

This map shows the location of the five volcanoes on property owned by the City of Albuquerque. Developers have asked the Environmental Planning Commission for permission to develop the Bond Ranch property, even though the area was dedicated to "open space" in the year-old Albuquerque Comprehensive Master Plan.

Albuquerque Master Plan Falters

To most New Mexicans, the preservation of open space is a minor consideration compared to our many other environmental problems. This, however, is not true of the Albuquerque area. The setting aside of certain lands as open space near the city is a major factor in controlling growth and the preven-

tion of suburban sprawl, in addition to the obvious benefits of major open spaces. Albuquerque is a city physically defined by "edges". The most obvious "edge" is the Sandia Mountain range to the east. The western "edge" is the area around the five volcanoes.

(Continued on next page)

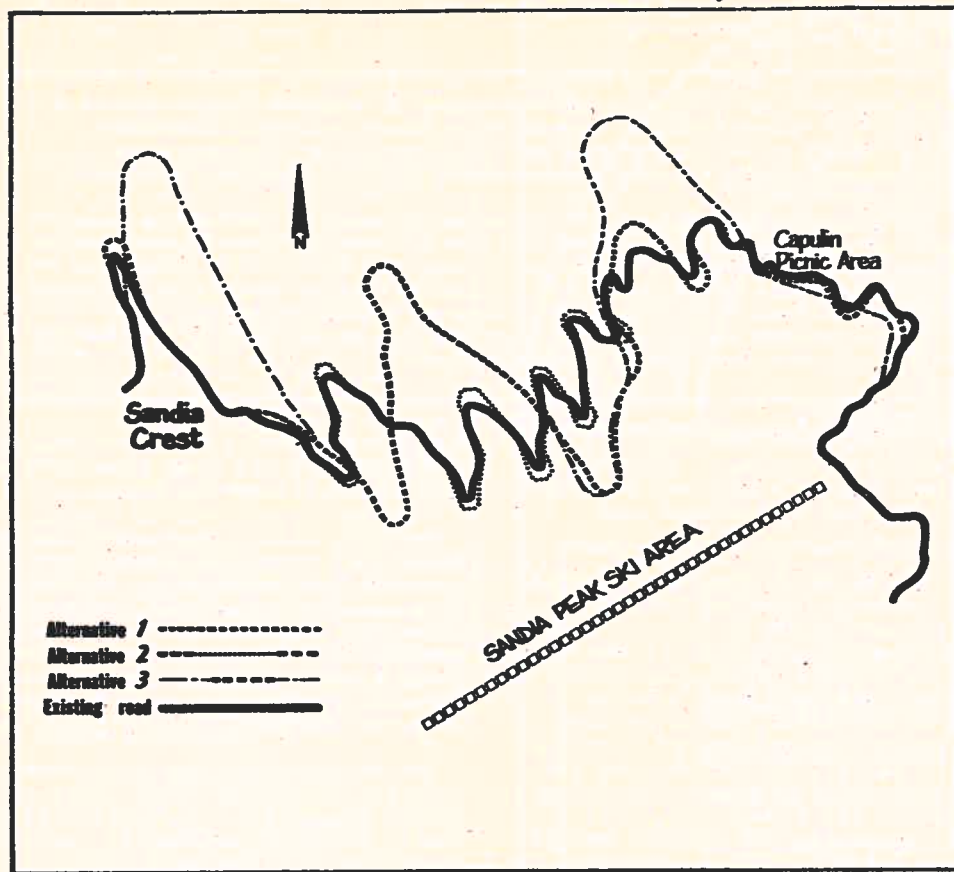
Sandía Road Reconstruction Considered

by Phyllenore Howard

The Cibola National Forest is planning to proceed with plans to reconstruct NM-536, the road leading from the Sandia Peak Ski Area to the Crest of Sandia Mountain. The Forest Service held a meeting in Albuquerque November 1975 to outline possible alternatives for this reconstruction. The public has until December 10 to submit initial comments. Readers of this article will not be able to respond in that period, but there will be additional opportunities to comment as an environmental analysis is completed on the project, and a public hearing is held by the Highway Department after the first of next year.

The proposed action to reconstruct the road to the Crest was discussed in the Final Land Use Plan for Sandia Mountain released by the Forest Service in April 1975. That Land Use Plan also dropped an earlier plan to construct a new road from the Crest south to Placitas -- known as the Placitas Loop Road or the Sandia West Scenic Loop Highway. The decision to drop plans for such a Crest road represented a major victory for the Sierra Club and many other organizations and individuals who had been opposing plans for the new road for many years.

Justification given for the need for reconstruction of the existing road to the Crest is its narrow width, basically without shoulders makes repair difficult, snow removal almost impossible in some places, and provides inadequate parking. Assuming that reconstruction is desirable and will take place (an assumption which you, the reader,



need not accept), the alternative listed as #1 on the diagram is probably the least damaging. Clearing for this route was in fact done in about 1970. Back then plans for the road were "go" and the Forest Service and the Highway Department started construction by clearing the right-of-way. As you drive to the Crest today you can see these large cleared areas. Local citizens

were shocked by the action, however, and succeeded in getting a court order to stop construction until a land use plan was completed for the Sandias, and an Environmental Impact Statement was prepared as required by law.

Whether or not the cleared route would have been the best route the fact remains that the land has been cleared and it seems to make most sense to use

that clearing rather than make another one. Alternative #3 is ridiculous in the amount of clearing that would be required, and even alternative #2, which seems least disruptive at first glance, would require a lot of additional cutting and filling. The Forest Service and Highway Department say they are willing to consider any of these three proposed alternatives, others, or some combination of these.

As far as whether the reconstruction should take place at all, this question is still open for consideration, and you--the reader--should give it some thought. Money available to the State for Forest Highway construction is separate from other highway funds. Presumably the State/Forest Service/Highway Department priority-setting process has fairly determined that this particular road is priority #2, after reconstruction of the Cuba to Fenton Lake road which is now in progress.

In addition to route preferences, the Forest Service is asking for public response to the following questions:

How wide should the road be?

Should there be scenic overlooks?

Where should snow-play areas be, and how many?

What should be done with the old road right-of-way?

What is known about plants and animals along the proposed routes, and particularly are there any endangered plants or animals in the area?

Should a bicycle lane be included in the road design?

Send your comments soon to Supervisor, Cibola National Forest, 10308 Candelaria NE, Albuquerque, NM 87112.

