). And during the production phase, the arrangement is embodied in a contract that carries along the environmental restrictions and sets performance requirements. A royalty would be imposed, and while patents could still be acquired, they would ordinarily be limited to the mineral estate, would still carry a royalty with them, and would terminate on the close of production.<sup>62</sup> The surface estate could be patented only when heavy investments are required, and fair market value would then be asked.<sup>63</sup>

This system certainly provides a more orderly system for regulating mining, and it will assure some income to the federal government. Nevertheless, unlike the mineral leasing system, under this system mining still occurs at the option of the miner, not the government. No power is given the government to stop mining from taking place in any area, no matter how great the competing values there may be. In fact, the commission articulates a new policy of giving mining a priority over "all other uses on much of our public lands."<sup>64</sup> While the exploration permit and the development contract presumably give the government some bargaining power, it is also made clear that "an administrator would have no discretion to withhold a permit."<sup>65</sup>

Four commissioners dissented from this recommendation and called instead for general application of the simpler mineral leasing system, as have most conservationists.<sup>66</sup> They point out that, to avoid arbitrariness, Congress can set the criteria by which the Interior Department can determine where and when mining will be allowed.<sup>67</sup> In defending its recom-

mendations, the majority of the commission seems to acknowledge that its system will perpetuate the complications of three different systems of mineral disposal (Mining Law of 1872, Mineral Leasing Act of 1920, and Materials Act of 1964 for common stone), and this is particularly true in cases of intermixed minerals such as dawsonite in oil shale.<sup>68</sup>

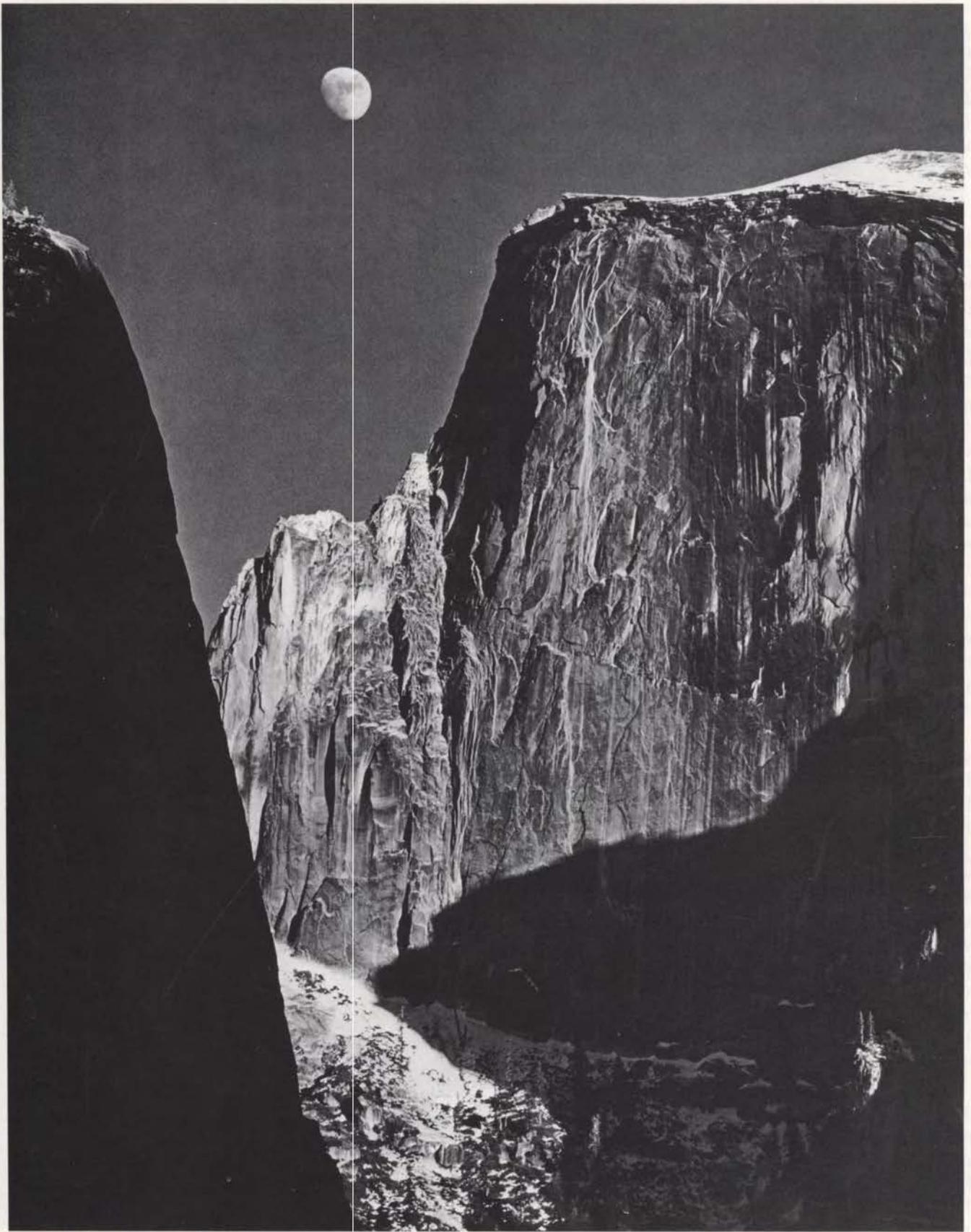
The commission seems to be unwilling to embrace a mineral leasing *per se* because of its fear that not enough land would be held open to mining. In other sections of the report, the commission calls for severe curtailment of the executive power to make mining withdrawals and other protective withdrawals and reservations.<sup>69</sup> In fact, it calls for repeal of the Antiquities Act under which many national monuments have been set aside, monuments which have served the American people well in protecting fragile resources.<sup>70</sup> The commission makes it clear that it thinks "that *all* public lands should be open without charge to nonexclusive (mineral) exploration which does not require significant surface disturbance."<sup>71</sup> It is not clear whether this would apply to national parks, but the commission elsewhere urges that mineral surveys be made of national parks and monuments, and other natural reserves now closed to mining, to determine whether they contain developable mineral resources.<sup>72</sup> While the commission does not at the present time call for mining in these areas, and in fact calls for barring mining in the four park units which are now anomalously open to it,<sup>73</sup> it does suggest that these mineral resources be regarded as standby reserves for use in national emergencies.<sup>74</sup>

