

CALENDAR

June 4	Last Great Auk clubbed to death, Iceland, 1844 Sierra Club formed, 1892.
June 8	Forest Service splits Gila Wilderness with North Star Road
June 15	Morris Udall born, 1922
June 22-23	Chapter ExCom Meeting, Santa Fe.
June 25	Battle of Little Bighorn
July 1	David Brower born, 1912
July 20	Chapter Conservation Committee Meeting, Socorro
August 24-25	Chapter ExCom Meeting, Springtime Campground, San Mateo Mountains
Sept. 21-22	SW Regional Conservation Committee (SWRCC) Meeting, Denver
September 28	Chapter Conservation Committee Meeting, Socorro
October 12-14	Chapter Retreat, Ghost Ranch
October 19-20	Chapter ExCom Meeting, Albuquerque

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If you can spend a few hours every other month helping to produce this newsletter, we need you. Advanced skills and extensive experience are not required.

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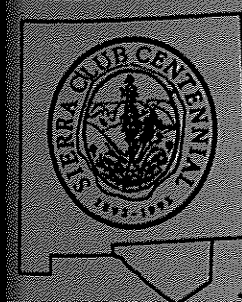
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THE SIERRAN

RIO GRANDE

NEWS OF THE RIO GRANDE CHAPTER OF THE SIERRA CLUB • JUNE/JULY 1991 • \$1.00

The "Stealth" Sagebrush Rebellion

NEW MEXICO TAXPAYERS AND ENVIRONMENTALISTS almost lost the latest reincarnation of the Sagebrush Rebellion without a shot being fired.

Ranching and mining interests, ever ready to privatize public land, launched a surprise attack during the most recent state legislature. The neo-Sagebrushers introduced a spate of innocuously titled bills that would have eviscerated the regulatory and administrative functions of state government as well as that of most cities and localities. Fortunately, none of the bills passed.

Senate Bill 328, *The Regulatory Takings Act* introduced by John L. Morrow (D-Colfax, Harding, Quay and Union), was the flagship of the takings bills. It would have required all state agencies and municipalities to evaluate their actions, rules, regulations, policies and proposed legislation to see if any "have constitutional implications" and "could effect a taking or deprive a person of property without due process of law." In essence, the act would have required agencies to do "constitutional impact assessments" on most of what they do. Under the proposed act, aggrieved citizens could sue the government to recover the value of their lost property.

All this sounds quite American. No one wants to see anybody deprived of their property. However, this legislation would have gone far beyond protecting constitutional rights. It would have been a vehicle for the harassment of state and local government at all levels.

Under Morrow's bill, citizens who successfully sued government agencies would automatically be awarded court costs and

attorneys' fees. (Usually the awarding of such costs is left to the discretion of the court.) Judgements would come out of an agency's operating budget, unless it submitted the amount of the proposed taking to the Department of Finance and Admin-

"This legislation would have gone far beyond protecting constitutional rights. It would have been a vehicle for the harassment of state and local government at all levels."

istration in advance. These provisions would encourage frivolous and costly litigation, since a person could conceivably sue for a \$1000 taking and submit a \$100,000 legal bill.

The main proponents of the bill as revealed during the hearings—the Catron County Cattle Growers, the New Mexico Cattle Growers and the New Mexico Farm Bureau—tend to see a taking behind every tree. They have made it clear on many occasions that they consider the eating of forage on leased public land by elk to constitute an unlawful taking.

It doesn't take much imagination to see the severe and chilling effects of this legislation on agencies whose budgets could be wiped out by a few disgruntled individuals. Had it passed, this bill would have rendered the Environmental Department (ED) even less effective since almost everything ED does has the potential to reduce the value of a business by requiring it to internalize the costs of pollution instead of dumping it into the commons. The likely result would have been weakened environmental regulations, which in turn might

(Continued on page five)



Ike Eastvold Wins
National Sierra Club
Award — Page Six

Inside: ANWR Update • N.M. Senate • Chapter Appeal Results • Coors Suit

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Are Friends of the Petroglyphs Trustworthy?

Dear Sir:

I call your attention to the *Albuquerque Journal*, 11 May, 1991. The headline reads "Paradise Group Feels Betrayed over Unser". My question is, who doesn't? (Of course, that's rhetorical.)

The Paradise Hills Civic Association makes a strong case that the Friends of the Albuquerque Petroglyphs are not trustworthy. The newspaper documents that case. To the extent the accusation is true, the Sierra Club (as it's membership participates in Friends) is damaged.

The question has long been asked whether the petroglyphs on the West Mesa are suitable for extensive preservation. Some archaeologists and historians say yes. Others, of equal reputation and qualification say no. A good argument is made that it is better to preserve than to destroy, and that argument carried the day. The Petroglyphs National Monument resulted. The question will continue to be debated because the base issues are still there.

The people who have argued most strongly for the Monument have consistently argued against every planned development on the Westside that could possibly impact the Monument. Among these have been plans for Unser Boulevard, Paseo del Norte, Vulcan Boulevard, Rainbow, the Montano Bridge, Dellyne, and Paradise. It is now apparent that preservation of the petroglyphs is a cover for a more important agenda: the complete obstruction of any meaningful development on the Westside or the West Mesa.

A question is raised by the Paradise Hills Association. Are the Friends and Ike Eastvold trustworthy? The answer is yes, they can be trusted to take issue with every project that does not suit their special agenda—whatever that agenda may be at the moment. In the most simple terms, there are some people who object for the sake of objection. The Sierra Club must represent reason and a constructive approach to issues. The Friends of the Albuquerque Petroglyphs represent neither.

Earl B. Hobbs, Jr.
 Albuquerque

Bingaman Deserves Praise

Dear editor,

Some local "Just Say No To Bingaman" bumper stickers have appeared lately, apparently a response to the senator's efforts to preserve an ancient Mimbres site in the Mimbres Valley.

It's worth noting that the affected site is, for the most part, a subdivision, which has been divided up but which has not, with few exceptions, been developed yet.

Now, subdivisions have their place. And it is understandable that those directly affected by Mimbres site protection would demonstrate. But one need only possess a modicum of aesthetic sense (and a memory of what it looked like a mere dozen years ago) to view with a sinking heart the sprawl of unplanned development that is consuming the Mimbres Valley. And one need only possess a modicum of good taste to see the value of preserving one last ancient village in the midst of all this growth-at-all-costs development.

Various economic interests and groups like "People for the West" (read: "People for the Consumption of the West") have their reasons for wanting to pour on the coals at every opportunity, but there are those of us who realize that preserving beauty, tradition and culture, be it in the form of a historic building, a wilderness area, or an ancient village, yields rewards far in excess of costs, even if you can't measure those rewards in dollars and cents.

So, I, for one, want to congratulate the senator for having the good taste, and the grit in the face of opposition, to want to preserve one last remnant of Mimbres culture, in lieu of one more trailer park.

M.H. Salmon
 Silver City

THE DEADLINE
 for Aug./Sept. Sierran
 is July 15, 1991.

Americans are Funny that Way

A friend of mine spotted this bumper sticker on a BMW in Santa Fe: "Live simply, so that others may simply live."

I'm not surprised. People have an infinite capacity for denial and self-delusion. When it comes to the environment, I'm amazed that Americans still think that how much money they make and how many kids they have are no one's business but their own.

Let's talk money. Most likely, you make too much. Most Americans do, and Sierra Clubbers earn more than most Americans. Average per capita income in the U.S. is about \$17,000. Sierra Club members have a median household income that is 170 percent of the national average.

Compare that with the world's average per capita income of \$3700 and you see what I mean. Sure, it costs more to live in the U.S. than Bangladesh, but not that much more.

Ben and Jerry's Ice Cream has a good policy that perhaps should apply to nations. Nobody makes more than three or four times what anybody else in the company makes.

I'm not an economist, but it seems to me that money, and most forms of economic wealth, must have some connection to useful things that come from the earth, like food, wood, and bat guano. Man does not live by junk bonds alone.

If you accept that money is a rough proxy for energy and resources, then what you earn reflects your impact on the environment. It's an imperfect and convoluted relationship, but it must exist at some level. The bigger your paycheck, the more of the world's wealth that has been funneled your way, and the heavier your environmental footprint.

The pursuit of money also spawns what Wendell Berry calls the great evil of our time: over-specialization. We don't have time to take responsibility for broad areas of our lives because we spend most of our time squirreled away in our own narrow specialties, which we were forced to pursue since that was the only way to get a good job, etc. The result is that we rely on other experts, like the Nuclear Regulatory Commission, nursing homes, and Madonna, to clean up after us, take care of our needy, entertain us, and do all the things that we should be doing ourselves and for each other.

To cite one example close to home: the

Rio Grande Chapter is considering hiring a full-time employee to do organizing work. It seems to me that such a person wouldn't be needed if Chapter members worked less at earning 170 percent of the median household income, and spent more time being volunteer activists, i.e. good world citizens.

I don't mean to pick on Sierra Club members. Unilateral action by a few noble individuals wouldn't do any good anyway. We need to take a collective pay cut as a society. The trick is to find ways to reduce the incentive for individuals to make more than a reasonable—in global ecological terms—amount of money. One politically impossible but intriguing solution is a cap on personal income at, say, \$30,000 annually per person and \$50,000 per household.

The evidence that too many people now live on earth is everywhere. I've got my own list: the absence of wolves in most of the U.S., the decline of migratory songbirds, the Persian Gulf War, user fees at National Forest campgrounds, rising seafood prices.

But you don't have to take my word for it. Some scientists now tell us that humans usurp some 40 percent of the world's net primary productivity (NPP) on land.

NPP is, ecologically speaking, the whole pie. It is the energy fixed by green plants through photosynthesis above and beyond what they need themselves. It is the total amount of food available to all of the earth's millions of animal species.

One gluttonous species now uses, co-opts, or renders unavailable 40 percent of NPP on land. And our numbers our projected to double to more than 10 billion within a half century or so.

But when it comes to telling people how many children they can have, well, we're dealing with something stronger than reason here. I have seen otherwise enlightened people foam at the mouth when the topic is broached.

This indignance would be amusing if it were not so dangerous. Something on the order of 15 million children die each year from not finding enough to eat. Some part of the fault lies with rich people, like you and me, persisting in the notion that we have a god-given right to reproduce and consume as much as we damn well please.

Response Checklist

Several authors in this newsletter ask you to write a letter or take some other kind of action. For your convenience, we've provided the following checklist for you to use to prioritize and keep track of your responses to these requests.

Remember—it only takes a minute to write a letter that could make a lifetime of difference.

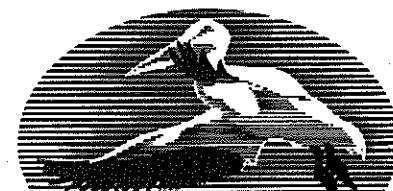
Rank	Issue	Page
___	Unser Blvd.	p. 7
___	ANWR/S. 341	p. 8
___	Mining Law Reform	p. 9
___	ADC	p. 10
___	Mexican Wolf	p. 11
___	National Forest Issues	p. 13
___	N.M. Solid Waste Regs	p. 15
___	Catwalk Road	p. 19
___	Toxic Sites Search	p. 19

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 Washington, D.C. 20510

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 Washington, D.C. 20515

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New Mexico Political Update

Senate leaves work unfinished

by Ken Hughes

The New Mexico Senate in 1991 was not a leader in passing environmentally prudent legislation. Unlike the House, the Senate did not take up for floor vote many legislative matters of importance to environmentalists.

In fact, except for the Conservation Easement bill, little that mattered to the Sierra Club passed the Senate floor. Many items ended the session bottled up in committee or victims of last-minute floor obfuscation. Thus, voting patterns for New Mexico State Senate members tend to be inconclusive.

Governor King has been asked by Sierra Club and other environmental organizations, as well as his own cabinet Environment Secretary Judy Espinosa, to hold a special session to pass environmental agenda items passed by the House but left unfulfilled by the Senate. These bills, most of which have to be passed so that New Mexico conforms with federal mandates, include air, solid waste and water quality penalty increases and other enforcement mechanisms.

The justifiable fear is that, as surrounding states behave responsibly and pass its own legislation, New Mexico will be increasingly viewed as a convenient dumping ground while letting off violators with relatively minor penalties, if any.

Should the Governor agree, the session would be held just before the mandated special session to redistrict legislative boundaries. Otherwise, things will have to wait until 1992, when there is a 30-day session for the Governor's package of bills and appropriations matters.

This so-called short session, also known as "30 Days of Dementia," occurs during an election year and soon after redistricting. Depending on events this year, and not just around special session time, items on the calendar for the 30-day session should include another attempt to join 48 other states in regulating non-coal mining, water allocations and quality, groundwater cleanup priorities and, if not yet addressed, the environmental penalties bills.

Looming up to confront us is a newly

formed coalition, People for the West profiled in an *Albuquerque Journal* May 19 article. A coalition of miners, ranchers and loggers funded by major extractive industries, it cloaks its slash, cut, mine, and overgraze agenda in bland calls for multiple-use

of federal lands. How environmentalists counter this threat may determine the fate of many pieces of legislation in the near future.

[The author is the Rio Grande Chapter's lobbyist in Santa Fe.]