Albuquerque Master Plan Falter

(From front cover)

In 1974 the City of Albuquerque developed a Comprehensive Master Plan. One of the key elements of its master plan was a Plan for Major Open Space. This plan designated the northern volcanoes and portions of the basalt flow escarpment as "Major Public Open Space" for uses such as passive recreation, scenic area, natural resources, etc. The Comprehensive Master Plan and Plan for Major Open Space were adopted by the city and county governments in August of 1975. These plans were the result of extensive work by the city-county planning staff, together with a major effort on the part of a large number of citizens. These citizens gave freely their valuable time to serve various task forces, to testify at hearings, and to ensure that this plan did indeed reflect the values, concerns and commitment of the people of Albuquerque. Those of us involved in this effort (as well as previous efforts to preserve the Sandia Foothills, the Bosque area of the Rio Grande, and the Volcanoes) felt that the local governments had made a firm commitment to preserve these areas from development. It seems now that we were mistaken.

This summer (not even a year after the Comprehensive Plan was adopted) a development group proposed a residential development which would surround the two northern volcano cones. They urged the city's Environmental Planning Commission to consider

permitting this development based on a "redefinition of open space." They proposed a low density development of one "ranchette" to every ten to forty acres. They argued that this density would not destroy the concept of open space. (That is like saying you are only a little pregnant.) Once open space is developed, it can no longer be considered open. One can call it low density development, but one can no longer designate it as "open." Fences, telephone poles, houses and corrals, glass windows reflecting back to the city, trees and lawns in an unnatural setting, the glitter of lights at night, etc., do not fit with the concept of open space.

The Open Space Task Force has been in firm opposition to this proposal from its beginning. The Open Space Task Force is made up of citizens representing the various groups such as Save the Sandia, the Bosque Association, and Save the Volcanoes. It acts as a citizens' advisory group to the city-county government. Our unanimous opposition to this development proposal is based on a belief that with the adoption of the Comprehensive Plan, the city and county made a commitment to the citizens that this area would be preserved in its natural state and not developed. Previous bond issues have demonstrated this

open space is: 1. a natural expanse. 2. the perfect place to build something. 3. cheap land.

community's willingness to use its tax money (a small portion actually) for the purchase of open space. Now, as in the past, the Environmental Planning Commission is attempting to satisfy the wishes of developers because they are proposing something other than a Rio Rancho Estates. They are on the verge of compromising a plan which has been in effect only a little more than one year!

Why did they bother developing a plan if it only held up for one year? The Open Space Task Force has been asked by the Environmental Planning Commission to look at redefining the boundaries of the Open Space Plan or redefining the definition of open space, or permitting development adjacent to the existing subdivided lands (which means more "sprawl"). The lack of resolve to control growth, to discourage suburban sprawl, to adhere to a logical master plan, and to stand behind a commitment made only a few months ago are all factors which make the citizens serving on the task force wonder if they are wasting their time.

If the city is willing to compromise in this instance, then the preservation, as open space, of the Sandia Foothills or the bosque areas of the Rio Grande are in serious jeopardy. What will happen when a fast-talking developer proposes a condominium development in the foothills, but says he will give half his land to open space if they will allow him to put ten units to the acre in the remaining half? You see,

it will not exactly be open space, but then the city can build more convention facilities or give industries even more "tax incentives" so they will move to Albuquerque, or it can help finance a new west mesa airport (which we need like we need a new concrete ditch through the middle of the Rio Grande from Cochiti to Socorro). Once again, it comes down to our value system. Is the preservation of these open spaces worth as much as subsidizing new industries in an area that is experiencing growth pains already? Are the vistas to the east and west of Albuquerque worth as much as a new convention center which is costing the taxpayers money every year? Are we so hung-up on economic growth that we are willing to make Albuquerque indistinguishable from Los Angeles or Kansas City? Can we put a dollar value on what remains of Albuquerque's unique character? How long will it take for the Environmental Planning Commission to live up to its name? Or should we change it to the D.P.C. (Development Planning Commission) as V.B. Price has suggested? The answers to these questions will be reflected by the decision that the E.P.C. renders on the "test case" proposed by those who wish to put ranchettes on the basalt flow of Albuquerque's west mesa.

-- H. Barker

H. Barker is an architect in Albuquerque and has served the Club as a member of the Executive Committee of the Rio Grande Chapter.

FROM WASHINGTON —

Wrap-up of Environmental Legislation From the 94th Congress

The Toxic Substances Control Act

A major environmental protection bill was signed into law October 11th, the Toxic Substances Control Act of 1976. President Ford played it close to his chest until the last minute; the deadline for signature was midnight October 11th, and no one in the administration would say what he would do. Rumors of strong polarization, both pro and con, among top advisors were circulating. Although the law has its deficiencies, on balance it is a tough measure that can now be counted as a major victory for the environment and public health.

The central sticking point on which two previous congresses could not reach agreement was the premarket testing authority for EPA. It was resolved in a compromise: EPA has authority to hold a chemical off the market until premarket testing is done, or, if the manufacturer has good cause to object to the EPA order, the agency can go to court to obtain an injunction. The bill does provide several major new authorities for EPA to regulate industrial chemicals, including the following: (1) to require testing of existing as well as new chemicals (on a priority basis); (2) to require premarket notification of all new commercial chemicals and significant new uses of existing ones; (3) to regulate the production, use, distribution, or disposal of hazardous chemicals; (4) to ban hazardous chemicals (PCB's are required to be banned); (5) to require regular reports from all large manufacturers and limited reports from small manufacturers; (6) to regulate the import and export of chemicals; and (7) to impose civil and criminal penalties on violators. The new law also allows citizen suits and petitions, has employee protection provisions, and requires disclosure of company health and safety information. Industrial chemicals have never been regulated in such a comprehensive manner, and a great deal of information will have to be gathered before the program can reach its full potential.

Whether or not human health and the environment will be adequately protected under the new law depends on how it is implemented. Clearly, the administration plans a modest beginning. Its pressure succeeded in keeping the authorizations low - \$10.1 million for 1977; \$12.6 million for 1978; and \$16.2 million for 1979. Almost all decisions on what chemicals to take action against are left up to the administration, and some cumbersome procedures have potential for delay. If the new law is to work and be vigorously implemented, it will take a change in administrative attitudes and pressure from citizens.

The new law was the result of almost 6 years of struggle. First introduced in 1971, both houses of two previous congresses passed bills, but versions were too disparate for a compromise. However, increasing public concern about such chemicals as vinyl chloride and PCB's created more pressure, and Congress renewed its efforts. The lobbying for the bill was also better, drawing together many environmental, consumer, health, and labor groups. Action was slower than expected. The Senate passed its bill, S. 3149, in March, and the Club preferred its version. Credit goes to Senators John Tunney (D-California), Vance Hartke (D-Indiana), and John Durkin (D-New Hampshire) for bringing out a good Commerce Committee bill and for holding onto much of it in conference. Predictably, the House was tougher to work with. As passed in August, H.R. 14032 was the product of a compromise struck between Representatives Bob Eckhardt (D-Texas) and James Broyhill (R-North Carolina). Though stronger than any previous House bill, the measure was substantially weaker than the bill originally preferred by environmental groups, authored by Representative Bill Brodhead (D-Michigan). In conference, the stumbling block was premarket testing, but agreement was eventually reached. The Conference Report was passed by the House and Senate on September 28, 1976. Focus next year will have to be on getting the money for EPA substantially increased and on oversight of EPA's implementation program.