Finally, the commission suggests that application of the new location-patent system it recommends be extended to five public land states where the General Mining Law does not now operate: Minnesota, Wisconsin, Missouri, Kansas, and Nebraska.<sup>75</sup> It should be noted, too, that the commission calls for stepped-up mineral development of the oceans with the aim of maximizing economic return to the nation.<sup>76</sup> No environmental constraints are suggested, and no closures to oil drilling on the outer continental shelf are contemplated.<sup>77</sup>

From an environmental standpoint, the commission's recommendations on mining can only be regarded as "two steps backward, for every step forward." While a limited system of controls would be instituted, more areas would be open to mining because of the curtailment of the withdrawal power. Parks would be threatened, and mining would be enthroned on nearly all other public lands.

#### *Environmental Recommendations*

The commission acknowledges environmental con-



Half Dome, Yosemite Valley. By Ansel Adams.

cerns at many points in its report, and treats them explicitly in three chapters; on the environment, fish and wildlife, and outdoor recreation. On their face, the recommendations in these chapters are, on the whole, useful, though many are general in nature and only potentially helpful. However, environmentalists have to be dubious about the chances that these recommendations can ever actually prevail in light of all the commercialism implicit in the commodity-oriented chapters. With commodity output to be maximized, mining made paramount, and disposals to be encouraged, environmental concerns are bound to be subordinated in fact, if not in theory.

Nevertheless, the suggestions in the report deserve to be noted. First of all, the commission recommends that environmental quality be enshrined as a purpose of public land management, along with the other multiple uses.<sup>69</sup> Then, it recommends that a system be developed to classify levels of environmental quality that should be maintained where these qualities are particularly important, and constraints could then be imposed on use.<sup>70</sup> Features such as air, water, biosystems, and the quality of human experience illustrate the kind of qualities to which the system might apply, but no specific approach is endorsed. Zoning to protect natural scenery would supplement this classification.<sup>71</sup> To further maintain environmental quality, the commission suggests that conditions be attached to the terms of federal leases, permits, and product sales agreements to require compliance with relevant environmental quality standards. These standards, as the commission sees it, should be set largely by the states, under federal supervision. The restrictions, too, would only apply in local use and processing.<sup>72</sup> Enforcement would probably depend on the state citing a violator. If past experience is any guide, this may not happen too often.