1991 SENATE VOTES

	S 328	SM 21	SJR 13	SB 389	SB 396	SB 577	SM 32
SENATOR	Takings	Cut Trees	Ag. Sec	Waste Tire	Water Act	Property	Env't Bash
Alarid	+	+	+	+	-	-	+
Alamirano	-	-	-	+	-	-	+
Aragon	-	+	+	-	-	-	+
Benavides	-	-	+	-	-	-	-
Bradley	-	-	+	-	-	-	+
Campos	-	-	+	-	-	-	+
Caudell	-	/	+	-	-	-	+
Chavez, Dennis	-	-	-	-	-	-	+
Chavez, Marty	+	+	-	-	-	-	+
Chavez, Tito	-	-	+	+	+	+	+
Cisneros	+	-	-	+	-	+	-
Davis	-	+	+	-	-	+	-
Donisthorpe	-	/	+	-	-	-	+
Fidel	-	-	+	+	-	-	+
Foreman	-	-	-	+	-	-	+
Garcia	+	/	-	-	-	-	/
Harvey	-	-	-	-	-	-	/
Hobson	-	-	+	-	-	+	-
Houston	-	-	+	-	-	-	-
Howes	-	/	-	+	-	-	-
Ingle	-	-	+	-	-	-	-
Jennings	-	-	+	-	-	-	-
Kammerman	-	+	+	/	-	+	-
Kysar	-	/	-	-	-	-	-
Lopez	-	-	+	-	-	-	+
Macias	+	/	-	+	-	+	+
Maes	+	+	-	+	-	+	+
Marshall	-	+	-	+	-	-	-
Martin	-	-	+	+	-	-	-
McKibben	-	/	-	-	-	-	-
Morrow	-	-	+	+	-	-	-
Naranjo	-	-	-	+	-	-	/
Paster	+	+	-	+	-	-	+
Pinto	-	/	+	+	-	-	+
Robinson	-	+	-	+	-	-	+
Rutherford	-	-	+	+	-	-	+
Smith	-	-	-	-	-	-	/
Stoddard	-	-	+	+	-	+	+
Tice	-	-	-	-	-	-	-
Vernon	-	+	+	/	-	-	-
Whitlock	-	-	-	-	-	-	+
Williams	-	-	-	-	-	-	+

Key

- S.B. 328: Takings bill. (See article on front page.) Killed in House Judiciary.
- S.M. 21: Calls on U.S. Forest Service to cut maximum allowable amount of timber on national forests. Offset by House Memorial calling for sustained timber cutting.
- S.J.R. 13: Authorizes Governor to appoint head of State Agriculture Department.
- S.B. 389: Encouraged tire recycling by imposing deposit on new tires.
- S.B. 396: Water quality amendments.
- S.B. 577: Companion bill to takings act.
- S.M. 32: Bashes "environmental extremism."

Stealth

(continued from front page)

have led to agencies such as ED and the Bureau of Mines losing federal funding, leading to even more ineffectual regulation, and so on.

Planning and zoning by cities and counties would have been particularly hard hit, especially those entities too small to afford \$40,000 plus per year for a lawyer to prepare constitutional impact statements.

The list of affected agencies goes on: Game and Fish, Taxation and Revenue, the Highway Department, the State Land Office, the Historic Preservation Office, the Oil Conservation Division...virtually no agency would be immune.

Proponents testified that the bill was based on President Reagan's Executive Order 12630. However, this order requires federal agencies to prepare a constitutional impact statement only if someone complains about an action. In effect, the New Mexico bill would have made each agency its own judge, jury and executioner.

New Mexico bill tied to broader effort

The New Mexico takings legislation seems linked to similar efforts in Wyoming and other western states, parallel to previous Sagebrush Rebellion efforts. In turn, these efforts seem to be linked or at least inspired by the National Federal Lands Conference (NFLC) which holds seminars throughout the West on how to apply the federal executive order on takings to private property "rights" on public lands and other fantasies.

According to its literature, NFLC has ties to the Mountain States Legal Foundation and Pacific Legal Foundation—groups that have given us the likes of James Watt and more recently Perry Pendley. It was Pendley who drew a standing ovation in Roswell when he told the Farm Bureau that what the environmentalists have in store for it will make the Communist Manifesto seem like the Magna Carta, and likened the perpetrators of the Holocaust to the environmental movement.

One doesn't have to be to paranoid to see the takings legislative effort as part of the right-wing fantasy to dismantle government.

S.B. 328 swept through the Senate and appeared to be on a fast track in the House. It got as far and as fast as it did because

agencies and municipalities that would be most affected by the act initially gave it as much chance of passage as legislation to legalize pari-mutuel ostrich racing or to annex 600,000 acres of Texas. When the bills started to sail despite heavy opposition from environmentalists, the agencies got worried and weighed in with excellent technical testimony in Judiciary Committee.

Testifying took courage because many of their bills must go through Senator Morrow's Conservation Committee. Likewise, a vote against the bill by committee members required courage for the same reason. Mem-

"Senator Morrow and his Senate Conservation

Committee are the main impediments to passage of environmental legislation in New Mexico."

bers showed some backbone in voting to table the bill, but not without a price. (Torres, Luna, Vigil-Perez, McSorley, Foy and Caruso voted to table; Peralta voted against.) Some of them saw or will see their bills die in Morrow's Committee, the major "killing field" for environmental legislation.

Other Takings Bills Attempted

House Bill 633, introduced by Michael Olguin (D-Socorro) was identical to S.B. 328. Amazingly, it passed the House Judiciary Committee (the same committee that tabled S.B. 328) by a margin of 11 to 1, with only McSorley voting against! When the sponsor realized the fiscal impact (to his everlasting credit and the consternation of the Cattle Growers), he referred it to House Appropriations and Finance Committee, where it died due to lack of consideration.

Senate Bill 577 introduced by Manny Aragon (D-Bernalillo) was titled the *Private Property Protection Act* and would have provided compensation for any devaluation of private property by 50 percent or more, from whatever cause, at 100 percent of purchase value. This bill did not seem to be linked to the other "stealth" bills. In any event, the bill made it through the Senate only to languish in House Appropriations.

Perhaps the most devious bill was H.B. 871, the *New Mexico Civil Rights Deprivation Act*, introduced by Rep. Underwood (D-Ruidoso). The main proponent of this bill was that noted civil libertarian, Bud Eppers, President of the New Mexico Cattle Growers Association. The bill followed Section 1983 of the U.S. Civil Rights Act until the last section, at which point it diverged sharply to include a "plaintiff take all provision."

H.B. 871 would have made public officials personally liable, with possible criminal penalties. In the fantasies of the bill's supporters, members of the Game and Fish Commission would have served hard time for allowing elk to eat forage on public lands. Blessedly, the sponsor withdrew the bill after realizing its possible ramifications.

There are several object lessons to be learned from this legislature, and the raft of takings bills particularly. The first is that the Sagebrush Rebels are tenacious as well as devious and that the Sagebrush Rebellion, in its various manifestations, is cyclic (coinciding roughly with sunspot activity).

Seriously, the Club must treat every session as an environmental session, not just because of what we might win, but also because of what might be foisted upon us. Our adversaries are becoming more desperate as grazing fee increases become more probable, National Forest management is rationalized, etc. They will go increasingly on the offensive. Expect more sneak attacks. Practically, we must make sure that our phone trees are as effective as theirs. We must expand and mobilize our membership, etc.

Secondly, we have learned that Senator Morrow and his Senate Conservation Committee are the main impediments to passage of environmental legislation in New Mexico, either directly by killing bills or indirectly through legislative intimidation and spawning weird bills. Environmentalists must either reach an accommodation with Chairman Morrow—not a complete impossibility—or work with leadership to restructure the committee.

[The author is a Sierra Club member who wishes to remain anonymous.]

Ike Eastvold Receives Award for Petroglyph Preservation Efforts

by Verne Huser

Rio Grande Chapter member Isaac "Ike" Eastvold has received the Sierra Club's prestigious Special Achievement Award for his efforts to protect Native American cultural and archaeological sites. The award was presented at a ceremony held on May 11 in San Francisco to launch the Sierra Club's Centennial celebration.

Ike has devoted nearly twenty years to studying, photographing and protecting ancient Indian rock art and intaglios in the American Southwest, most recently in New Mexico, where his efforts led to the establishment of Petroglyphs National Monument on the northwestern edge of Albuquerque.

In southern California he created Desert Watch to keep a collective eye on desert rock art sites that were being vandalized. In New Mexico he created Friends of the Albuquerque Petroglyphs (FOTAP), a citizen group that was instrumental in the creation of the new national monument in 1990.

Ike worked with several conservation groups and coordinated efforts of many interest groups that led to the designation of the protected area on Albuquerque's West Mesa in the face of some of the most intensive residential development in the nation. He negotiated with landowners, real estate developers, all levels of government, business, and industry in a concerted effort that in less than five years turned the rapidly-developing wild lands of the West Mesa from a shooting gallery and dumping ground into Petroglyphs National Monument. The new Monument protects not only the ancient rock art but significant habitat for native plants, birds and animals as well as invertebrates and humans.

He continues to lead interpretative hikes through the area, organize clean-up efforts and fencing projects to protect the area from illegal dumping and off-road vehicle abuse



Ike Eastvold (right) admires petroglyph with Dr. Jane Young and Herman Agoyo.

and indiscriminate shooting in an increasingly urban landscape.

Ike has worked closely with Native Americans to protect the petroglyphs that represent not only the ancient ones who created them but the present generation that still practices native religious ceremonies for which the petroglyphs have vital meaning.

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by Ike Eastvold

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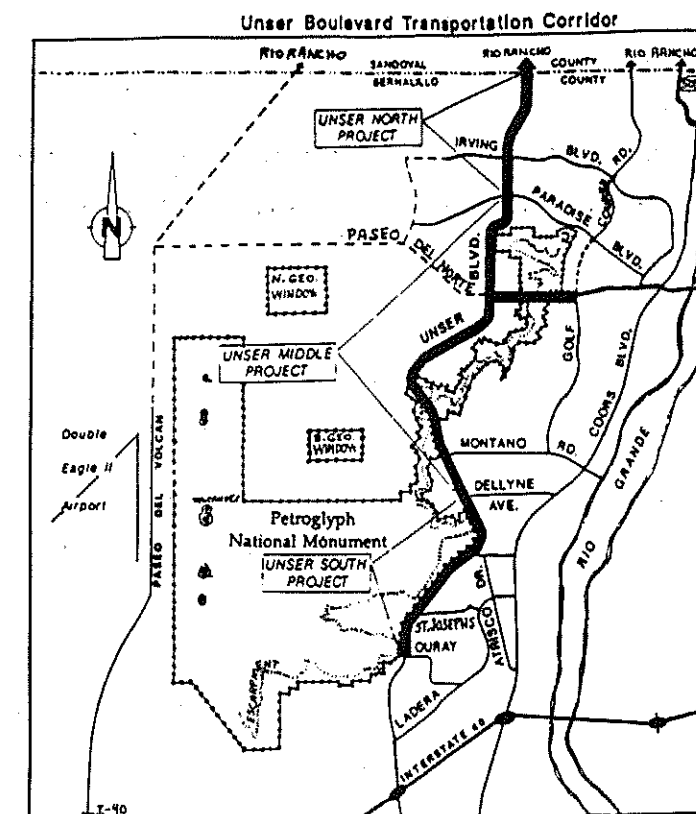
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Ike Eastvold Receives Award for Petroglyph Preservation Efforts

by Verne Huser

Rio Grande Chapter member Isaac "Ike" Eastvold has received the Sierra Club's prestigious Special Achievement Award for his efforts to protect Native American cultural and archaeological sites. The award was presented at a ceremony held on May 11 in San Francisco to launch the Sierra Club's Centennial celebration.

Ike has devoted nearly twenty years to studying, photographing and protecting ancient Indian rock art and intaglios in the American Southwest, most recently in New Mexico, where his efforts led to the establishment of Petroglyphs National Monument on the northwest-ern edge of Albuquerque.

In southern California he created Desert Watch to keep a collective eye on desert rock art sites that were being vandalized. In New Mexico he created Friends of the Albuquerque Petroglyphs (FOTAP), a citizen group that was instrumental in the creation of the new national monument in 1990.

Ike worked with several conservation groups and coordinated efforts of many interest groups that led to the designation of the protected area on Albuquerque's West Mesa in the face of some of the most intensive residential development in the nation. He negotiated with landowners, real estate developers, all levels of government, business, and industry in a concerted effort that in less than five years turned the rapidly-developing wild lands of the West Mesa from a shooting gallery and dumping ground into Petroglyphs National Monument. The new Monument protects not only the ancient rock art but significant habitat for native plants, birds and animals as well as invertebrates and humans.

He continues to lead interpretative hikes through the area, organize clean-up efforts and fencing projects to protect the area from illegal dumping and off-road vehicle abuse



Ike Eastvold (right) admires petroglyph with Dr. Jane Young and Herman Agoyo.