Tampering With Clean Water Act Fails

Environmental advocates are relieved that the clock ran out on the House and Senate Public Works Committees' conference, which ended its second and last meeting on September 23rd in a deadlock over proposed amendments to the Clean Water Act. Sierra Club Washington Representative Rhea Cohen suggests that Senators Edmund Muskie (D-Maine), Howard Baker, Jr. (R-Tennessee), John Culver (D-Iowa), and Gary Hart (D-Colorado) deserve letters of thanks for firmly rejecting House language amending Section 404 (Wetlands Protection) and Title 2 (Municipal Sewage Treatment Works Construction Grants).

On June 3rd, the House passed H.R. 9560 by a vote of 339-5. This bill disastrously undermined numerous provisions of the Clean Water Act (P.L. 92-500), but primarily attacked Section 404 and Title 2 (See August '76 Sierran). The legislation would have (1) narrowed the definition of navigable waters, thus cutting back federal control over the disposal of fill material in wetlands; (2) provided

In this issue of the Sierran we are bringing you a rather lengthy summary of the fate of various pieces of legislation of an environmental nature which either passed or died in the Congress. This material is from the Sierra Club's National News Report which is a weekly out of the Club's national headquarters in San Francisco.

The National News Report is not limited to its watch of environmental legislation, but also reports on environmental news of interest to the Club throughout the year. If you should be interested in receiving this kind of information you may subscribe to the NNR for \$10 per year by writing: Sierra Club, 530 Bush Street, San Francisco, Calif. 94108, Attention: National News Report.

Because the NNR is mailed 'first class' the information in it is as timely as can be expected from a Sierra Club publication.

for delegation of the permit program to states; (3) exempted federal projects; (4) removed protection from all waterways not used by ships and barges; and (5) made possible the dumping of toxic materials into wetlands & tributaries used for drinking water supply but not for commercial transportation. Under the guise of cutting red tape, this "Wright-Breaux Amendment" (by Democratic Representative Jim Wright of Texas and John Breaux of Louisiana), actually added new language to Section 404 without

supplying needed guidelines and criteria for state delegation. It would undoubtedly have generated new regulations and court challenges because of its ambiguities.

The bill also authorized state delegation of the Title 2, the "Municipal Treatment Works Grant Program," without including criteria and performance standards to assure state's competence. This was the "Cleveland-Wright Amendment" (by Representatives James Cleveland, Republican of New Hampshire, and Wright). Another amendment by Representative Robert Roe (D-New Jersey), would have given states complete control over spending priorities, with the probable result that more federal money would go to growth-inducing projects instead of to critical existing pollution control needs.

The Senate countered on September 1st by narrowly beating (40-39) a motion by Senator John Tower (D-Texas) to adopt the House "Wright-Breaux Amendment." Instead, the Senate adopted the less harmful "Baker-Randolph Amendment" (Senators Howard Baker, Republican of Tennessee, and Jennings Randolph, Democrat of West Virginia), which would have transferred major authority over the wetlands permit program from the Army Corps of Engineers to EPA, while allowing qualified states to administer it. The Senate amendment has a proviso that EPA could withdraw a delegated program from a state not administering it in accordance with federal requirements. It also provided statutory exemptions for normal farming, silvicultural and ranching activities; farm, mining, and forestry roads; and dredging to maintain federal navigation channels. All such practices would have to be carried out in accordance with certain management practices. Further, it assured that disposal of toxic materials remained under regulation. In effect, the Senate language would have shifted the yet-to-be-implemented Phases Two and Three of the Corps Section 404 Program directly to the Section 402 EPA National Pollutant Discharge Elimination System (NPDES) and would have allowed even existing Corps Phase One fill permits for navigable waters to be issued by states under delegated programs. The three-phase Corps system already has the strong approval of environmentalists, who consider the Agency's handling of Phase One during the last year to be quite satisfactory.

Although the Senate bill included other minor changes in the Act, it did not amend Title 2. As a result, the Senate conferees took a vastly disparate bill into conference and promptly reached a stalemate, causing the amendments to die.

While grateful for the reprieve for the Clean Water Act, the numerous conservation and citizen groups, including the Club, which has worked hard to protect the Act, anticipate hearings and a new round of amendments early next session. Senator Muskie has already promised an in-depth review of the report of the National Commission on Water Quality (the "Rockefeller Commission"), and has stated his Environmental Pollution Subcommittee's intention "to devote as much attention to the Clean Water Act during the next session as it has devoted to the Clean Air Act this year."

Clean Air Amendments Filibustered

Since the first of the year the Sierran has reported on the issues involved in the Clean Air Act amendments (see Sierrans January, May and August 1976) partly because of the obvious value that strong Clean Air legislation would have for New Mexico, partly because Senator Pete Domenici made passage of the Amendments one of his priorities and worked diligently to that end. It is disheartening that the sophomonic tactics of senators from neighboring states could undo all of the hard work. - Editor

The Senate closed its doors without enacting the Clean Air Act Amendments (S. 3219, H.R. 10498). Consideration of the conference committee bill during the last days of the session fell victim to a filibuster by Senators Jake Garn (R-Utah), Frank Moss (D-Utah) and Clifford Hansen (R-Wyoming). By a close vote, the Senate declined to extend the session long enough to invoke cloture. Thus died a bill which had been in the making since the session's beginning, consuming some 56 days of hearings and 48 mark-up sessions in the Senate alone. Largely because of the perseverance of Senator Edmund Muskie (D-Maine), the bill gained the nearly unanimous support of the members of the Public Works Committee, which reported it in late March. The Senate passed the bill on August 5 by a vote of 78-13. In the House, Representative Paul Rogers (D-Florida), chairman of the Health & Environment Subcommittee of the Committee on Interstate & Foreign Commerce, orchestrated a comparable effort. The House bill passed September 15, by a vote of 324-68. The conference committee combined many of the best elements of both

(Continued on page 4)

CAN Can, With Your Help!

The legislative session is fast approaching, and now is the time to start planning for sound proposals. A bottle bill similar to Oregon's went down to defeat last time, but it's time to try again. We need to coordinate efforts among volunteers around the state.