In the realm of general reforms, the commission also proposes revising the National Environmental Policy Act so that it applies to all, and not just major, federal activities which significantly affect the quality of the human environment.<sup>73</sup> Because of the requirement that such actions must still have a significant effect, it is not clear how much of a liberalization this amounts to, but it will undoubtedly be useful. The commission likewise calls for making pre-development impact studies mandatory for such projects as roads, dams, open-pit mines, large resorts, power lines, and timbering.<sup>74</sup> (Where these projects are federal, this may already be required by the Environmental Policy Act.) Finally, where past abuse has already damaged the environment, the commission calls for research and surveys on ways of rehabilitat-

ing damaged areas.<sup>75</sup>

Some of the commission's recommendations are more specific. It advocates an immediate inventory of all sites within holdings of the Bureau of Land Management and the Forest Service that potentially qualify for addition to the National Park System, the National Wilderness Preservation System, the Scenic and Wild Rivers System, and the National Trails System.<sup>76</sup> Limited inventories have already been done as those who have been awaiting Congressional action know; nevertheless, these additional inventories would still be useful. Most significantly, the commission does call for temporary (five year) withdrawals of these areas pending Congressional action.<sup>77</sup> The commission also calls for keeping wilderness reviews on schedule under the Wilderness Act, and for initiating surveys of *de facto* wilderness that Congress could consider following completion of action scheduled through 1974.<sup>78</sup> With respect to the National Park System, the commission advocates phasing out nonconforming uses and acquiring inholdings.<sup>79</sup> And with respect both to that system and the related Wilderness System, the commission advocates rationing use on a first-come, first-served basis to prevent overuse, which it says is destroying too much of the natural environment.<sup>80</sup>

The commission also calls for creation of a Natural Area System to preserve "examples of all significant types of ecosystems."<sup>81</sup>

The commission has a number of other specific recommendations of environmental significance: it recommends making the BLM eligible to receive Land and Water Fund monies;<sup>82</sup> it recommends acquiring rights-of-way to public lands where private owners have blocked access;<sup>83</sup> it recommends substantial curtailment of the predator control program;<sup>84</sup> it recommends giving a general priority over all other uses to protection of rare and endangered species;<sup>85</sup> it recommends extending a special preference in land management to the needs of species that are largely dependent on public lands for their habitat, such as mountain goats and moose; and it recommends giving equal attention to the needs of non-game and game species.<sup>86</sup>

The commission's better recommendations are counter-balanced by some undesirable ones. While calling for completion of the Wilderness System, the commission also calls for raising the standards for admission to the system, specifically by requiring "uniqueness" (which is not now required) as well as "wildness" to be admitted.<sup>87</sup> Lest the federal government acquire too much land, the commission warns against making the Land and Water Conser-

vation Fund permanent.<sup>88</sup> Also to minimize the amount of land needed for recreation sites the commission advocates rotating these sites to permit logging, mining, and grazing on them.<sup>89</sup> The commission also wants the federal government to pay for the water needed for national parks, wildlife refuges, and forests, despite the fact that the Supreme Court has confirmed federal rights to the needed water under the implied reservation doctrine.<sup>90</sup>

Finally, the commission recommends severe curtailment of the rights of environmentalists to seek judicial review. Expressing apprehension about the dilatory effects of the extensive environmental litigation that has unfolded in the past year, the commission suggests that only those who have been a party to the administrative action being reviewed ought to be able to seek judicial redress.<sup>91</sup> This curtailment would make it impossible to bring "private attorney general" type actions, in that it is in the nature of these actions that the plaintiffs have not been a party to the transaction that is alleged to be illegal. Lawsuits involving timber sales, such as the Sierra Club and others have brought in Alaska and Colorado, and suits challenging resort permits, such as the Sierra Club has underway with respect to Mineral King in the Sierra, would be impossible if this restriction were adopted.