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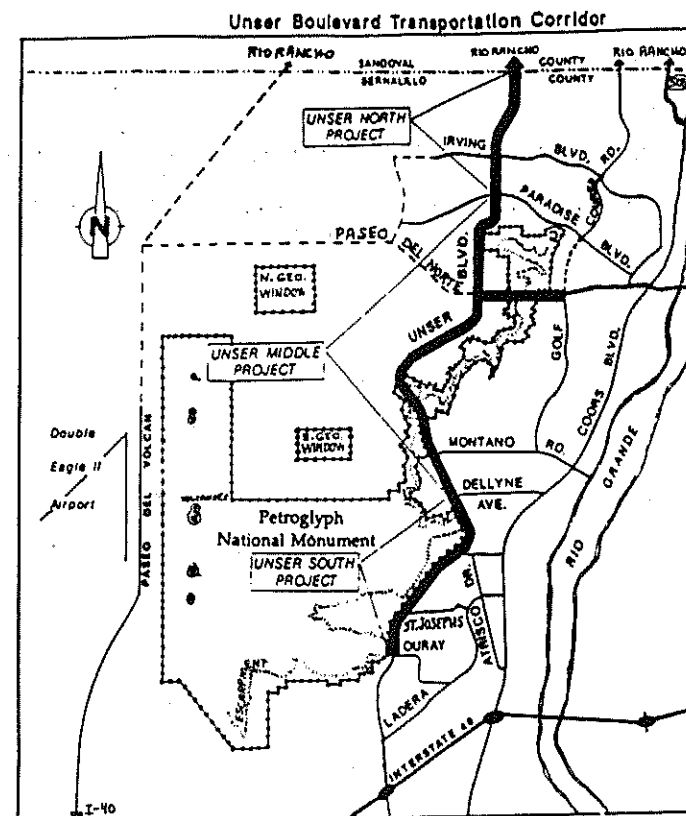
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Johnston-Wallop Bill Reported Out of Committee

Arctic Refuge Title Retained

THE SENATE ENERGY COMMITTEE completed consideration May 23 of the Johnston-Wallop omnibus energy bill, and reported the bill from the Committee—with the title to open the Arctic Refuge coastal plain to development, and with no CAFE standards.

The critical vote on the "motion to strike" the Arctic Refuge title from the bill, offered by Senator Tim Wirth (D-CO), failed to pass by a vote of 11-8. All eight votes to keep the Arctic Refuge off-limits to the oil industry came from Democrats; the only Democrats voting for development were Committee Chairman Bennett Johnston (D-LA) and Sen. Richard Shelby (D-AL).

New Mexico's senators split on the Arctic issue, with Bingaman voting to strike the ANWR title, and Domenici voting to retain it. Both senators later voted to report the bill out of committee.

The vote on ANWR was as follows:

Voting for motion to strike Arctic title:

Dale Bumpers (D-AR)
Wendell Ford (D-KY)
Bill Bradley (D-NJ)
Jeff Bingaman (D-NM)
Timothy Wirth (D-CO)
Kent Conrad (D-ND)
Daniel Akaka (D-HI)
Paul Wellstone (D-MN)

Voting against motion to strike Arctic title

Malcolm Wallop (R-WY)
Mark Hatfield (R-OR)
Pete Domenici (R-NM)
Frank Murkowski (R-AK)
Don Nickles (R-OK)
Conrad Burns (R-MT)
Larry Craig (R-ID)
John Seymour (R-CA)
Jake Garn (R-UT)
J. Bennett Johnston (D-LA)
Richard Shelby (D-AL)

Absent during vote:

Wyche Fowler, Jr. (D-GA)

Earlier in the day, Johnston again attempted to pass a very weak CAFE title, but his motion failed 14-6. Thus, as reported, the bill leaves the fuel efficiency standard completely at the discretion of the Secretary of Transportation.

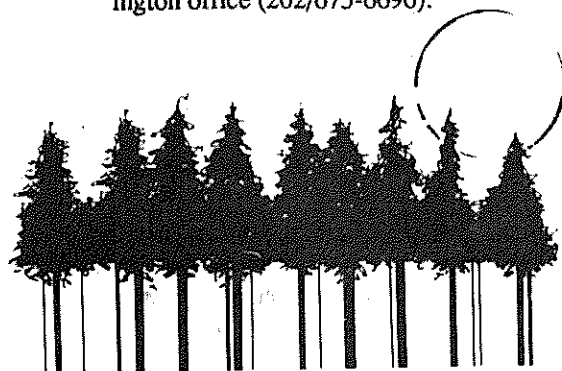
Following the vote on the Arctic Refuge title, the Committee voted to report the bill; only Senators Bumpers, Bradley, and Wellstone voted against reporting the bill to the full Senate.

What you can do

The Sierra Club strongly supports the efforts of Senators who have pledged to filibuster against the Johnston-Wallop bill, and we need you to urge your Senators to join them. To opt for a filibuster goes "against the grain" for Senators, who would prefer to legislate, rather than to work against legislation. By the same token, Sierra Club is most often working against filibuster attempts. But this call is a measure of just how serious we are, and of how environmentally destructive the Johnston-Wallop bill is.

Please call your Senators (Capitol switchboard: 202/224-3121); urge them to filibuster against the Johnston-Wallop bill. Also urge your Senators to speak to Majority Leader Mitchell to bring the Bryan CAFE bill to the Senate floor, and to vote for the Bryan bill without weakening amendments.

For more information, call Melinda Pierce at the Alaska Coalition (202/675-7912), or Leslie England in the Sierra Club's Washington office (202/675-6696).



Anatomy of a Disaster

If enacted, the Johnson/Wallop bill, S. 341, would be a significant step backwards for U.S. energy policy and regulatory oversight of the energy industry. Some of its worst provisions are as follows.

■ Arctic National Wildlife Refuge oil development.

Title IX opens the coastal plain of ANWR to oil and gas leasing and development. Projected revenues from leasing ANWR are used to fund many of the programs created by S. 341.

■ One-stop nuclear plant licensing.

Title XIII severely limits citizen and state participation in the siting, licensing, and oversight of new nuclear power plants.

■ Offshore oil development.

Directs Minerals Management Service to conduct a reassessment of all Outer Continental Shelf (OCS) areas currently under administrative or legislative moratoria, then make recommendation as to which of these currently protected areas should be placed in the production base.

■ Reduced environmental review of hydropower projects.

Turns regulatory responsibility over hydropower projects of five megawatts or less to the states. This would remove most new hydro projects from federal regulation under NEPA, the Endangered Species Act, etc. Also eliminates authority of Forest Service and other federal land management agencies to regulate hydro projects to protect federal lands.

■ Clean Air Act exemptions.

Allows unlimited air pollution increases for new construction at existing power plants without public notice or comment.

■ Discretionary automobile fuel economy standards.

Leaves increases in Corporate Average Fuel Economy (CAFE) standards to the discretion of the Department of Transportation (which has opposed any increase in CAFE standards and has reduced the standards for automobiles from 1986 to 1989.)

1872 Mining Law Reform

"After eight years in this office, I have come to the conclusion that the most important piece of unfinished business on the nation's resource agenda is the complete replacement of the Mining Law of 1872."

—Stewart Udall, Secretary of the Interior, 1969

Conservationists have struggled with the disastrous impacts of the 1872 Mining Law for many decades. Finally, the time for reform has arrived.

The mining of gold, copper, uranium, molybdenum and other "hardrocks" is governed by the 1872 law in over 400 million acres of public lands in the western U.S. This law makes mining the dominant use of the land; management agencies cannot say no to a mining proposal however important the ecological, recreational or other values a mine would destroy.

It has given us a legacy of toxic wastes, mountains that ooze poison into our streams and abandoned mines that are unreclaimed, because it does not require proper regulation of mining operations. This law allows miners to take ore from the public's land without paying any royalty, allows them to buy the land and the minerals beneath it (patenting) for \$2.50 or \$5 an acre. It is a complete disgrace that such archaic and destructive legislation is still on the books.

Reform bills introduced

On February 20th, Senator Dale Bumpers (D-AR) introduced S.433, the Mining Law Reform Act of 1991. In the House, Mining Subcommittee chair Nick Joe Rahall (D-WV) has introduced H.R.918. This bill does not go as far as Senator Bumpers' legislation, but does include a number of key reforms and is stronger than legislation introduced in the House in the last Congress.

A Survivor from a Different Era

One hundred and eighteen years have passed since Ulysses S. Grant signed the 1872 Mining Law. That was the heyday of western settlers, when Congress enacted various laws to promote rapid disposal of the public domain. Today, most of these dis-

posal laws have been replaced by newer legislation that recognizes the value of the public domain and encourages wise stewardship of resources. The 1872 Mining Law is the one outstanding exception.

Over the last 115 years, bit by bit, the Congress has asserted some degree of control over the management of some minerals in some locations. Today, a private party must pay the government to extract sand or gravel from the public lands, but gold and silver are free. Coal is leased and a royalty is required on each ton extracted, but a mineral like copper is free for the taking. Elaborate plans are developed prior to considering putting a mineral like phosphate up for lease, including looking at the compatibility of development with other multiple use values; but hardrock mining is always considered to be the highest and best use of the land and it routinely overrides all federal land use planning processes.

A Legacy of Problems

Critics have long called for an overhaul of the 1872 law based on its four major deficiencies: lack of adequate return to the Treasury, fraudulent acquisition of mineral lands, loss of public control of lands that are patented, and elevation of mining to the highest use of the land.

One 160-acre claim, near the Keystone, Colorado, resort was patented in 1983 for \$2.50 an acre; it was offered for sale in 1988 for nearly \$11,000 an acre. Claims have been used for vacation housing, drug cultivation and a variety of other activities unrelated to mining.

A 1974 government study of 240 randomly selected claims determined that 239 were not being mined at the time of the visits, and there was no evidence that any mineral extraction had ever taken place on

237 claims. The study went on to note that "no minerals had ever been extracted in 197,000 of the estimated 200,000 claims."

In 1989, approximately \$1.6 billion in gold was mined in Nevada, much of it on the public lands, with no royalty payment for use of the public domain. Every other activity on public lands returns at least some payment to the public for the use of the resources.

Environmental Catastrophe

Of particular concern to environmentalists is the ecological damage that has resulted from the law. Miners continue to bulldoze and blast in some of this country's most spectacular wild lands, including many national parks and wilderness areas, because this antiquated statute continues to recognize mining as the highest and best use of the land. All this is done without any ability on the part of the federal land managers to weigh the value of the the proposed mining activities against the value of competing public multiple use values.

The law was inadequate at a time when mining was done with picks and pans. It does not *begin* to address the environmental problems brought on by new technologies.

Gold operations are springing up in Nevada, Oregon, California and other states as miners employ "heap leaching" technology. Miners "leach" gold from low-grade ores using a cyanide solution. The resulting tailings ponds contain enough cyanide to poison wildlife.

The Mining Law makes no provision for environmentally responsible mine operation or reclamation. With miners now able and willing to move entire mountains to recover metals, sometimes excavating 50 tons of earth to recover a single ounce of gold, the scars on the public lands are growing larger.

ADC: All The Dead Critters

by Pat Wolff

A COYOTE-KILLING PROJECT in the Prescott National Forest was temporarily halted April 8 when two TV crews showed up to document the slaughter. The plan to gun down the coyotes from helicopters was just another project being carried out under the auspices of Animal Damage Control (ADC), a U.S. Department of Agriculture program. After the media

burrowing, nesting, and other natural acts. Using federal funds to kill woodpeckers is justified, for example, because "woodpeckers may damage trees by pecking holes." All too frequently, however, animals are killed just to make public lands safe for cows and sheep.

ADC expenditures in New Mexico totaled \$1,867,001, \$1.5 million of which was devoted to protecting livestock, according to the 1990 New Mexico ADC program report. Ranchers don't even have to prove they've had any animal losses to warrant calling in the ADC troops. Just the "threat of damage" is enough to justify killing all potential predators in an area.

The 1990 report includes some fascinating statistics to justify the ADC

which involves digging out, hooking or smoking out coyote pups from their dens and then shooting them or clubbing them to death.

Also reported inadvertently killed were 815 "non-target" animals, including 73 domestic dogs, 143 porcupines, 21 mule deer and 315 foxes. One wonders how many unintentional kills went unreported.

The problems with ADC are legion. From an ethical perspective, what justification can there be for a program that tortures, maims and kills millions of animals every year? From a taxpayer's perspective, why should public funds be used to kill wildlife on public lands, to benefit a handful of already heavily subsidized welfare ranchers?

More public and media attention needs to be focused on ADC so it can be exposed and stopped. Urge our federal and state representatives to stop funding ADC. Urge the managers of our public lands to adopt new policies prohibiting ADC activities in their districts. Require ranchers and agricultural producers to use more innovative, non-lethal methods to handle their conflicts with wildlife.

To learn more about ADC and how to stop it, write to Pat Wolff, Lighthawk, P.O. Box 8163, Santa Fe, NM 87501. An ADC slide show can be rented for \$25 through the same address.

[Pat Wolff is a member of the Santa Fe Group of the Sierra Club. She works as Public Affairs Coordinator for Project Lighthawk.]

program here. The loss of 77 adult sheep and 35 adult cattle is attributed to golden eagles, for example, and ravens supposedly killed 32 adult sheep.

The coyote is ADC's most despised creature, however. Of the 9,796 animals reported killed by ADC in New Mexico last year, 7,174 were coyotes. Nearly 3,000 of these coyotes were killed by the infamous M-44. These devices, filled with lethal poison sodium cyanide, explode in the mouth of any animal unlucky enough to bite into the bait. Roughly 2,000 were killed by leg-hold traps, while over 1,000 were gunned down from fixed-wing aircraft. Other killing methods included neck snares and "denning,"



Coyote killed on BLM land near Albuquerque

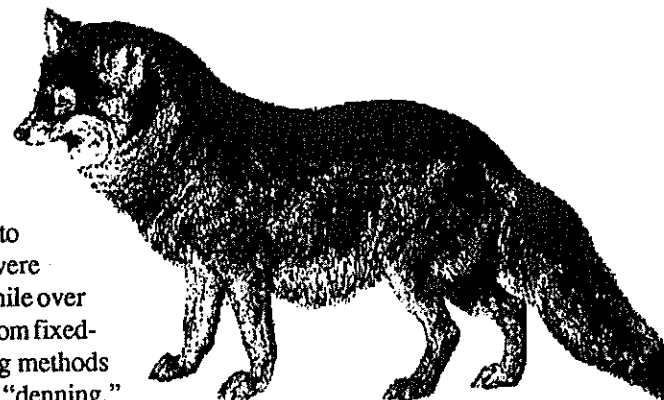
left, the killing resumed. Instead of leaving the dead coyotes on the ground to rot, as had been planned, the carcasses were removed to destroy the evidence.