Would all persons interested in this cause make yourselves known. Write to Dr. Joanne Sprenger, 2805 Eighth St., Las Vegas, N.M. 87701. (454-0551)

The EPA has just presented their new regulations requiring a 5 cent deposit at Federal installations which is a big positive step toward national legislation. Whether we have a state meeting of volunteers willing to devote time and or/money to this effort or just keep you informed via the mail or telephone, we need to identify all individuals who might help. Please take time NOW to start your personal in-

volvement if you want to see cleaner New Mexican roadsides, a greater savings in energy use, and a better utilization of natural resources.

CAN (Citizens Against Non-returnables) is a coalition of individuals and organizations working for a New Mexico "bottle bill" similar to Oregon's. It would involve a five cent deposit on all beer (ale) and carbonated "soft drinks" sold in the state. This would result in energy savings, better use of natural resources, less sanitary landfill problems, and obviously reduced roadside litter.

Co-directors of CAN are Pat Simon (Alamogordo) and Joanne Sprenger (Las Vegas). Contributions are urgently needed and may be sent to CAN, Box 175, Montezuma, NM 87731. Volunteers are also appreciated. Write the same address or call Joanne Sprenger at 454-0551.



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Park Wilderness (continued)...

(Continued from page 6)

National Parks included were Haleakala (19,270 acres, plus 5,500 acres of potential); Mesa Verde (8100 acres); and Shenandoah (79,579 acres). Point Reyes National Seashore is also included with the designation within its boundaries of 25,370 acres and 8003 acres of potential.

Shenandoah and Badlands were added to the House bill by the Senate. The Senate also struck all the management language, and the House later accepted this. The conservation community had strongly objected to such language for fear that it would lead to the weakening of the Wilderness Act.

Sierran Ad Rates

The Rio Grande Chapter of the Sierra Club, which encompasses all of the state of New Mexico and the El Paso region of the state of Texas, publishes the monthly *Rio Grande Sierran*. The newsletter varies from four to eight pages and has a circulation of about 1300 copies.

Our readership is varied, drawing from a wide spectrum of professionals, students, business people and outdoors people. In general, our readers are active hikers, climbers, skiers and backpackers.

The *Rio Grande Sierran* ad rates are as follows --

	one time	per insertion for 6 months
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one-fourth page	20.00	17.00
one-half page	35.00	30.00
full page	70.00	60.00

Copy should be received at this office by the 15th of the preceeding month: The *Rio Grande Sierran*, 338 East DeVargas St., Santa Fe, New Mexico 87501, or call (505) 982-4349

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Clean Air Amendments (continued)

bills into a balanced and reasonable approach. For example, it adopted the Senate's modest delays in attainment of auto emission standards, rather than the more generous extensions of the House bill.

Impetus for this bill came from both the environmental community and from polluting industries. Environmentalists urged Congress to provide statutory standards for the protection of clean air areas from future degradation, a policy which the Sierra Club asserted, and the Supreme Court affirmed, had been intended by the Congress in the existing law. Polluting industries sought congressional relief from current compliance timetables. Substantial percentages of both stationary and mobile sources are now or will soon be in violation of Clean Air Act Amendments.

The defeat of the bill by senators representing the parochial interests of unbridled energy development on western coal lands may well strengthen the hand of environmentalists when the matter arises again in the next Congress. Industry in general, and the automobile manufacturers in particular, will move quickly to seek compliance date extensions. The auto industry, in designing its 1978 models, is already acting as if the future held the weakening of standards beyond those in the bill which failed. The consequences of the bill's loss to environmental and consumer interests are difficult to assess. EPA regulations now limit degradation of air quality in areas which are relatively clean, but the stringent protection of air quality within National Parks and wilderness areas, which would have been provided by the amendments, is now left to the discretion of federal agencies and the states. Other needed reforms are a case-by-case determination of the best control technology to be installed in new facilities and improvements in enforcement mechanisms.

BUREAU OF LAND MANAGEMENT WILDERNESS STUDY

Sec. 603. (a) Within fifteen years after the date of approval of this Act, the Secretary shall review those roadless areas of five thousand acres or more and roadless islands of the public lands, identified during the inventory required by section 201(a) of this Act as having wilderness characteristics described in the Wilderness Act of September 3, 1964 (78 Stat. 890; 16 U.S.C. 1131 et seq.) and shall from time to time report to the President his recommendation as to the suitability or nonsuitability of each such area or island for preservation as wilderness: *Provided*, That prior to any recommendations for the designation of an area as wilderness the Secretary shall cause mineral surveys to be conducted by the Geological Survey and the Bureau of Mines to determine the mineral values, if any, that may be present in such areas: *Provided further*, That the Secretary shall report to the President by July 1, 1980, his recommendations on those areas which the Secretary has prior to November 1, 1975, formally identified as natural or primitive areas. The review required by this subsection shall be conducted in accordance with the procedure specified in section 3(d) of the Wilderness Act.

(b) The President shall advise the President of the Senate and the Speaker of the House of Representatives of his recommendations with respect to designation as wilderness of each such area, together with a map thereof and a definition of its boundaries. Such advice by the President shall be given within two years of the receipt of each report from the Secretary. A recommendation of the President for designation as wilderness shall become effective only if so provided by an Act of Congress.

(c) During the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands according to his authority under this Act and other applicable law in a manner so as not to impair the suitability of such areas for preservation as wilderness, subject, however, to the continuation of existing mining and grazing uses and mineral leasing in the manner and degree in which the same was being conducted on the date of approval of this Act: *Provided*, That, in managing the public lands the Secretary shall by regulation or otherwise take any action required to prevent unnecessary or undue degradation of the lands and their resources or to afford environmental protection. Unless previously withdrawn from appropriation under the mining laws, such lands shall continue to be subject to such appropriation during the period of review unless withdrawn by the Secretary under the procedures of section 204 of this Act for reasons other than preservation of their wilderness character. Once an area has been designated for preservation as wilderness, the provisions of the Wilderness Act which apply to national forest wilderness areas shall apply with respect to the administration and use of such designated area, including mineral surveys required by section 4(d)(2) of the Wilderness Act, and mineral development, access, exchange of lands, and ingress and egress for mining claimants and occupants.

Review report to President. 43 USC 1782.

Report to President.

Recommendations to President of the Senate and Speaker of the House.

Regulation.

Ann. p. 2751.

16 USC 1131 note.

16 USC 1133.

The Bureau of Land Management Organic Act just signed into law allows New Mexico wilderness enthusiasts to work in earnest toward wilderness designation for such BLM areas as the Ladrons, the Big Hatchet and Alamo Ruoco Mtns, the Florida and Organ Mtns & the Carrizozo and Malpais Lava flows.