#### *Housekeeping Tasks*

Of its various functions, the commission probably best performed its housekeeping tasks of finding ways to make public land laws more logical and consistent. Among its best recommendations are: reform of administrative procedures to provide greater opportunity for public participation, including more frequent hearings (though, these would be mandatory only on the call of state government or the Council on Environmental Quality);<sup>92</sup> in lieu tax payments on public lands under a sliding scale in place of revenue sharing which puts a premium on commodity output;<sup>93</sup> and general adherence to fair market value in pricing goods and services from public lands<sup>94</sup> (though graziers and miners would get discounts for the value of improvements of primary value to them). Fair market value, however, would not be required in the case of nonconsumptive uses of public lands.<sup>95</sup> The commission also provides a salutary clarification of the role of the federal government with respect to jurisdiction over resident wildlife,<sup>96</sup> and it suggests ways to modernize exchange and appraisal procedures.

On the questionable side, the commission suggests that the federal government retrocede to the states its exclusive legislative jurisdiction over certain public lands, mainly some eleven million acres of national

parks. While it is asserted that this is necessary to allow modern state civil codes to be made applicable to national parks, there is no discussion of the size of permanent residential populations in the parks needing such codes, and, more to the point, whether such populations should be permitted to develop at all. It is also asserted that the supremacy clause adequately shields park administrators from state interference, but employment of this shield required the federal government to adopt a defensive legal posture.<sup>97</sup>

#### CONCLUSION

Under the recommendations of the Public Land Law Review Commission, a majority of the public lands would be retained, but an old set of disposal laws would be replaced by a new set; and most prospective takers would be indulged if they will pay fair market value. The administration of public lands would be tidied up to some extent, but management would put a premium on product output. The miners would have to operate under somewhat more restrictive rules, but more areas would be open to them. Supposedly, conservationists would get their choice areas protected, but nothing is promised beyond inventories and short-term withdrawals. Conservationists could also try to perfect environmental classification systems, but intensified commodity programs would go into operation at once.

The balance is not one to inspire much hope. Environmentalists will be looking for a better blueprint for the future of public lands.

The references below are all contained in the Public Land Law Review Commission's *One Third of the Nation's Land* (Government Printing Office, Washington, D.C., 1970).

- |               |               |               |            |
|---------------|---------------|---------------|------------|
| 1) p. 4       | 24) p. 86     | 49) p. 214    | 74) p. 80  |
| 2) p. 4       | 25) p. 52     | 50) p. 203    | 75) p. 87  |
| 3) p. 48      | 26) p. 37     | 51) p. 284    | 76) p. 198 |
| 4) p. 46      | 27) p. 37     | 52) p. 126    | 77) p. 199 |
| 5) p. 54      | 28) p. 284    | 53) pp. 126-9 | 78) p. 199 |
| 6) p. 53      | 29) p. 38     | 54) p. 128    | 79) p. 205 |
| 7) p. 53      | 30) p. 82     | 55) p. 122    | 80) p. 207 |
| 8) pp. 177-8  | 31) p. 45     | 56) p. 127    | 81) p. 87  |
|               | 32) p. 42     | 57) p. 130    | 82) p. 215 |
| 9) p. 180     | 33) p. 45     | 58) p. 132    | 83) p. 214 |
| 10) p. 220    | 34) p. 45     | 59) p. 134    | 84) p. 168 |
| 11) p. 224    | 35) p. 56     | 60) p. 54     | 85) p. 160 |
| 12) pp. 183-4 | 36) p. 48     | 61) p. 54     | 86) p. 160 |
|               | 37) p. 11     | 62) p. 126    | 87) p. 214 |
| 13) p. 245    | 38) p. 48     | 63) p. 123    | 88) p. 216 |
| 14) p. 249    | 39) p. 42     | 64) p. 205    | 89) p. 206 |
| 15) pp. 261-2 | 40) p. 97     | 65) p. 123    | 90) p. 149 |
| 16) p. 265    | 41) p. 97     | 66) p. 124    | 91) p. 257 |
| 17) p. 153    | 42) p. 114    | 67) p. 195    | 92) p. 81  |
| 18) p. 153    | 43) pp. 286-7 | 68) p. 191    | 93) p. 238 |
| 19) p. 268    | 44) p. 118    | 69) p. 70     | 94) p. 287 |
| 20) p. 268    | 45) p. 114    | 70) p. 73     | 95) p. 3   |
| 21) p. 266    | 46) p. 222    | 71) p. 205    | 96) p. 158 |
| 22) p. 51     | 47) p. 199    | 72) p. 81     | pp. 271-2  |
| 23) p. 48     | 48) p. 199    | 73) p. 77     | 97) p. 279 |