So what was there to hide? Why shouldn't the public see how its tax dollars are being spent? Maybe it's because this insidious program would be stopped immediately if more people knew about it.

Last year, \$29.4 million in federal dollars plus \$15 million in state funds was spent by ADC to destroy literally millions of mammals and birds, primarily to protect the interests of ranchers and agricultural producers.

Wildlife considered "pests" worthy of destruction include coyotes, badgers, black bears, beavers, bobcats, foxes, mountain lions, opossums, porcupines, prairie dogs, raccoons, skunks, blackbirds, egrets, hawks, great blue herons and wolves, to name a few.

Their alleged crimes? Eating, digging,



Lessons from the North Country Protecting Wolves and Livestock

by Harriet Lykken

There has been an increase in livestock depredation by Minnesota's wolves—and many are being killed for it. But both wolves and livestock may be dying needlessly.

During the past 10 years, the number of Minnesota wolves trapped and killed under the U.S. Depredation Control Program has increased from 21 in 1980 to 91 in 1990. The number of farms reporting such losses increased from 17 in 1980 to 55 in 1990. Though wolves are classified as "threatened" in Minnesota, under the Timberwolf Recovery Plan adopted in 1978 federal agents are allowed to trap wolves within a 1/2 mile of a farm with a verified livestock loss.

No one has been able to definitively answer why there have been increased livestock losses. Possible factors include an increase in wolf numbers (due to a record high deer population?) and more affected farms (due to a widening of wolf range?).

But there appears to be another reason—bad animal husbandry on the part of farmers.

Prior to 1986, when the U.S. Fish and Wildlife Service began conducting its Depredation Control Program, wolf researchers reported that a number of livestock losses were due to poor animal husbandry; cattle allowed to calve in the woods, and dead animal carcasses dragged to the edge of the farm, where they attract predators.

The question is: How many recent livestock losses are due to such practices? Livestock losses have occurred only on a relatively small number of farms. In 1990, most of the verified losses were reported in Roseau County. There are also reports that wolves have visited some sites more than once.

There are also a number of other questions requiring answers. Experts estimate that only three percent of the wolf population preys on livestock. Why do these wolves prefer livestock to their natural prey—deer, beaver and moose? Are any of these "guilty" wolves former "pets" who've been released into the wild after their owners found them too difficult to handle? How successful are trappers

in capturing the "guilty" wolves? Can this be determined, given that traps are set for two weeks at a 1/2 mile distance from the farm experiencing livestock loss? It's essential that any wolf control program take these issues into account.

Farmers who can show a verified livestock loss due to wolves are compensated by the state up to \$400 per animal—regardless of farming methods. In 1990, the state paid out a total of \$31,000. By November, the fund was exhausted, with \$8,000 still due to farmers. The legislature must appropriate more money before these farmers can be paid.

No research has been done to determine how Minnesota livestock losses may be prevented or reduced. We have submitted a proposal to the Legislative Commission on Minnesota Resources for funding a two-year research project that would determine why there has been an increase in wolf/livestock depredation, and why only a small number of farms have been affected.

We need to reduce livestock losses and protect wolves. We feel that the Depredation Control Program should make every effort to use effective non-lethal controls, killing only the offending animals. There are a number of such techniques—guard dogs, streamers, flashing lights, llamas, fences, taste aversion—and they need to be tried before the very last resort is used. We oppose a "sport season" on wolves as a means of predator control, and do not accept the assertion that if wolves can be killed legally, fewer will be taken illegally.

It is important for Minnesota to present a model control program. Yellowstone National Park and other states can provide wolf habitat. We need to show that reintroduction of this beautiful American native can be successfully accomplished.

[The author is the Wildlife Task Force Chair for the North Star Chapter of the Sierra Club. This article originally appeared in the May/June 1991 issue of the Sierra North Star.]

The Lobo Needs Your Help

Congress is about to make a fatal decision on saving our own New Mexico lobo. Your help is needed—right now—to return the Mexican wolf to the wild at White Sands Missile Range.

The U.S. Fish and Wildlife Service is now asking Congress to appropriate \$450,000 for accelerating the Mexican wolf reintroduction. If Congress provides the funds, the service can step up public education about wolf recovery, expand the captive breeding population, and build facilities for releasing lobos back to the wild, possibly within the next two years.

But Congress will act only if New Mexico's own senators and congressman support the lobo's recovery. Sen. Pete Domenici and Sen. Jeff Bingaman can play critical roles in assuring that the Mexican wolf reintroduction plans keep moving.

The Fish and Wildlife Service budget is already before Congress, so write Senator Domenici now. Write Senator Bingaman, as well, and your congressman too if possible.

Tell them that you want the Mexican wolf restored to the wild—right here in lobo country—at White Sands Missile Range. Ask them to give the Fish and Wildlife Service biologists the funds they need to make that happen.

Here's where to write:

Rep. Sidney Yates
House Appropriations Com. Chair
2234 Rayburn Office Bldg.
Washington, D.C. 20515

Hon. Sen. Robert Byrd
Sen. Appropriations Com. Chair
U.S. Senate
Washington, D.C. 20510

Notice: The House budget hearings are in progress—Joe Skeen will be discussing the funds for wolf reintroduction with Sidney Yates. Mr. Yates needs to hear from the wolf advocates IMMEDIATELY since he is crucial to this decision.

Timber Task Force Resolves Some Problems, Stymied by Others

by George Grossman

On May 10, the New Mexico Timber Task Force reached an agreement that is expected to alleviate timber shortages from the Santa Fe National Forest in the near future.

The Task Force was appointed in April by the New Mexico Congressional delegation. It was charged to make recommendations on both the short-term and long-term aspects of timber supply problems from national forests in the state.

The 15-member task force includes representatives from the timber industry, the public, a labor union, federal and state wildlife agencies, the Forest Service, and the environmental community.

The Forest Service agreed to reanalyze timber harvest goals for the forest, and to delay offering timber sales in the Elk Mountain area until the study is completed. Environmentalists agreed to withdraw their appeal of the Smokey Bear timber sale, and to refrain from taking action to block certain other sales.

The New Mexico Department of Game and Fish agreed to work with the Forest Service to resolve wildlife issues on certain sales, and to refrain from appealing or litigating those sales if its concerns are adequately addressed.

The Task Force met again on May 22 and 23 in Las Cruces to discuss timber-related issues on the Gila and Lincoln National Forests. Members approved the Gila's existing timber program, but failed to reach agreement on Lincoln timber issues.

The task force scheduled a June 12 tour of the Bird and Ranger timber sales on the Lincoln. Members agreed to tackle Lincoln issues again at a later date.

Members of the task force are: Judy Bishop, NM and AZ Parks Conservation Council; Leslie Davis; George Grossman, Rio Grande Chapter of the Sierra Club; David Henderson, National Audubon Society; Sam Hitt, Forest Guardians; Jim Norton, Wilderness Society; Betty Jane Curry, Cuba Public Land Users Association; Art Daley, Stone Forest Industries; Mike Hess, White Sands Forest Products, Inc.; Tom Lapinski,

Duke City Lumber Co.; Charlie Lopez, Western Council of Industrial Workers; Pete Spragins, Bates Lumber Co.; Forrest Carpenter, Dep. Regional Forester, Forest Service; Jennifer Fowler-Propst, U.S. Fish and Wildlife Service; Andrew Sandoval, NM Department of Game and Fish.

[George Grossman is Co-Conservation Chair of the Rio Grande Chapter.]

The Santa Fe Agreement

The Forest Service agreed to:

- Reassess the Santa Fe Forest Plan as it relates to timber production, giving particular consideration to issues relating to the Jemez Mt. salamander, northern goshawk, Mexican spotted owl, old growth, and timber economics.
- Not offer any timber sales in the Creek Diversity Unit, including Elk Mountain, until after this reassessment.
- Delay a decision on the Calaveras timber sale until June 10, 1991.
- Not bring timber production shortfalls from previous years forward into 1992-93.

Environmentalists agreed to:

- Withdraw existing appeals on timber sales in the Smokey Bear/San Miguel Diversity Unit and not to appeal or litigate these in the future.
- Not to appeal or litigate Sanchez, Lagunitas, Maestas, Gurule, or Tecolote timber sales.
- Join in a consensus process regarding the Calaveras timber sale, without relinquishing the right to appeal or litigate.

State Land Trust Advisory Board

by Ben Zerbey

Most of you have heard of Sections 2, 16, 32, & 36. These four square miles from each township provide the basis for New Mexico's 9.2 million acres of state lands.

Secs. 16 and 36 were set aside for schools of the territory under an 1850 act of Congress. Secs. 2 and 32 were an additional gift from the Federal Government when New Mexico gained statehood in 1912. An 1898 act of Congress broadened the purposes for which the income from these lands could be used.

These lands are the source of the \$2.4 billion in permanent funds administered by the State Investment Council for the benefit of New Mexico's schools, universities, hospitals, penitentiary, etc. Management of this bonanza is vested in the Commissioner of Public Lands, a major player within the executive branch of New Mexico State Government who is elected every four years.

The conservation community supported Jim Baca, the current commissioner, in both of his terms. Baca is credited with changing the psychology and management philosophy of the State Land Office. Under Baca, the Office has shifted from management that focuses on serving the users of state lands—ranchers, oil industry, miners, etc.—to a policy of maximizing returns while conserving the endowments.

In his first term, Jim appointed an ad hoc board to advise him on broad policy issues concerning state lands. The State Legislature statutorily recognized and established the Land Trust Advisory Board in 1989.

The Board consists of seven members: two from the beneficiaries, one from agriculture, one from extractive industries, one from conservation interests, and two from the public at large. It is geographically and politically balanced with members serving staggered six year terms. I was appointed as the conservation member of the Board for 1991-1996.

The next meeting will be held in Albuquerque on June 11. The group will tour the 12,000 acre Mesa del Sol site near the Albuquerque International Airport and state tracts within and adjacent to the Petroglyph National Monument. I will try to keep Sierran readers abreast of developments.

Gila National Forest

2610 N. Silver Street, Silver City, NM 88061

New Recreational Developments

The Forest Service is proposing to amend the Forest Plan to schedule additional recreation developments for further analysis. These include: a 100-unit campground at Little Walnut on the Silver City Ranger District; an Aspen Mountain Loop Scenic Drive; additional visitor facilities along State Highway 15 to the Cliff Dwellings; and the creation of three fishing lakes on the Reserve Ranger District. Comments on the proposal are due by June 15. Contact Ron Henderson or Delbert Griego for more information at 505-388-8201.

Rocker Timber Sale

The Forest Service is preparing an environmental assessment for the proposed 5483-acre Rocker Timber Sale on the Reserve Ranger District. According to the FS' sale notice, Mexican spotted owls, goshawks, flammulated owls, and Gooding's onions "have been identified as species of concern on the analysis area." Comments were due by the end of April, 1991 but will be accepted until the assessment is actually written.

Apache Creek Allotment

An interdisciplinary team has completed a scoping document identifying issues related to this grazing allotment on the Quemado Ranger District. The public may add issues and make comments until June 30.

Lily Timber Sale

The initial planning for this timber stand improvement sale on the Luna Ranger District is underway. The sale area contains Mexican spotted owls, and will be surveyed for goshawks. Preliminary comments were due by May 16.

Lincoln National Forest

Federal Building, Alamogordo, NM 88310

Timber Task Force

The task force appointed by the New Mexico Congressional delegation to resolve timber supply problems on New Mexico's national forests failed to reach an agreement on Lincoln National Forest issues after two

days of meetings in late May. Task force members will meet again in June.

Dry Canyon Timber Sale

An environmental analysis is being prepared for this 5000-acre proposed sale in the Cloudcroft Ranger District. Comments were due May 24.

Recreation Developments

The Forest Plan was amended in April to include more than 50 new recreational developments, including campgrounds, trailheads, and trails. The list of proposed projects was mailed to 230 individuals, agencies and organizations, of which 10 responded. In his decision memo, Forest Supervisor Lee Poague characterized the changes as nonsignificant, and determined that an environmental assessment was unnecessary.

Burnt Canyon Allotment

The Forest Service is preparing an allotment management plan and environmental assessment for this grazing allotment in the Mayhill Ranger District. Comments were due by May 12.

Bird Timber Sale

In response to appeals by environmentalists, the Forest Service has withdrawn plans for the Bird Timber Sale. The proposed sale area included the highest density of Mexican spotted owls known on a timber sale in New Mexico national forests.

Santa Fe National Forest

P.O. Box 1689, Santa Fe, NM 87504

Timber Task Force

In May, the Congressionally appointed timber task force reached an agreement on some Santa Fe National Forest timber issues. (See article in this issue.) According to Sam Hitt of the Forest Guardians, environmentalists were "politically strong-armed" but still managed to salvage some concessions from the Forest Service. The chief victory was an agreement by the FS to delay the long-fought Elk Mountain Timber Sale until a reassessment of the Santa Fe's timber program is completed.

Carson National Forest

P.O. Box 558, Taos, NM 87571

Filipito Timber Sale

In response to pressure from Forest Guardians and N.M. Dept. of Game and Fish, Forest Supervisor Leonard Lindquist has decided that an EIS will be prepared for this controversial sale on the El Rito Ranger District. The Filipito Sale contains the last significant stands of old-growth on the Vallecitos Federal Sustained Yield Unit.