The wilderness clause from the new law is reproduced here.

Park Mining Control Bill Enacted

In the early fall of 1975, Tenneco Corporation escalated its extensive open-pit mining operations in the popular Zabriskie Point/Gower Gulch area of Death Valley National Monument. The action focused public attention on the question of residual private mineral rights in the national parks and monuments, and prompted a campaign to protect the six national parks and monuments still open to new mining claims. The campaign resulted in a bill signed into law by President Ford on September 28th which closes the six units of the park system to new mining claims, established a four-year moratorium on increased mining activity in three of the units, and directs the Secretary of the Interior to undertake a study to determine the cost of acquiring existing claims in contrast to the environmental cost of continued mining activity in all six units.

The six national parks and monuments which were open to new mining claims under previous laws were: Mount McKinley and Crater Lake National Parks; Death Valley, Glacier Bay, and Organ Pipe Cactus National Monuments; and Coronado National Memorial. The four-year moratorium against escalated activities applies to McKinley, Death Valley, and Organ Pipe.

The bill, S.2371, was introduced in September, 1975, and hearings were held in the Senate Interior Committee through October. The bill was reported to the Senate in December and passed on February 4 by a vote of 70-16. An amendment offered by Senators Gravel and Stevens (Alaska) to exclude a large part of Glacier Bay from the bill's protection was defeated 53-33. The House version of S. 2371, introduced by Representative Seiberling (Ohio), was sent to the full Interior Committee in February containing many weakening subcommittee amendments, including the exclusion of part of Glacier Bay. The bill was sent to the House floor in June by a vote of 34-5. In September 1976, S. 2371 passed the House by a vote of 352-9. An amendment to exclude part of Glacier Bay, sponsored by Representative Young (Alaska), was defeated 251-110.

Decent BLM Organic Act Passes

In its final hours, Congress finally approved the Federal Land Policy & Management Act of 1976 (the "BLM Organic Act"), S. 507. The President signed it into law. The third Congress to consider this important legislation, environmentalists had successfully twice urged the House to kill the bill because of its strong pro-mining and grazing biases. While the House bill had some bad provisions this year, the Senate version did not. Developed by Democratic Senators Floyd Haskell (D-Colorado), Lee Metcalf (D-Montana), and Henry Jackson (D-Washington), it was a strong bill, and made the House/Senate conference worthwhile. With the help of Representatives John Seiberling (D-Ohio), Patsy Mink (D-Hawaii), Jim Weaver (D-Oregon), Bob Eckhardt (D-Texas), and Morris Udall (D-Arizona), environmental forces successfully improved the bill at each step of the legislative process. Charged with resolving the differences between the two versions, the Senate/House conference committee deadlocked on Sept. 23rd over the issue of grazing fees. After much negotiation, they reached a compromise, agreeing to a study of grazing fees and a one year moratorium on higher fees. The grazing industry had wanted a statutory formula in the House bill to guarantee them a highly subsidized fee. Under the bill's provisions, public land grazing interests also won mandatory ten-year permits for grazing; however, the secretary has the discretion to add stipulations to these permits. Additionally, the bill creates special interest Grazing Advisory Boards but limits them to consideration of allotment management plans and the range improvements to be made with grazing fees.

The mining industry won a provision that allows Congress by concurrent resolution to veto within 90 days proposed administrative withdrawals over 5000 acres. Such withdrawals would last 20 years. While the Secretary of Interior is mandated to review existing administrative withdrawals, Congress may veto any proposed revocations. A Congressional veto of a proposed withdrawal is not expected to occur frequently, and other provisions require old claims to be recorded and give BLM the authority to issue mining regulations.

In all cases, industry received substantially less than it wanted, or what the House subcommittee bill would have given them. Moreover, an important wilderness provision not only requires the study of all roadless areas of over 5000 acres, but it also gives them a measure of interim protection. Also, the conference committee adopted strong law enforcement and California desert provisions, and it cleaned up the land use planning provisions.

Associate Washington Office Director Charles Clusen declared the passage of the bill "a big win. We accomplished 90 percent of what we set out to do. The livestock industry ended up only with crumbs and the mining industry at worst had a moral victory over withdrawal." As an indicator of the bill's strength, the livestock industry attempted to kill the bill in conference and on the Senate floor. They also pressured the President to veto the bill.

Mandatory Building Energy Conservation Standards

President Ford signed the Production Enhancement & Energy Conservation Act in August, extending the life of the Federal Energy Administration (FEA) for another year, and setting up a comprehensive energy conservation program. The long delayed provision for mandatory energy conservation standards for new residential and commercial buildings could save an estimated 6 million barrels of oil equivalent energy per day by 1990. The measure was strongly supported by the Sierra Club, the American Institute of Architects, and a coalition of consumer, labor, business, industry and environmental organizations.

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Despite the advantages of a mandatory program, the House stalled 18 months over the Senate proposals. The deadlock was broken when Senator William Proxmire (D-Wisconsin) struck a compromise subjecting the HUD standards and sanctions to congressional review before they become final. This compromise was in response to the House's distrust of HUD actions and the opposition of the National Association of Home Builders (NAHB) to requirements governing new construction.

The Act's conservation program also includes: (1) a program of \$200 million in grants to low income persons over the next three years to weatherize homes; (2) a state program to provide home and building owners with information on the costs and benefits of energy conservation investments; (3) a \$2 billion loan guarantee program to encourage energy conservation investments in public and commercial buildings, including the conversion to non-depletable energy sources such as solar equipment; (4) a \$2 million program for homeowners to demonstrate incentives that encourage energy conservation investments; (5) an FEA feasibility study on using an energy tax to achieve conservation goals. For the purposes of the study, the taxes would be designed to correct energy price disparities and the concept of refunding tax revenues on a uniform basis would also be considered; (6) an FEA advisory and demonstration program for reforming electric utility rates by state public utility commissions designed to encourage energy conservation, minimize the need for new generating capacity, minimize costs to consumers, and provide advice on load management techniques.

Federal Strip-Mine Bill Fails

There were two attempts to pass federal strip mine legislation this session, both dying in the House Rules Committee. Sponsored by Representative John Melcher (D-Montana), the bills were designed to set tough, federal environmental and reclamation standards for all surface mine operations. A federal strip mine law is badly needed because many state laws, although good, are not adequately enforced.