# WASHINGTON REPORT

The National Environmental Policy Act, as a meaningful document for protection of natural resources, is threatened by infanticide. The threat comes from Congress and the Administration, both of which were deeply involved in parenthood of the fledgling statute, signed into law with great fanfare by President Nixon on January 1 as a governmental entity which would be "the keeper of our environmental conscience" in the decade of the 70's.

That the "conscience" has had an uneasy existence is illustrated by the volume of legal actions taken against agencies of the government for their failure to conform to NEPA since it became the law of the land. The Council on Environmental Quality, created to implement and oversee NEPA, gave recognition to this fact in a listing as of August 1 which showed some 18 suits had been filed in Federal Court by various individuals and organizations seeking relief under the Act because of governmental noncompliance. In addition, five administrative proceedings had been filed as of June 1 involving NEPA on grounds that agencies ignored the Act in their decision-making processes.

Perhaps the most flagrant disregard of the law, however, has been engendered by the Congress which spawned the Act. This came to light as the Public Works Committees of the House and Senate undertook hearings on the biennial omnibus Rivers and Harbors Act, the measure for authorization of new Corps of Engineers' projects throughout the United States. It was discovered that of some 45 projects proposed by the Corps, not a single one had met requirements of NEPA.

Section 102 of NEPA is quite explicit about action which agencies must take before submitting projects for Congressional approval. It states all agencies of the federal government (which presumably includes the Corps of Engineers) shall "include in every recommendation or report on proposals for legislation and other major federal action significantly affecting the

quality of the human environment, a detailed statement by the responsible official on (1) the environmental impact of the proposed action, (2) any adverse environmental effects, (3) alternatives to the proposed action," etc.

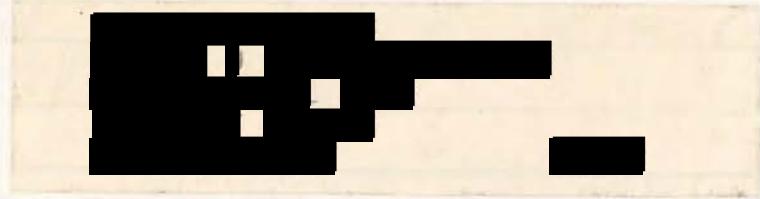
NEPA also requires that prior to making any such detailed statement, comments of other affected federal agencies must be obtained. None of the projects pending before the Public Works Committees has been accompanied by such statements or the comments of other agencies. Nor had the Council on Environmental Quality cleared the Corps' projects when they were submitted to Congress.

Conservationists believe that further Congressional action on the omnibus Rivers and Harbors Bill, when Congress resumes after the election recess, will conclusively determine the fate of NEPA as an effective document for protection of the environment. Certainly if Congress itself, the creator of NEPA, fails to give so much as lip service to compliance with the law, what degree of adherence can be expected from agencies and departments of government like the Atomic Energy Commission, and the Department of Transportation which have been less than enthusiastic about the restraints which NEPA imposes?

There is no basis for haste by Congress in processing the new Corps' projects. For one thing, only a few more weeks remain until a new Congress convenes and there will be ample time next year for orderly processing of the proposals under the terms of NEPA. Moreover, the pipeline of Corps of Engineers "pork barrel" projects is crammed with a multi-million dollar backlog.

If Congress passes the new omnibus bill without requiring compliance with NEPA, it may not doom the Act. But its effectiveness and significance will be so diluted that avoidance of its terms will become fair game for dilatory federal agencies which would rather not answer for the environmental impacts of their programs.

— W. Lloyd Tupling



Spring Outings insert inside.



Iguana, Barrington Island, from the Club's Exhibit Format book *Galapagos, The Flow of Wildness*, Volume II.