National Forests Bleeding Red Ink

Taxpayers paid out more than \$175 million last year to subsidize logging in national forests due to poor management by the Forest Service, according to a report by Cascade Holistic Economic Consultants of Oregon.

The Forest Service spends tax money to plan harvests, build logging roads, and mark trees, then charges private timber companies for the right to cut on public lands. The report states that the government lost money on approximately 75 percent of the timber acreage it allowed logging firms to harvest in 1990.

Financial losses, along with the associated environmental problems of habitat loss and erosion, will continue to increase in the nation's 156 national forests unless basic Forest Service policies are changed, according to the report.

1991 Chapter Fund Appeal Results

Our 1991 Chapter Fund Appeal has been a success—we'd raised \$10,072 by mid-May, which will help our chapter treasury enormously. Thanks to all of you who gave your hard-earned dollars, and thanks also to those volunteers who gave of their time and energies to get the appeal out and keep it organized. The chapter is especially grateful to:

- Leslie, Erin, and Heidi from Albuquerque, Dan from Socorro, and Betsy, Jana, and Gwen from Santa Fe, who gave up a beautiful spring Saturday to mail the appeal (and thanks too to Gwen for the great lunch and hospitality).
- Kay Carlson for typesetting the appeal letter.

- Pinon Fast Print in Santa Fe, which located post-consumer recycled paper and did its usual great job printing the appeal.
- Jurgens & King, P.C., which contributed the paper, envelopes, reproduction costs, and postage for the acknowledgements of donations, and also graciously allowed the Santa Fe Group to use its office and phone lines for a phone follow-up.
- The Santa Fe (Norma, Louise, Jana, and Les) and Albuquerque (Jeanne, Jean, Lois, Heidi, Dave, Gail, Brian, Jim, Tom, David, Erin, Rich, Richard, and Marvel) activists who participated in phone bank follow-ups.

GRAY WOLVES
Isabelle R. Goetz
Christopher Watson
Mr. and Mrs. Edgar B. Dodds
Luther Jones
Thomas A. McEnnemy
Ann Aceves
Betsy Armstrong
Titia and Bill Ellis
Melissa Richmond
Gwen Wardwell
Ford Robbins
Geoffrey Landis
Larry Brothers
William I. Bacchus
Norma McCallan and Charles G. Crooks

SPOTTED OWLS
Cary and Kathy Ganz Suter
Mr. and Mrs. Dick Ransom
W. L. Hunt
Susan Traylor
John Sproul
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Alan Stopper and Janis M. Zlot
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Jill Hartman
J. Marc Cottrell
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Daniel Blodgett
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anonymous
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Solid Waste Update

by Erin Jones Bouquin

LAST FALL THE RIO GRANDE CHAPTER OF THE Sierra Club, along with the Environmental Law Center, NMPIRG, League of Women Voters of New Mexico, Conservation Voters Alliance, and Southwest Research and Information, requested that a group be established for the purpose of negotiating the final New Mexico Solid Waste Act regulations and that these regulations be presented for public debate at hearings throughout the state and not simply in Albuquerque and Santa Fe.

The negotiating group was established several months ago and has finished its task. The regulations will come before the Environmental Improvement Board on June 10. At that time the Board will decide when and where the public hearings will be held (unless they defer action, which is possible.)

We have suggested that the hearings be conducted in the following five areas: Bernalillo County; the Ruidoso, Roswell, Hobbs, Artesia area; the Las Cruces, Lordsburg, Silver City area; the Taos and Española area; and the Farmington area.

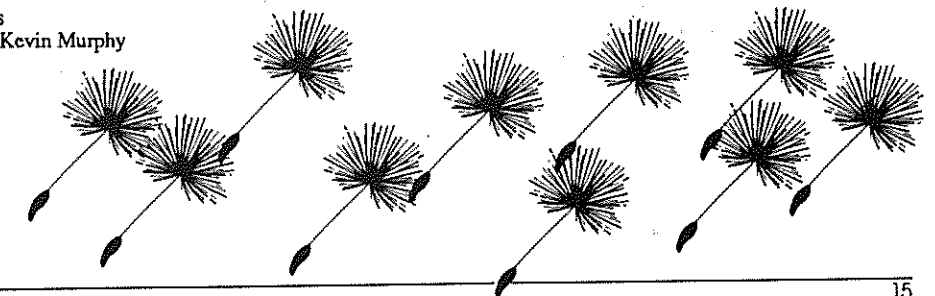
The Board will select three of these areas and the meetings will occur about two months after they are announced. It is critical that we have *at least* fifty community members at each hearing. The Board is under considerable pressure to go light on certain areas of the regulations and thereby weaken the Solid Waste Act.

The biggest issues, as I see them, will be the quality expectations of ground water, the access to recycling in the region, interstate waste disposal, and siting issues.

The Sierra Club would like to provide information to groups and individuals in the areas where these meetings will be held. The issues have been sifted down to some key points; for example, the effect to ground water from various methods of disposal. This information may be distributed through producing and circulating video tapes or holding town meetings.

Anyone interested in either helping to produce materials or distribute them please call the Albuquerque Office at 265-5506 and leave your address and phone number. These regulations will have a tremendous impact on the future reuse, recycling and disposal of solid waste in our region. We'll keep you updated!

[The author is the Solid and Hazardous Waste Chair for the Rio Grande Chapter.]



How to Deal with the Sierra Club

by Hart Schaefer

The Sierra Club is a powerful, venerable institution, with nearly a century of history behind it. It has more than 600,000 members in the United States. It also has a Byzantine bureaucracy that serves to keep its members under control and to ensure that for all their sincere commitment, those members get very little done.

Make no mistake, the individual members of the Sierra Club have a deep commitment to protecting wilderness and wildlife. Most members join "the Club" because they believe that is what the Club stands for. They are right. That is what the Sierra Club stands for. It just isn't what the Sierra Club actually does, anymore.

What the Sierra Club actually does these days is: 1) generate funding, especially from large and conservative grant-making institutions; 2) preserve its good name ("credibility") with these institutions, and with the political "powers-that-be" in Washington; 3) endorse "politically realistic" legislation that is likely to be passed, in order to be able to claim "victories" afterwards, and reassure its members that their dollars and volunteer efforts have done some good; and 4) use its convoluted bureaucracy and deliberately vague rule structure to intimidate and silence those of its members who might wish to challenge these policies.

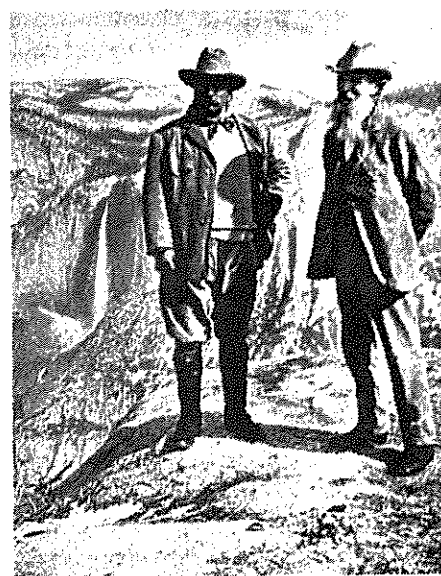
If you read Sierra Club publications from anything "above" the "Chapter level," you will notice the complete absence of any mention of any proposal not endorsed by the Club's national managers. This is a form of censorship which the Club is not anxious to acknowledge. Sierra Club members will never know from reading their Sierra Club mail that any legislative proposals other than the ones the Sierra Club managers endorse ever existed. The managers control the flow of information.

(We are encouraged to call these managers "Leaders." During the time I have been involved with the Club, we have not had any "Leaders" that I know of. We do, however, have an overabundance of managers. Leaders lead people; they inspire loyalty and trust. Leaders take chances; they chart new courses; they set an example of courage and

self-sacrifice that others aspire to. Managers manage "resources," they take no personal risks, they offer no new ideas, they use corporate double-speak to avoid responsibility, they do not question established authority, and no one really trusts them. Currently, the Sierra Club has managers.)

These managers manage the members well. All over the country, time and time again individual activists are systematically intimidated by the party structure when they advance proposals for real environmental reform. Such activists are routinely instructed by patient, well-meaning, solicitous Sierra Club bureaucrats about the ever more complicated procedures they "must" follow in order to comply with "Sierra Club policy." At every step, they are kindly and patiently shown a new and more convoluted set of Sierra Club "rules"; new hurdles are revealed at every level of bureaucracy; more new approvals must be sought, more forms must be filled out...until eventually even the most committed activist gives up. And that, of course, is the point.

But most of these rules are nonexistent (as well as arbitrary and capricious). The Sierra Club activist who runs into the most problems is the one who tries to obtain permission, who blindly and faithfully tries to follow all the rules. That's the trick: you can never



follow all the "rules." It's impossible. And no one in the Sierra Club even knows all the "rules." The rules they tell you about are mostly just a set of handbook guidelines. If you read them carefully, most of these "rules" aren't even binding on you. (In these handbooks, you are usually told what you "may"

During the time I have been involved with the Club, we have not had any "Leaders" that I know of. We do, however, have an overabundance of managers.

do; you are rarely if ever told that you "may" not do otherwise.) Also, if you break these "rules," it is up to the "National Level" folks to a) be paying enough attention to notice what you are doing; and b) figure out what to do about it.

Never forget that as a volunteer there are real limits to how much you can be pushed around. As a volunteer, you don't have to do anything. You can always walk away. More important, you can always threaten to do so. The Club is very short of volunteers. It can't really afford to turn anyone down. Think about it. How many people are willing to put up with that kind of bureaucracy, for free? With a little thoughtful effort, you can pursue no compromise objectives quite easily, as a Sierra Club representative. Remember, the only real rules are in the by-laws. Anything else is just what the managers want you to believe you must do.

Most of the bureaucratic structure of the Sierra Club is unnecessary, and it is also largely powerless. What power it does have is mostly derived from its intimidation potential. No one can hurt you unless they have something you want. The only danger you risk is becoming seduced by the wonderfulness of having a title with the Sierra Club, and starting to believe that makes you important. As long as you don't fall into the trap of needing that sort of thing, Sierra Club's management can't do much to you.

The national Sierra Club can threaten to

(continued on page 23)

It's Time for a Change

by Wesley Leonard

"The essence of life is change, and the most effective organizations are those that adapt quickly to changing circumstances."

—Anonymous

There are a number of major environmental organizations with goals similar to those of the Sierra Club. The Wilderness Society is one. The Wilderness Society has a large professional staff in Washington and regional representatives throughout the U. S. The 400,000 members (I'm one) pay their dues to support this professional staff to act on their behalf. There is no volunteer structure, and members are not called-upon to attend public meetings, write letters or lead local groups or chapters. The Wilderness Society is not a grassroots activist organization. Everyone understands this, and members are happy to support the paid staff.

The Sierra Club, on the other hand, is one of the greatest grassroots activist organizations of all time. We are best organized at the local level, and members are the ones that do the real work. We go to the meetings, we give testimony, we write letters, we have confrontations with polluters, ranchers, miners, and loggers; in short, we are on the front line in the battle to save the planet.

To help coordinate our efforts, we have, over the years, developed a structure of paid employees. Included are staff in Washington, San Francisco, as well as regional representatives. In doing this, we have, however, created a sizable and overburdened bureaucracy with all of its negative connotations. We now support "executives" with titles such as "Chairman," "Executive Director," "Publisher," "Director of Public Affairs," "Associate Director for Finance and Administration," and so on. They have a chain-of-command, corporate policies, perks, etc. At times, it's unclear whether we are dealing with the Sierra Club or EXXON.

As members of a bureaucracy, our paid staff have one overriding duty, and that is to preserve their jobs. Any bureaucrat's relationship to the original purposes of the organization is tenuous, at best. And, it is at this point that compromise and trade-offs replace commitment to purpose, dedication

and effectiveness.

An example of this bureaucracy at work is the situation with our regional representatives. Our representatives are good people, but they are not responsive to the grassroots leaders of the Club. Have you ever tried to get the regional rep to assist you with anything? Under the current set-up, they are not even supposed to. They don't work for us, they report to the "executives" in San Francisco.

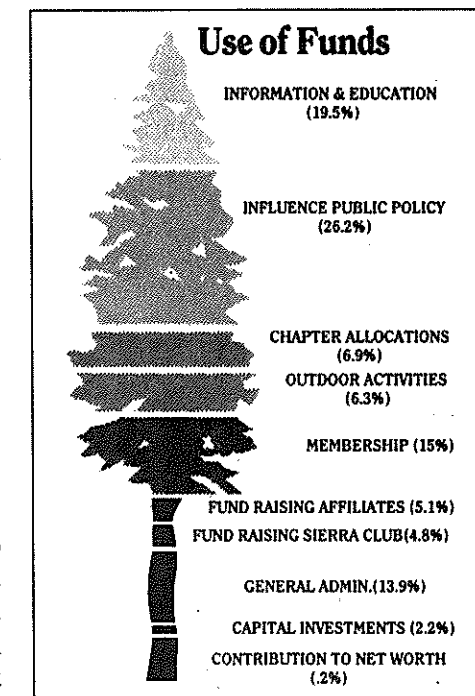
As grassroots leaders and volunteers, our mission should be to use our time and our resources to influence public policy and make the planet a better place for generations to come. In reality, since 93 percent of Club revenues go to the corporate headquarters [see accompanying chart], much of our time is actually taken up doing fund raising to support the Club at the local level. Something is profoundly wrong when the heart of the organization, the local group, gets only \$1 out of the dues that members pay.