President Ford has twice vetoed strip mine legislation (an override attempt last June of the second veto failed in the House by three votes), and an attempt in November to include strip mine reclamation standards in the Federal Coal Leasing Act Amendments failed in the House Interior Committee, 21-20. Melcher introduced the first of this session's bills in March. The bill, H.R. 9725, moved out of the Interior Committee by a vote of 28-10. Disappointingly, the Rules Committee voted to kill it 10-5. In August, the Interior Committee reported out H.R. 13950, a second strip mine bill. Again, despite a House Interior Committee report disputing Ford's reasoning for vetoing the previous bills (namely, heavy job losses, drops in coal production, and a rise in coal prices) and charging the Administration with deliberately distorting the issue and fabricating data, the Rules Committee voted to table the bill 9-6 on September 9th.

There is a good chance of enacting a strong reclamation and environmental regulatory law next session. Such a bill should:

- 1) set minimum federal standards for state coal leasing programs, allowing a federal override of inadequate state plans
- 2) require strip mined land to be reclaimed
- 3) establish a reclamation fee on mined coal (a fee of 50¢ per ton of surface coal has been proposed)
- 4) give surface owners of land containing coal owned by the federal government the right to veto stripmining of their land
- 5) establish a ban on steep slopes and other sensitive areas, including agriculturally valuable alluvial valley floors

Coal Leasing Law Overhaul

The Federal Coal Leasing Act Amendments of 1976 became law this year when Congress voted to override President Ford's veto. Efforts to enact a new coal leasing program began last year when studies showed the existing program to be in shambles. Senator Lee Metcalf (D-Montana), a sponsor of the bill, S. 391, which passed the Senate in July, 1975, said the new amendments were "designed to eliminate the speculative holding of federal coal leases and to ensure that they will be developed on a timely basis." Metcalf said a federal exploration program was included to "assure that lands are not leased for surface mining developments when greater amounts of coal could be produced through underground methods."

The amendments also increase federal and state revenues from federal coal leases, promote free competition and competitive bidding, and require antitrust reviews of bidders prior to leasing. Unfortunately, the act contained no strip-mine standards (see above story). The House version of the bill, H.R. 6721, passed the House this January by 344-51. Almost routinely, Ford vetoed the bill, and in August, Congress mustered well over the two-thirds majority needed to override it.

The coal leasing program without reclamation standards is a threat to the environment of western public lands. However, Bill Haring, attorney for the Sierra Club Legal Defense Fund in Denver, Colorado, says, "The Coal Leasing Act Amendments require the Secretary of Interior to complete two main tasks before a leasing program can get under way. He must complete an exploratory program to obtain data on the potential of developing coal reserves, and must incorporate this data into a comprehensive land use plan. These are substantial requirements, and they may not be completed in the coming year. Thus, if strip mine regulations can be passed early next session, the leasing program can still be environmentally regulated."



Pipeline Right-of-Way Clogged

Led by the administration, proposals were advanced this Congress to provide eminent domain authority for the condemnation of pipeline rights-of-way to move coal from western strip mines to eastern and southern electrical load centers for power plant use. Environmentalists were generally against the proposals on the grounds that they would promote overly rapid development of western coal, undermine the economic health of the railroads, and make heavy demands on scarce western water resources.

The proposals were discussed this session before the Subcommittee on Energy Research (Fossil Fuels) of the House Committee on Science and Technology. The Interior Committee and probably the Interstate & Foreign Commerce Committee have actual jurisdiction over the bills, and no move was made to mark them up. While opposition from railroad companies and unions and from environmentalists ensured that the bills went nowhere, the issue is bound to arise again next Congress.

Forest & Wildlife Refuge Wilderness

Congress passed S. 1026, the Omnibus Forest & Refuge Wilderness bill designating 19 areas in 13 states as instant wilderness, and an additional 8 units as wilderness study areas. In total, approximately 388,000 acres are being designated instant wilderness, with an additional 587,364 acres to be studied.

The greatest controversy involved Kaiser Roadless Area in Sierra National Forest in California where several timber sales had been proposed. In a compromise supported by conservationists, the House changed a 28,000-acre study area into a 22,500-acre instant wilderness.

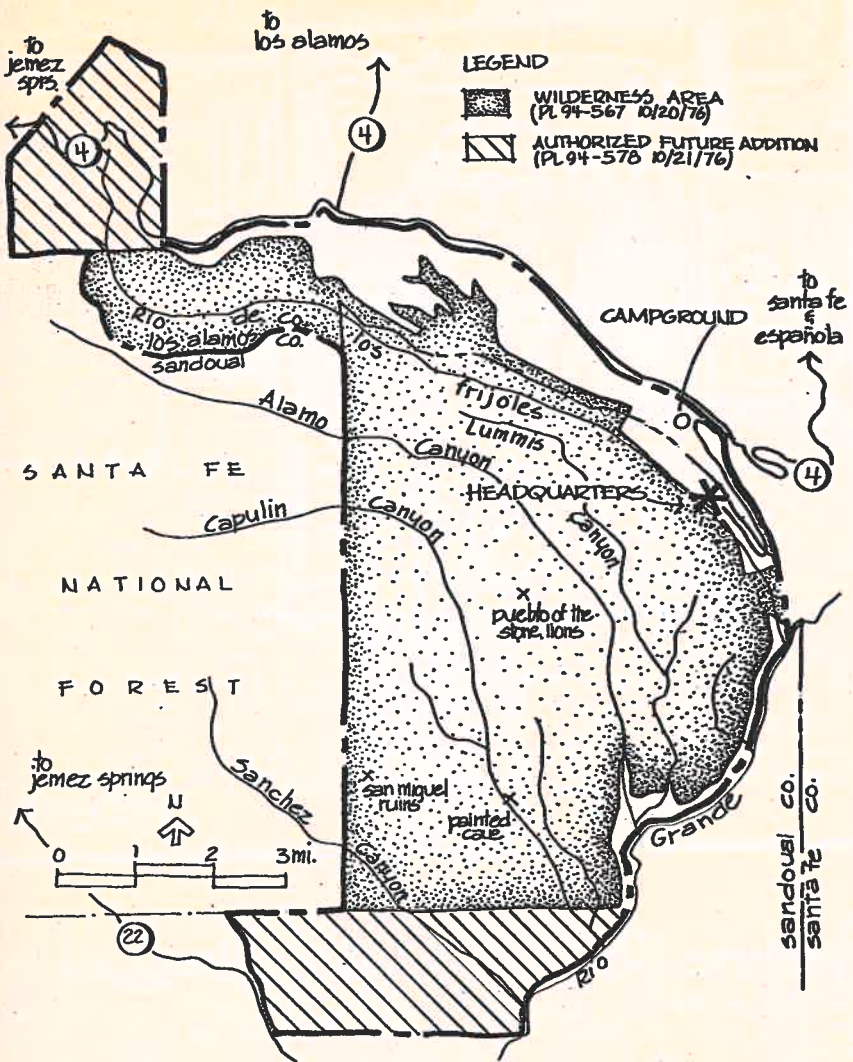
Other forest areas include: Hercules Glades (12,315 acres) as an instant area in Missouri; Bell Mountain (8730 ac.) and Rockpile Mountain (4170 ac.) as study areas in Missouri; Great Bear (393,000 acres) and Elkhorn (77,346 acres) as study areas in Montana; Snow Mountain (37,000 acres) and Sheep Mountain (52,000 acres) as study areas in California. (Continued next page)

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In two separate Congressional actions, the Congress designated 23,267 acres of Bandelier National Monument as wilderness, and authorized the acquisition of two units of land to be added to the Monument. One unit of 3076 acres will protect the headwaters of the Rio Frijoles; the 4234 acre 'Canada de Cochiti' unit contains ruins of indian villages which played a role in the Pueblo Revolt period.