I offer the following modest proposal to return control of the Club to the members:

- 1) First, and most important, allocate 50 percent of all dues and other revenues to the groups and chapters. This will eliminate the need for most fund raising, provide needed funds so that we can hire staff to support local efforts and cut down on the bureaucracy in San Francisco. (Perhaps, we'll hire some of the laid-off people in San Francisco to serve as our staff assistants.)
- 2) Eliminate the Sierra Club Council and expand the scope of the regional conservation committees to incorporate Council functions. The Council costs money that could be put to better use, is a waste of volunteer time, and serves no useful purpose.
- 3) Have the regional representatives report to the head of the regional conservation coordinating committees (in our case, SWRCC). This will ensure that they work on appropriate regional issues and are responsive to the grassroots leadership, rather than

the "executives" in San Francisco.

4) Change the names of all paid staff positions to "coordinator" of one sort or another. Titles such as "chairman" or "director" should be reserved for the elected, volunteer leadership, rather than for our paid assistants and coordinators. This change will make it clear that paid staff are there to assist and serve us, rather than vice versa, as seems to be the case now. Along with this, a review of all staff salaries should be conducted and a \$50,000 cap should be imposed for the top coordinators.



Large bureaucracies, by their very nature, are resistant to change, and I know that this modest proposal will not set well with many in San Francisco. This is our Club, however. It is the creation of those of us who have put in long and grueling hours working and fighting for what we believe is right without any thought of financial reward.

I love the Club and what it stands for, and I will never leave it. Until reform comes about, however, I will send only the minimum dues to San Francisco and donate the difference to my chapter and local group. I urge all members to do likewise. Perhaps this will get the attention of our board of directors and "executives" in San Francisco. [The author is vice-chair of the Rio Grande Chapter.]

Biodiversity Bills Introduced

Three bills have been introduced in Congress that would protect biological diversity. In the House, Rep. James Scheuer (D-N.Y.) has introduced his *National Biological Diversity Conservation and Environmental Research Act*, H.R.585. Scheuer's bill calls for:

- The development of a federal strategy for preserving biological diversity;
- Review of biodiversity in preparing environmental impact statements;
- Greater coordination of federal, state, and private efforts to protect biodiversity;
- Biodiversity research and education; and
- Data management and dissemination.

The focal point of the bill would be the establishment of a National Center for Biological Diversity and Conservation Research in the Smithsonian Institution. Scheuer already has 89 co-sponsors.

Rep. Gerry Studds (D-Mass.), chair of House Fisheries and Wildlife Conservation and Environment Subcommittee, has also introduced a biodiversity bill, the *National Biological Diversity Conservation Act*, H.R.2082. Studds has already garnered 14 co-sponsors. In the Senate, Daniel Patrick Moynihan (D-N.Y.) has introduced a bill, S.58, which is similar to Scheuer's but includes a section that focuses on the international aspects of biodiversity.

Grassroots Heroes Honored

Seven individuals from around the world were honored on Earth Day with the second annual Goldman Environmental Prize for grassroots environmental heroism. This year's winners were:

- Sam LaBudde, of San Francisco, whose film of dolphins being slaughtered triggered a national tuna boycott.
- Evaristo Nugkuag, of the Aguaruna tribe in Peru, for his efforts on behalf of indigenous peoples of the Amazon.
- Dr. Wangari Maathai, founder and coordinator of the Green Belt Movement of Nairobi, Kenya.
- Twelve-year-old Roland Tiensuu and his teacher, Eha Kern, of Sorunda, Sweden, for raising more than \$1.5 million to purchase rain forest land in Costa Rica.
- Catherine Wallace of Wellington, New Zealand, for her work toward the comprehensive protection of Antarctica.

• Yoichi Kuroda of Tokyo, Japan, for his efforts to end Japan's massive importation of tropical timber.

Candidates for the \$60,000 award are nominated by a coalition of 18 international environmental organizations, including the Sierra Club. The Sierra Club is actively seeking nominations for the 1992 Goldman Awards.

Utah Wilderness Gets a Hand in the House

Rep. Wayne Owens (D-Utah) has introduced a bill to preserve more than 5 million acres of Utah's wildlands.

Much of the wilderness designated in the bill complements the region's seven national parks, while the remainder is located in the unique desert ecosystem of Utah's Great Basin.

The proposed wilderness encompasses lands of extraordinary diversity and splendor, carved over eons by the Colorado River drainage system.

Rich in wildlife—including the threatened desert tortoise and desert bighorn sheep—these lands also house spectacular archaeological petroglyphs and other art forms left by the prehistoric civilizations that lived in Utah's canyons and mesas.

Sixty-three representatives had signed on to Owens' Bureau of Land Management Wilderness bill by the time it was introduced.

Judge axes logging plans in owl habitat

On May 23, U.S. District Court Judge William Dwyer blocked the U.S. Forest Service from selling timber on 66,000 acres of land designated as critical spotted owl habitat in Washington, Oregon, and California.

Dwyer's ruling was in response to a request by environmentalists for a permanent injunction against the sales. The Sierra Club and other groups had strongly condemned the U.S. Fish and Wildlife Service's proposal to protect the threatened northern spotted owl by setting aside 11.6 million acres of "critical habitat" while allowing logging in the area.

LCV Gives Bush a "D"

The League of Conservation Voters has given President Bush a grade of "D" on its mid-term Presidential Scorecard.

"Clearly there are two George Bushes on the environment," said League President Bruce Babbitt. "The first George Bush made a strong positive commitment early in his presidency to strengthen the Clean Air Act. He followed through with a good legislative proposal and resisted heavy pressure to weaken the acid rain title of his bill.

"The second George Bush has neglected his campaign promise to be the 'environmental president,'" said the former Arizona governor. "On virtually every important national and international environmental issue, the second George Bush has failed to provide consistent leadership for environmental protection."

Babbitt cited the president's National Energy Strategy in particular. "The president has the opportunity to frame policy for decades to come on an issue that will affect every American consumer. His current plan is an endorsement of the status quo and a risk to our long-term national security."

Georgia Club Chapter Scores Victory for State

After years of lobbying by the Sierra Club Georgia Chapter, the Georgia Legislature recently passed the Georgia Environmental Policy Act.

Georgia's law is modeled after the National Environmental Policy Act, and is similar to environmental legislation in 15 other states which requires that state agencies assess the environmental effects of any proposed state project. The assessment must



also discuss possible alternatives to the proposed project.

The Georgia Chapter's effort was funded by a State Effectiveness Grant from the Sierra Club, chapter monies, and matching funds from the Sierra Club Gulf Coast Regional Conservation Committee.

"Our endorsements and electoral efforts played a major role" in the passage of the new law, noted Chuck McGrady, who led the chapter's efforts. "At several critical points, we were successful because key legislators went to bat for the legislation because of our work in their elections."

Administration Seeks to Gut Clean Air Act

Last year's Clean Air Act amendments mandated that the Environmental Protection Agency (EPA) set up a permit program designed to make public involvement and enforcement easier than ever before. Just seven months after signing the new amendments into law, President Bush, acting through Vice President Quayle's Competitiveness Council, is seeking to gut these provisions by dictating weakening regulations to the EPA.

If proposed regulations just released by EPA are adopted, polluters would be illegally allowed to revise their own permits without public scrutiny and involvement, and without judicial review. State pollution control agencies would have only seven days to object to the changes. Polluters would be allowed to increase their emissions without limit in most instances.

The "Polluter's Protection" loophole demanded by Vice President Quayle is contained in a part of the rule misleadingly called "minor permit amendments." Congressional Clean Air champions and environmental organizations view these as major changes to the law, and are fighting the proposed regulations.

Among other things, the proposed regulations would:

- Authorize emission increases without public notice, opportunity for judicial oversight or meaningful agency review.
- Transform EPA efforts to clean up the Great Lakes into meaningless rhetoric.
- Eliminate the Act's requirement that each source submit a compliance plan and schedule.

Highway Department wants to cut trees near Glenwood

The New Mexico State Highway and Transportation Department is currently planning a project to "improve" N.M. 174, the Catwalk Road in Glenwood, N.M., approximately one hour north of Silver City. These "improvements" call for widening a 2-mile stretch of road starting at the intersection of U.S. 180 and cutting down numerous large trees, including cottonwoods.

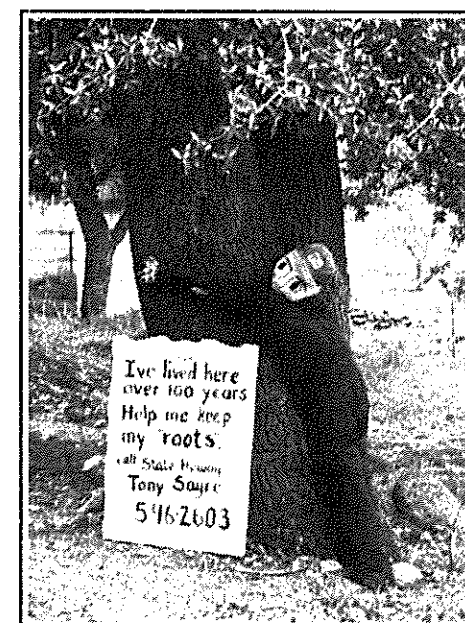
A public meeting was held March 25 in Glenwood. Most residents of the area oppose cutting of the trees. Public input is still being sought, and another meeting to present the final proposal will probably take place.

The Catwalk Road is a beautiful road, whose curves and trees prompt motorists to slow down. The lack of safety on a small, country road is cited as an important factor in the final decision. The road would be widened by two feet.

What You Can Do

- Write immediately to: Public Involvement Coordinator, NMSHTD P.O. Box 1149 Rm. 115 Santa Fe, N.M. 87504-1149
- Call Tony Sayre at 546-2603. Ask that NO trees be killed and that another public meeting be scheduled. Trees may be trimmed for safety.

For more information, contact Mike Sauber at Gila Hike & Bike, Silver City 388-3222.



Tree Hugger near Glenwood

Statewide Toxic Sites Search

The New Mexico Environment Department (via their contractor, Karl Souder and Associates) is searching the state for toxic sites. These are locations where some activity took place prior to environmental regulation, which might have left soil or water contaminated with toxic chemicals when the activity shut down. Some examples are:

- old smelters or mills
- wood treatment facilities, such as creosoting of railroad ties
- old town dumps or junkyards
- sites where explosives were manufactured or stored
- old sheep-dips
- old dry-cleaners.

Sites identified during this search will be investigated to determine whether they require immediate cleanup or monitoring.

If you have any information about such sites - perhaps there used to be a little metal-plating operation down the street from you, or you've come across the remains of an old mine and mill in your back-country rambles - please contact Karl Souder and Associates by phone at 983-4611; or write to us at 1476 St. Francis Drive, Santa Fe NM 87501. Your information could help to prevent severe damage to public health or the environment.

People for the West! Targets Jim Baca

People for the West! (PFW) the anti-wilderness alliance of loggers, miners, ranchers, and other subsidized public land users, has declared its intention to keep a close eye on New Mexico Land Commissioner Jim Baca.

According to a non-bylined article in PFW's June 1 newsletter, Baca has set himself up as "Public Lands Enemy #1." The author accuses Baca of ignoring his obligation as Land Commissioner to manage state trust lands to make money for public schools and other beneficiaries while emphasizing preservation of the assets, which the author contends is "a lesser aspect of his job description."

The author goes on to question the propriety of Baca's recent decision to join the Wilderness Society's Board of Directors, and concludes that New Mexicans will be "looking closely" at their Land Commissioner to make sure he does his job. Indeed.

OUTINGS

Listed below is a compilation of the four groups' outings for June and July in the hopes that it will provide the opportunity for all our members to find more outings of interest.

It is strongly recommended (and in many cases required) that the individual leader be called to confirm details of meeting place and time of departure. Dogs are allowed only when noted.

For everyone's well-being, leaders reserve the right to turn away anyone whose clothing or equipment or experience appears unsuitable for the particular trip. Carpooling is usually arranged at the meeting place. Happy hiking!

—Norma McCallan
Chapter Outings Chair

June 8/9	EMBUDITO TRAIL, SANDIA MOUNTAINS. Backpack and service project. Stefan Verchinski 888-1370 (Albq)	June 22-30	GILA WILDERNESS. 9-day Backpack. Lawrence Gibson 915-594-7342 (El Paso)	Sun July 14	JEMEZ PUMICE MINE/OJO LINE EXTENSION TOUR. Easy hike around proposed National Recreation Area. David Morrison 344-8693 (Albq)
Sat June 8	EMBUDITO TRAIL SERVICE PROJECT, SANDIA MOUNTAINS. Glen Xepher 296-0402 (Albq)	Sun June 23	SANGRE DE CRISTO MOUNTAINS, RANCHO VIEJO TRAIL. Moderate hike. Arnold Keakula 982-9570 (Santa Fe)	Wed July 17	SANDIA MOUNTAINS, La Cueva Picnic Area. Easy hike and bird watch. Laura Jenkins 293-7527 (Albq)
Sat June 8	STEWART LAKE, PECOS WILDERNESS. Moderate hike. Joe Whelan 984-0746 (Santa Fe)	Sun June 23	SANGRE DE CRISTO MOUNTAINS, BEAR WALLOW LOOP TRAIL. Easy hike, dogs allowed. Charles Crooks 471-0005 (Santa Fe)	Sat July 20	SANTA FE SKI BASIN. Wildflower photography techniques by professional photographer Ralph Genter 881-3147 (Albq)
June 8/9	SPRING CABIN, WHITE MOUNTAINS backpack. Eva Peppel 915-591-9713 (El Paso)	Sat June 29	GHOST RANCH, MESA DEL YESO. Strenuous hike. Brian Johnson 438-2087 (Santa Fe)	Sat July 20	TRAMPAS LAKES. Moderate/strenuous hike. Joe Whelan 984-0746 (Santa Fe)
June 8/9	GILA WILDERNESS backpack to Middle Fork hot springs. Storm Sermay 382-3348 (Las Cruces). Leader approval required.	Sat June 29	BLACK MOUNTAINS-EMORY PASS/SAWYER PEAK. Moderate day hike. Paul Bronson 521-4070 (Las Cruces)	Sun July 21	BOCA NEGRAS ARROYO, PETROGLYPHS NATIONAL MONUMENT. Easy hike. Ike Eastvold 255-7679 (Albq)
Sun June 9	PECOS BALDY LAKE, PECOS WILDERNESS. Strenuous hike. Merrill Goodwhy 471-5442 (Santa Fe)	Sat June 29	ADEN CRATER AND LAVA FLOW. Easy hike. Claus Christiansen 915-532-4066 (El Paso)	Sun July 21	SANTA FE SKI BASIN, LOOKOUT ROCK ABOVE LA VEGA. Moderate/strenuous hike. Norbert Sperlich 983-1962 (Santa Fe)
Sun June 9	ZUNI MOUNTAIN TIMBER SALE & OLD GROWTH FOREST hike, near Grants. David Morrison 344-8693 (Albq)	June 29/30	SAN GREGORIO LAKE, JEMEZ MOUNTAINS. Beginners' leisure backpack. Bob Cornish 255-6037 (Albq)	July 20-23	WEIMINUCHE WILDERNESS, COLORADO. Strenuous backpack. Lawrence Gibson 915-594-7342 (El Paso)
Sun June 9	RINCONADA CANYON, PETROGLYPHS NATIONAL MONUMENT easy hike. Ike Eastvold 255-7679 (Albq)	Sun June 30	ADEN CRATER AND LAVA FLOW. Easy hike. Identical to the one on June 29	Sun July 28	SANTA FE BALDY-LAKE KATHERINE-STEWART LAKE-SPIRIT LAKE LOOP. Very strenuous hike. Jeff Jones 984-2389 (Santa Fe)
Sat June 15	PENSTEMON RIDGE, near Santa Fe. Moderate/strenuous hike. Dan Mitchem 982-2032 (Santa Fe)	Sun June 30	SANTA FE SKI BASIN, ASPEN VISTA ROAD. Easy/moderate hike. Dogs allowed. Louise Leopold 988-4592 (Santa Fe)	Sun July 23	SANTA FE AREA. Easy hike, dogs allowed. Ken Adam 983-1949 (Santa Fe)
Sat June 15	CLOUDCROFT RIM TRAIL. Moderate day hike. Jim Bell 915-581-8864 (El Paso)	Sun June 30	PECOS WILDERNESS. Strenuous hike to Lake Johnson from Panchuela Campground. Gary Enos 473-4463	Aug 1-4	GILA NATIONAL FOREST SERVICE TRIP. Rollin Wickenden 915-598-8042 (El Paso)
Sat June 15	MONTANO BRIDGE BOSQUE TOUR, ALBUQUERQUE. Leisure hike, led by archaeologist Rita Sargeant 898-3279 (Albq)	July 4-7	ISLAND IN THE SKY, CANYONLANDS NATIONAL PARK. Car camp and day hikes. Norma McCallan 471-0005 (Santa Fe)	Sat Aug 3	SANGRE DE CRISTO'S. Moderate/strenuous hike. John McClure 473-1916 (Santa Fe)
Sat June 15	PIEDRAS MARCADAS, PETROGLYPHS NATIONAL MONUMENT. Leisure hike. Ike Eastvold 255-7679 (Albq)	July 4-7	LATIR PEAKS AND LAKES. Backpack/basocamp. Don Meadors 266-8823 (Albq)	Aug 3/4	ZUNI INDIAN RESERVATION. Car camp and day hikes to Dow-a-Yallane Peak and Nutria Canyon. Ron Miller 782-2463 (Zuni)
June 15/16	EL PASO AREA Kiddie backpack. Only those with children 5-12 are allowed. Rollin Wickenden 915-598-8042 (El Paso)	Sat July 6	PECOS WILDERNESS. Strenuous hike from Holy Ghost Campground to Stewart Lake. John McClure 473-1916 (Santa Fe)	Sun Aug 4	SANGRE DE CRISTO'S, NAMBE LAKE. Moderate hike. Merrill Goodwyn 471-5442 (Santa Fe)
June 15/16	MAGDALENA MOUNTAINS. Car camp and day hikes. Dan Jones 835-2677 (Socorro)	Sun July 7	PECOS WILDERNESS: HAMILTON MESA-MORA FLATS LOOP. Moderate/strenuous hike. Margo Murray 473-1916 (Santa Fe)	Sat Aug 10	SANGRE DE CRISTO'S, NAMBE LAKE. Moderate hike. Gary Enos 473-4463 (Santa Fe)
Sun June 16	CERRO PEDERNAL, near Abiquiu. Strenuous hike. Norbert Sperlich 983-1962 (Santa Fe)	Sun July 7	SANTA FE BALDY. Strenuous hike. Gary Enos 473-4463 (Santa Fe)	Aug 10/11	BANDELIER NATIONAL MONUMENT, PONDEROSA GROUP CAMPGROUND. Star gazing and meteor showers watching. Ron Mitchell 455-3002 (Santa Fe)
Sun June 16	ELK MOUNTAIN CONSCIOUSNESS RAISING HIKE. Magnificent old growth stands threatened by lumbering. Sam Hiit 988-9126 (Santa Fe)	Sat July 13	GEOLOGIC WINDOWS, PETROGLYPHS NATIONAL MONUMENT. Leisure hike. Ike Eastvold 255-7679 (Albq)	Sun Aug 11	SANTA FE SKI BASIN, WINDSOR TRAIL. Easy hike. Elizabeth Altman 471-8490 (Santa Fe)
Fri June 21	TENT ROCKS, near Cochiti. Solstice hike, leaving 7pm, easy/moderate. Dan Feller 266-1922 (Albq)	Sat July 13	SANGRE DE CRISTO'S, RANCHO VIEJO TRAIL. Strenuous hike. Myles Brown 47-5075 (Santa Fe)	Sat Aug 24	GLORIETA BALDY. Moderately strenuous hike. Noreen Sanders 984-0386
Sat June 22	RANDALL DAVEY AUDUBON CENTER, SANTA FE. Nature hike. David Henderson 983-4609 (Santa Fe)	Sun July 14	SANGRE DE CRISTO'S, LAKE PEAK RIDGE LOOP. Strenuous hike. Steven Merdler 988-4137 (Santa Fe)	July 31-Aug 2	LA PLATA MOUNTAINS, HIGHLINE TRAIL LOOP. 3-day backpack and climb

GROUP REPORTS

Southern New Mexico Group

Meetings

At the March 28 General Meeting, Claire Typpoli, Share with Wildlife Coordinator for the New Mexico Game and Fish Dept. presented a most interesting illustrated program on non-game wildlife and how the Share with Wildlife program is aiding these species through research and protection. We hope everyone checked off a portion of their New Mexico Income Tax refunds for this worthy program.

The April Meeting was moved to the 18th to part of the Earth Day commemoration and was held at the Crossroads Plaza at Corbett Center. Some 10-12 members provided readings of inspirational and mystical qualities concluding with environmental songs.

For the May meeting, Staff Specialist Lawson Legate of the Sierra Club Utah Office presented a program on the need for substantial revision of the 1872 Mining Law. Lawson recently returned from a lobbying trip to Washington, D.C. on behalf of the Bumpers/Rahall revisions.

The re-activated Conservation Committee has been meeting on the first Monday of each month, and the Executive Committee meets on the second Thursday. These meetings have been well-attended during the Spring.

Conservation

Eva Artschwager, environmental quality chair, has been our representative to the meeting of the Las Cruces Environmental Quality Analysis Committee (EQAC). The committee, comprised of professional and academic scientists, advises the city council on issues of environmental concern. Important issues being considered at present include copper levels in the effluent discharge from the wastewater treatment plants, pollution from wood-burning stoves, and the health hazards generated by fugitive road and gravel pit dust on the A-Mountain/Dripping Springs road.

Top land conservation issues being pursued include the Lincoln National Forest where a Group Timber-Task Force has been formed; turning up the heat on Sen. Bingaman who seems to be wilting under the pressure from the rancher/timber/mining interest newly reborn as "People of the West"; a letter writing campaign to be kicked off by

mailing a fact sheet to all Group members; monitoring of Sen. Bingaman's action on Energy Legislation and ANWR; increased interest in BLM Wilderness Legislation with the August General Meeting being devoted to the subject; working against privatization of all Elephant Butte Irrigation District canals and waterways; and promoting recycling and pre-cycling in the Dona Ana County refuse collection programs.

Administration

Kevin Bixby attended a Sierra Club conference for chapter newsletter editors in San Antonio in early April. A Group phone tree was initiated by David Pengelley. Connie Falk, David Pengelley and Storm Sermay participated in the NMSU public radio station fund raising event. Our Group newsletter, "The Log" will be using less logs in the future since Storm Sermay arranged to have it printed on recycled paper.

A sub-committee of the Group Ex-Com has been formed to develop criteria for awarding a \$500 prize to a science student for projects relating to the Dripping Springs area on the Organ Mountains. Mr. John Kuhlman, Sierra Club member and volunteer at the BLM Dripping Springs Visitor Center, has proposed this award in memory of his wife and requested the Southern New Mexico Group to administer this award.

Santa Fe Group

On the weekend of April 27/28 Randy Freeman, Roger Peterson, Lani Moore & Norma McCallan travelled to Farmington to meet with members living in the Farmington area. We enjoyed a day hike in the Bisti, led by Belva Christiansen and a coffee & cookies get-together in the evening at the Community College, hosted by Mary Jo Clark and Belva. It was nice to meet these far-away members, and now that they know each other somewhat better, we hope they will continue to get involved in hikes, environmental activities, and their newly formed phone tree.

On Saturday May 10, we manned a booth at the Santa Fe Flea market overflowing with saleable items donated by members. We made \$900, which will help in replenishing a meagre local treasury, and plan to do another next year.

We have been moving around for our general meeting while waiting for the Unitarian Church to finish its renovations. Nonetheless we enjoyed a good attendance at April's general meeting which featured a slide show on grazing by Katherine Buehler, and at May's which featured Rick Smith from the National Park Service on 5 World Class Hikes in the National Park System.

We hope that anyone passing through Santa Fe will join us and the Chapter ExCom for our annual Summer Solstice Picnic on Saturday June 22. Please call me at 471-0005 for location.

We have been talking with Fred Friedman from the Highway Department about possible rails-to-trails projects on the old Chile Line and on the about-to-be-sold arm of the Santa Fe Railroad from Lamy to Santa Fe. If anyone knows of other rails-to-trails projects in the state, or would like to be involved in these, please let Fred know, at 827-0410 (Santa Fe)

El Paso Group

No report received.

Albuquerque Group

Programs

Mountain Biking co-existing with hikers on wildlands was the April general meeting for the Albuquerque group. The May program will focus on PNM's proposed Ole powerline in the Jemez Mountains. The presenter will be Ted Davis of Save the Jemez.

Outings

David Morrison has organized a service outing to maintain the Embudito Trail in the Sandia Mountains. The Embudito is the group's adopted trail. A large turnout is expected.

Fundraising

The group participated in a follow up phone bank to the March fundraising letter. The money raised will go for maintaining our office and basic expenses.

Conservation

(continued on next page)

Sierra Club Plans to Sue Coors Brewing Co.

by Yuki Ishizuka, Sierra Club Legal Defense Fund

LAST MONTH, THE ROCKY MOUNTAIN CHAPTER of the Sierra Club announced plans to sue the Adolph Coors Brewing Co. for well over a hundred violations of the Clean Water Act. Investigations conducted by the Sierra Club Legal Defense Fund in Denver have revealed that for the past five years the Coors brewery in Golden, Colorado has continually discharged unlawful amounts of toxic and non-toxic substances into a nearby stream. The Sierra Club Legal Defense Fund will represent the Sierra Club in the upcoming litigation.

Under the Clean Water Act, any company which discharges pollutants into water bodies of the U.S. must obtain a permit from the Environmental Protection Agency or an authorized state health agency. This permit sets stringent standards limiting the amount of each pollutant the company can discharge. Over the past five years, Coors has violated the limits for cyanide, mercury, nickel, nitrogen, ammonia, and fecal coliform, among others. The worst problem has been consistent violations of the standard for silver.

Coors has a long history of environmental problems. In 1988, the EPA named Coors the single largest polluter of 154 companies that dumped hazardous waste at the Lowry Landfill in

Colorado. Last year, Coors was cited by the EPA and the Colorado state health department for violations of hazardous waste and water quality laws. State health officials also cited Coors for illegally pumping contaminated water into Clear Creek for over a decade from the mid 1970s to the mid 1980s. Coors plead guilty to violating state water quality laws and agreed to pay \$750,000 in fines. Just recently, on May 5, Coors "accidentally" dumped 155,000 gallons of beer and raw sewage into Clear Creek, killing as many as 17,000 fish.