(From page 5)

areas in California; and Fitzpatrick Wilderness (197,000 acres) as an instant reclassification of the Glacier Primitive Area in Wyoming. Congress later added a rider onto the National Park Omnibus Wilderness bill, deleting 6497 acres, known as the Whiskey Mountain Area, from the Fitzpatrick Wilderness and returning it to Primitive Area status.

The bill also places 16 National Wildlife Refuges into the Wilderness System: Symeonof (25,141 ac.) in Alaska; Big Lake (23,360 acres) in Arkansas; Chassahowitzka (23,360 ac.), J.N. "Ding" Darling (2825 ac.) and Lake Woodruff (1146 ac.) in Florida; Crab Orchard (4050 ac.) in Illinois. Lacassine (3300 ac.) in Louisiana; Agassiz (4000 ac.) and Tamarac (2138 ac.) in Minnesota; Mingo (8000 acres) in Missouri; Medicine Lake (11,366 ac.), Red Rock Lakes (32,350 acres) and Ul Bend (20,890 ac.) in Montana; Fort Niobrara (4365 ac.) in Nebraska; and Swanquarter (9000 ac.) in No. Carolina. The bill was signed by the President on October 19th.

National Park Additions

The Congress passed H.R. 13713, an omnibus National Park authorization increase and park additions bill, and President Ford signed the measure into law October 21st. Important park land additions of interest to Club members include 7310 acres in two additions to Bandelier National Monument (see the map on this page), a 900-acre addition to the Cuyahoga Valley National Recreation Area in Ohio, and a number of boundary changes to Olympic National Park. Among the significant additions of great natural and scenic value to the latter are the Point of Arches, an adjoining coastal strip along the Pacific, and the shoreline of Lake Ozette. The bill also provides for the deletion of certain private lands along the park boundary in the Quinault Drainage Area following a two-year study.

National Park Wilderness Bill

In its final hours, Congress completed action on H.R. 13160, the Omnibus National Park Wilderness Bill. The bill designates 900,558 acres of wilderness and 52,944 acres of "potential wilderness" in some 13 national park areas. (An area where an incompatible use now exists but is scheduled to be curtailed is termed potential wilderness. When the incompatible use ends, the area is to be placed in the National Wilderness Preservation System after the filing of a notice by the Secretary of Interior. In the interim period the area is protected.) The bill was signed on October 19th.

The following national monuments were included: Badlands (64,250 acres); Bandelier (23,267 acres. Note: the Sierran goofed last issue by placing the acreage at 22,030.); Black Canyon of the Gunnison (11,180 acres); Chiricahua (9440 acres); Great Sand Dunes (33,450 acres, plus 670 acres of potential wilderness); Joshua Tree (429,690 acres plus 37,500 potential); and Saguaro (71,400 acres, plus the study of a sizable adjacent area in the Coronado National Forest.)

(Continued on page 3)

94th Congress Wilderness System Additions

The 94th Congress added 2,256,882 acres to the National Wilderness Preservation System. Most of the new units were contained in two omnibus wilderness bills which cleared Congress in the final hours of the session. In addition to areas designated as "instant" wilderness, another 587,364 acres were designated for wilderness study to be reviewed over one to five year periods, and 52,944 acres in national park system units were classified as potential wilderness which will be automatically added to the Wilderness System when non-conforming uses cease.

Instant Wilderness National Forest Wilderness Bills

Wilderness	Acres
Flat Tops, Colo. (signed 12-12-75)	235,230
Hells Canyon, Id.-Ore. (signed 12-31-75)	193,840
Alpine Lakes, Wash. (signed 6-12-76)	393,000
Eagles Nest, Colo. (signed 6-12-76)	133,910

Omnibus Wilderness Bill (signed 10-19-76)

National Forests	Acres
Fitzpatrick (Glacier), Wyo	191,103
Kaiser, Calif	22,500
Hercules-Glades, Mo	12,315

National Wildlife Refuges	Acres
Simeonof, Ak	25,141
Big Lake, Ark	2,600
Chassahowitzka, Fla	23,360
J.N. "Ding" Darling, Fla	2,825
Lake Woodruff, Fla	1,146
Crab Orchard, Ill	4,050
Lacassine, La	3,300
Agassiz, Minn	4,000
Tamarac, Minn	2,138
Mingo, Mo	8,000
Medicine Lake, Mont	11,366
Red Rock Lakes, Mont	32,350
Ul Bend, Mont	20,890
Fort Niobrara, Nebr	4,635
Swanquarter, N.C.	9,000
San Juan Islands, Wash	355

National Park System Omnibus Wilderness Bill (signed 10-20-76)

Park Unit	Acres
Chiricahua, Ariz	9,440
Saguaro, Ariz	71,400
Joshua Tree, Calif	429,690
Pinnacles, Calif	12,952
Point Reyes, Calif	25,370
Black Canyon of the Gunnison, Colo	11,180
Great Sand Dunes, Colo	33,450
Mesa Verde, Colo	8,100
Haleakala, H.I.	19,270
Isle Royale, Mich	131,880
Bandelier, N.M	23,267
Badlands, S.D	64,250
Shenandoah, Va.	79,579

Total Wilderness Now in System	Acres
Prior to 94th Congress	12,647,808
Individual Wilderness Bills (4)	955,980
Omnibus Wilderness Bill	381,074
National Park Wilderness Bill	919,828
	14,904,690
Bristol Cliffs Wilderness, Vt.	delete -720
(declassifies private and non-contiguous acres)	
Total	14,903,970

Acres by Agency

Agency	Acres	Acres
Forest Service	92	13,065,110
Fish and Wildlife Service	52	718,087
National Park Service	17	1,220,773

National Forest Study Areas	Acres
Sheep Mountain, Calif.	52,000
Snow Mountain, Calif.	37,000
Bell Mountain, Mo.	8,530
Paddy Creek, Mo.	6,888
Piney Creek, Mo.	8,430
Rockpile Mountain, Mo.	4,170
Great Bear, Mont.	393,000
Elkhorn, Mont.	77,346
Total	587,364