After hearing of the Sierra Club's intent to sue them for its CWA violations, Coors spokesman Jon Goldman said they were "disappointed" by the Sierra Club's action and that the permit limitations were difficult to meet. In recent years, Coors has tried to portray itself as an environmentally conscious company by launching programs such as the Pure Water 2000 campaign. Dr. Eugene DeMayo, chairman of the Rocky Mountain Chapter of the Sierra Club, called Coors a "chronic polluter" and stated that, "The Department of Health has tried unsuccessfully for a year to convince Coors that they must comply with their permit. With this suit, the Club hopes to send a message that Coors cannot ignore. The citizens of Colorado will not stand idle while Coors degrades our environment."

Dealing with the Club

(continued from page 16)

revoke your chapter's charter or disband your chapter's board, but it doesn't really want to do that. It doesn't want to have to run your chapter for you. (Generally, it is too busy and/or incompetent to do so anyway.) And if your chapter actually were disbanded, you and your friends could always run for reelection when it is reorganized, and win. The national by-laws prevent your being thrown out of the Club as long as you are willing to pay your annual dues.

Most important, if such action ever were taken against you, you could talk to everyone under creation about it. The national Club is deathly afraid of bad publicity. Bad publicity from radical, foaming-at-the-mouth groups like Earth First! is one thing, but bad publicity from within the Club is something else. As a bona fide "volunteer leader," your criticisms of "Club policy" carry considerable weight.

All of the above may make you want to just ignore the Sierra Club ... but please don't. The Sierra Club is one of the oldest and largest environmental groups in the world. As of now, it is still one of the most

respected. And we need the Sierra Club if we are to save anything. We need the Sierra Club to be what it claims to be, what most people still think it is.

The danger is that people may begin to realize that the Club isn't living up to its reputation these days. Already, some of the people who really know how to fight for wilderness are giving up in disgust, beaten by the bureaucrats. These folks are walking away and leaving the Club in the hands of a group of hollow status-seekers. Soon, the individual members may realize what is going on. If that happens, the Club will be in danger of collapsing.

Without a strong and sincere Sierra Club, much wilderness and wildlife would be lost that could otherwise be saved. What the Club does in Washington may be disgusting, but what it doesn't do in Montana and Maine may turn out to be tragic.

However, you can stop the Club's decline. Those of you reading this are probably the only people who can... You may not like the Club, but you can be far more effective as a member, preferably with a title, than you can possibly be from outside it... Additionally, anyone can, with a petition containing the signatures of 2 percent of the number of

members who voted in the last national election, force the National Board of the Sierra Club to put any question she or he likes on the ballot for the next national election. Usually between 30,000 and 60,000 vote, so a petition with between 600 and 1200 signatures will do.

If such a referendum passes, the National Board of Directors MUST adopt that resolution as national Sierra Club policy. If you doubt it, read the Sierra Club's National By-Laws, section 11. If you can get 1200 signatures of paid Sierra Club members on a petition, you may be able to change the Club's policies, procedures, structure, by-laws, anything.

These suggestions are meant to help you deal with the Sierra Club more effectively ... Let's pool our knowledge. Maybe we can help each other.

[The author is a Sierra Club volunteer. This article is reprinted by permission from the Spring 1991 issue of Wild Earth.]



Kauai Bicycle Tour

The Hawaii Subcommittee of the club's Outings Committee is sponsoring another popular bicycle tour in the islands from July 7 - 12, 1991. A low impact cycling tour allows participants to really experience the sights and smells, the people and the culture and beautiful plant life that gives Kauai its nickname, the Garden Island.

The tour includes the Hanalei and Hanakapiai valleys, Walmea Canyon, and the Alakai Swamp with five riding days of between 25 and 40 miles. Visits to museums, hikes and swimming will also be included on the layover days. The group will use beach camps and mountain cabins at Kokee State Park. A sag wagon will carry all participants' gear and equipment.

The trip cost is \$1080, excluding air fare. For more information, please write to the Sierra Club Outing Department, 730 Polk Street, San Francisco, CA 94109, and ask for the brochure for trip #91-272. For further questions, contact the leader: John Ryzek, 756 Hilton Road, Walnut Creek, CA 94595, telephone (415) 939-5181.

Albuquerque

(continued from previous page)

The Chapter has filed a lawsuit with other environmental groups to assure that the city of Albuquerque follows parkway standards on Unser Blvd. that are the least harm to Petroglyph National Monument.

Hubert Davis and others have been meeting with the Cibola National Forest Watch each month to protect the forest's biological diversity.

We have formed a new population committee with Bruce Ferguson and Michelle Meaders as chairpersons. The committee is cosponsoring a dinner and speech by Ex-Governor Lamm of Colorado on June 24th. Mr. Lamm will discuss the issue of population growth.

A comprehensive recycling policy should be approved by the Albuquerque city council on their May 20th meeting. This is hard fought victory.

Stefan Verchinski and Heidi Flesichmann wrote a letter to the state highway department requesting a bike lane on I-40 bridge.

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Photo: Darius Kinsey, Whatcom Museum

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The Best and the Worst 1991 Model Cars

The 10 Most Fuel-Efficient Cars

Model	City	Hwy.	Lifetime CO2 (tons)	Lifetime Gas (gals.)
Honda Civic CRX HF SIL	49	52	20.33	2203
Chevrolet Sprint MS	45	50	21.7	2203
Suzuki Swift (3 cyl.)	45	50	21.7	2203
Geo Metro LSI	45	50	21.7	2203
Pontiac Firefly	45	50	21.7	2281
Geo Metro	45	50	21.7	2408
Honda Civic CRX HF	43	49	22.47	2551
Geo LSI Convertible	41	46	23.7	2615
Suzuki Swift (4 cyl.)	39	43	25.1	2630
Daihatsu Charade	38	42	25.7	2711

The Most and Least Fuel-Efficient Cars by Class

Class	Best	Worst
Two-seaters	Honda Civic CRX HF	Mercedes-Benz 500 SL
Minicompact	Nissan NX Coupe	Porsche 928 S4
Subcompact	Geo Metro XFI	BMW 850i
Compact	VW Jetta Diesel Turbo	Mercedes-Benz 560 SEC
Mid-size	Plymouth Acclaim	BMW 750 IL
Large	Saab 9000	Ford LTD Crown Victoria
Small station wagon	Honda Civic Wagon	Toyota Camry Wagon
Mid-size wagon	Volvo 240 & 740	Mercedes-Benz 300TE
Large wagon	no difference	
Light Truck	Suzuki Samurai	Dodge AW150 Ramchgr & W100/150 PU
Van	Ford Aerostar	Dodge B350

Source: Public Citizen Critical Mass Energy Project, 1991

MEMBERSHIP FORM

☐ Yes, I want to join! I want to help safeguard our nation's precious heritage. My check is enclosed.

New member name _____

Address _____

City _____ State _____ Zip _____

Telephone (optional) _____

MEMBERSHIP CATEGORIES

	INDIVIDUAL	JOINT
REGULAR	<input type="checkbox"/> \$35	<input type="checkbox"/> \$43
SUPPORTING	<input type="checkbox"/> \$50	<input type="checkbox"/> \$58
CONTRIBUTING	<input type="checkbox"/> \$100	<input type="checkbox"/> \$108
LIFE	<input type="checkbox"/> \$750	<input type="checkbox"/> \$1000
SENIOR	<input type="checkbox"/> \$15	<input type="checkbox"/> \$23
STUDENT	<input type="checkbox"/> \$15	<input type="checkbox"/> \$23
LIMITED INCOME	<input type="checkbox"/> \$15	<input type="checkbox"/> \$23

Annual dues include subscription to *Sierra* (\$7.50) and chapter publication (\$1). Dues are not tax-deductible.

Enclose check and mail to:

Sierra Club

Dept. H-112
P.O. Box 7959
San Francisco, CA
94120-7959

W 1700
FRIP No.

CALENDAR

June 4	Last Great Auk clubbed to death, Iceland, 1844 Sierra Club formed, 1892.
June 8	Forest Service splits Gila Wilderness with North Star Road
June 15	Morris Udall born, 1922
June 22-23	Chapter ExCom Meeting, Santa Fe.
June 25	Battle of Little Bighorn
July 1	David Brower born, 1912
July 20	Chapter Conservation Committee Meeting, Socorro
August 24-25	Chapter ExCom Meeting, Springtime Campground, San Mateo Mountains
Sept. 21-22	SW Regional Conservation Committee (SWRCC) Meeting, Denver
September 28	Chapter Conservation Committee Meeting, Socorro
October 12-14	Chapter Retreat, Ghost Ranch
October 19-20	Chapter ExCom Meeting, Albuquerque

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Rio Grande Chapter
Sierra Club
P.O. Box 3705, UPB
Las Cruces, NM 88003

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Newsletter Positions Available

If you can spend a few hours every other month helping to produce this newsletter, we need you. Advanced skills and extensive experience are not required.

This is an excellent way to get involved with the Sierra Club, especially for people who don't like going to a lot of meetings. It is also good work experience for your resumé. There are no salaries, but all of your necessary expenses will be paid by the Chapter. For more information, call Kevin Bixby at (505) 525-1532.

Art Editor *Norma*

Responsibilities: Obtain or produce artwork to accompany particular articles as needed; compile a general art file for the *Sierran*. A fun job for someone with good artistic/design sensibilities. *Approximate time commitment:* 2-4 hours per issue.

Advertising Manager *Sam/Steven*

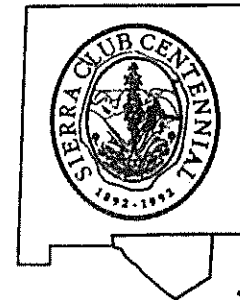
Responsibilities: Contact potential advertisers to show *Sierran*, describe readership, and provide ad rates; work with advertisers to develop copy; show proofs; deliver tearsheets; collect payment. The position would be a great way to meet lots of interesting people, and probably get some good discounts on outdoor equipment, etc. Don't worry about not being a good salesperson; advertising in the *Sierran* will sell itself. *Approximate time commitment:* 3-5 hours per issue, for a minimum of 3 issues.

Typesetter/Proofreader/Factchecker

Responsibilities: Help prepare submissions for publication, including using a scanner to enter typed material and graphics onto a Macintosh computer, formatting text, factchecking, obtaining permission to reprint material, and proofreading. This is an excellent opportunity to learn computer desktop publishing skills and to read a lot of interesting articles. Must live near Las Cruces. *Approximate time commitment:* 8 hours per issue.

Distribution Manager

Responsibilities: Take charge of distributing *Sierran* once it is printed, including: researching least expensive mailing methods, arranging for mailing, organizing mailing parties if necessary, ensuring that mailing labels were sent by San Francisco on time, responding to address changes and requests for subscriptions, keeping track of non-member subscriptions, arranging for reciprocal subscriptions with other publications, and responding to requests for extra copies. An excellent opportunity to master Postal regulations. *Approximate time commitment:* 4-8 hours per issue.



THE SIERRAN

RIO GRANDE

NEWS OF THE RIO GRANDE CHAPTER OF THE SIERRA CLUB • JUNE/JULY 1991 • \$1.00

The "Stealth" Sagebrush Rebellion

NEW MEXICO TAXPAYERS AND ENVIRONMENTALISTS almost lost the latest reincarnation of the Sagebrush Rebellion without a shot being fired.

Ranching and mining interests, ever ready to privatize public land, launched a surprise attack during the most recent state legislature. The neo-Sagebrushers introduced a spate of innocuously titled bills that would have eviscerated the regulatory and administrative functions of state government as well as that of most cities and localities. Fortunately, none of the bills passed.

Senate Bill 328, *The Regulatory Takings Act* introduced by John L. Morrow (D-Colfax, Harding, Quay and Union), was the flagship of the takings bills. It would have required all state agencies and municipalities to evaluate their actions, rules, regulations, policies and proposed legislation to see if any "have constitutional implications" and "could effect a taking or deprive a person of property without due process of law." In essence, the act would have required agencies to do "constitutional impact assessments" on most of what they do. Under the proposed act, aggrieved citizens could sue the government to recover the value of their lost property.

All this sounds quite American. No one wants to see anybody deprived of their property. However, this legislation would have gone far beyond protecting constitutional rights. It would have been a vehicle for the harassment of state and local government at all levels.

Under Morrow's bill, citizens who successfully sued government agencies would automatically be awarded court costs and

attorneys' fees. (Usually the awarding of such costs is left to the discretion of the court.) Judgements would come out of an agency's operating budget, unless it submitted the amount of the proposed taking to the Department of Finance and Admin-

"This legislation would have gone far beyond protecting constitutional rights. It would have been a vehicle for the harassment of state and local government at all levels."

istration in advance. These provisions would encourage frivolous and costly litigation, since a person could conceivably sue for a \$1000 taking and submit a \$100,000 legal bill.

The main proponents of the bill as revealed during the hearings—the Catron County Cattle Growers, the New Mexico Cattle Growers and the New Mexico Farm Bureau—tend to see a taking behind every tree. They have made it clear on many occasions that they consider the eating of forage on leased public land by elk to constitute an unlawful taking.

It doesn't take much imagination to see the severe and chilling effects of this legislation on agencies whose budgets could be wiped out by a few disgruntled individuals. Had it passed, this bill would have rendered the Environmental Department (ED) even less effective since almost everything ED does has the potential to reduce the value of a business by requiring it to internalize the costs of pollution instead of dumping it into the commons. The likely result would have been weakened environmental regulations, which in turn might

(Continued on page five)



**Ike Eastvold Wins
National Sierra Club
Award – Page Six**

Inside: ANWR Update • N.M. Senate • Chapter Appeal Results • Coors Suit