Park System Potential Wilderness	Acres
Joshua Tree, Calif.	37,500
Pinnacles, Calif.	990
Point Reyes, Calif.	8,003
Great Sand Dunes, Colo.	670
Haleakala, H.I.	5,500
Isle Royale, Mich.	231
Total	52,944

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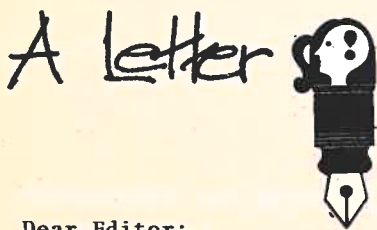
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Send name and address (zip important!) and name of U.S. Congressman to:

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530 Bush Street
San Francisco, CA 94108



Dear Editor:

As a long-time admirer of Ron Cobb's environmental cartoons, I was very interested to learn from the current issue of your newsletter that you have permission to publish some of his work. Would you please be kind enough to send me his address so that I might write him asking for the same permission?

Congratulations on your attractive new format, and many thanks for whatever information you can provide about Mr. Cobb.

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IN MEMORIAM — Phil Tollefsrud

In view of our relative good fortune nationally this election and the fair to middling environmental record the last Congress piled up, it should be expected that this should be a cheerfully bubbling column. But the wilderness/environmental movement in New Mexico is not very cheerful this month because Phil Tollefsrud died on November 7th.

Phil Tollefsrud was more than one of the outstanding wilderness and environmental leaders of New Mexico. He had been Vice-Chairman and Treasurer of the New Mexico Wilderness Study Committee, honcho of our wilderness effort on the Cibola Nat'l Forest, President of the New Mexico Conservation Coordinating Council, a leader in the Albuquerque Open Space effort, and much much more.

This hale and hearty Viking personified the vigor and joy of the wilderness better than anyone I have ever known. Wilderness conservationists are sometimes a cantankerous and independent (even bullheaded) lot, but Phil Tollefsrud's continual optimism, cheer, and good sense always held us together and smoothed over any personality conflicts. One of the greatest shocks associated with Phil's death was the impossibility of it all. If I thought anyone was immortal it was Phil. His strength of life, of consciousness, of being -- exceeded that of anyone I've known. He couldn't die -- especially not at 38, in the prime of health and robust physical fitness. But he did.

But -- dammit! -- enough of this. Phil would want no mourning, no tears, no sadness at his death. He'd want us to remember his joie de vivre, his good nature, the good times we had with him, and the good he did for wilderness in his life. And after our tears dried (some of us did that) we got drunk and celebrated this terrific guy --

the Original Nordic Superman, Big Shorty, Young Santa Claus, the last 19th Century Gentleman, a Renaissance Man (it seems everyone had their own special nickname for him) -- Phil Tollefsrud.

I don't personally believe in life after death or in any supernatural mumbo jumbo. But if any one has ever had the strength of consciousness to enable their mind to survive physical death, it is Phil. And if his shade wanders the wilderness trails of New Mexico, then we need to redouble our efforts to make sure that Phil's shade has some wilderness trails to walk with the bears, lions, and deer he loved

so well. If just for his shade, or only for his memory, we should work to save his favorite areas -- Sandia, Manzano, Cebolleta Mesa (Cibola's Guadalupe), Capitan, Ladron, Apache Kid, Gila, Wheeler Peak, South San Juan -- the list could go on and on.

So in memorial to Phil, get off your duff and help us save more wilderness!

The New Mexico Wilderness Study Committee has also established the Phil Tollefsrud Memorial Wilderness Fund. Donations to it may be sent to the NMWSC at my address. Money in this fund will be used for special projects on Phil's favorite areas. Information on how you can play an active role in wilderness preservation is available from me also.

Phil gave many of us Happy Trails to walk during his life. I hope we can give his memory Happy Trails to walk now.

-- Dave Foreman
(PO Box 38, Glenwood, NM 88039)

Santa Fe Group Outings

Dec. 11 (Sat)	moderate	Elliot Weinreb	988-4615
Dec. 12 (Sun)	winter nature hike	Don Lowrie	471-2620
Dec. 19 (Sun)	moderate	Micki Bogert	983-8835
Dec. 26 (Sun)	moderate	Brett Roorbach	983-2862
Jan. 2 (Sun)	easy	John Muchmore	983-1250
Jan. 8 (Sat)	moderate	Anne Bancroft	983-8870
Jan. 9 (Sun)	cross-country ski trip (bring your own ski equipment)	Herman Barkman	455-2512
Jan. 15 (Sat)	snow shoe outing (bring your own snow shoes)	Betsy Fuller	983-8870
Jan. 16 (Sun)	strenuous	Norma & Collins Richey	983-8144
Jan. 22-23 (Sat & Sun)	Bosque del Apache Wildlife Refuge, meet 12 noon on Sat. at headquarters. No camping allowed but lodging available in Socorro. Please make own arrangements. Contact John Muchmore for specific details.		983-1250
Jan. 30 (Sun)	moderate	Maurice Dixon	988-1190
Feb. 6 (Sun)	moderate	Polly Robertson	982-4074
Feb. 12 (Sat)	moderate	Brett Roorbach	983-2862
Feb. 13 (Sun)	family outing (bring the kids)	Don Lowrie	471-2620
Feb. 19 (Sat)	mild	Julie Gomez	988-5023
Feb. 20 (Sun)	moderate	Walt Kunz	983-7994
Feb. 26 (Sat)	strenuous	John Muchmore	983-1250
Feb. 27 (Sun)	cross-country ski trip. Contact Maurice Dixon for specific details.		988-1190

Saturday hikes leave at 8:00 am and the Sunday hikes leave at 8:30 am from Kaune's parking lot at the junction of Old Santa Fe Trail and Paseo de Peralta. Carpooling is the means of transportation and reimbursement to the drivers is expected of each hiker.

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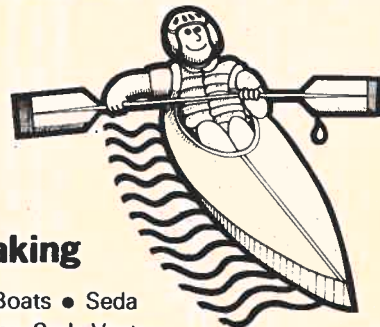
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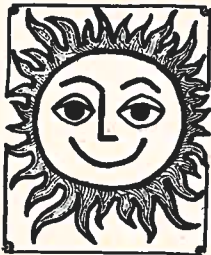
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