

VOLUNTEERS RECEIVE CHAPTER AWARDS

by Tom Brasfield, El Paso

At the Chapter retreat held in November 1988, the Chapter recognized some of the people who have helped make the Chapter an effective environmental organization.

For his relentless and untiring efforts in organizing, educating, leading, and lobbying to preserve the petroglyph treasures of Albuquerque's West Mesa, Ike Eastvold was presented with the Environmentalist of the Year Award. We can all learn much from the tremendous example Ike has set.

Special Achievement Awards were presented to Bill and Shirley Phillips and Carolyn Keskulla. Bill and Shirley have edited and published the El Paso Group newsletter, The Lorax, for many years. Carolyn has been a staunch supporter of recycling in Santa Fe and throughout New Mexico.

Susan Larsen was awarded the Chapter's Public Service

Award for her contribution to the public awareness of the Sierra Club and its issues by coordinating media coverage and public education on the Mexican Wolf Recovery Project and activities in planning and directing the Endangered Species Fair.

Elizabeth Fuller was presented with the Excellence in Support of the Chapter Award for her exemplary management of the Chapter and Group office in Santa Fe and her efforts in fundraising by providing leadership for planning, drafting, proofing, and publishing two printings of the book, Day Hikes in the Santa Fe Area.

For his efforts in providing quality outings and increasing participation in the El Paso Group's outings program, Wes Leonard received the Outings Leadership Award.

Thanks to all these award recipients for their hard work and dedication. ✪

Rio Grande Chapter
Sierra Club
207 San Pedro NE
Albuquerque, NM 87108

NON PROFIT
ORGANIZATION
U.S. POSTAGE
PAID
PERMIT 612
ALBUQUERQUE, N.M.

12563330 1704 0869 U CD4117
MRS C KESKULLA/MR A KESKULLA
RT 3 BOX 106-F
SANTA FE NM 87505

The Rio Grande Sierran

Winter, 1989

The Rio Grande SIERRAN



THE RIO GRANDE CHAPTER OF THE SIERRA CLUB

Winter, 1989



Sandia Mountain Majesty

Photo by Mark Irwin

IN THIS ISSUE

- Garbage Headed for New Mexico
- Petroglyphs Funding Fight
- Hunting for Greed and Profit
- SCLDF Update



Winter, 1989

NEW MEXICO: LANDFILL OF ENCHANTMENT?

The 39th New Mexico State Legislature, with your help, may be the point when New Mexico finally acknowledges and deals constructively with the wave of solid waste poised to sweep over the state. The "Resource Recovery and Waste Management" bill, SB 52, is an aggressive and far-ranging piece of legislation introduced by Sen. Roman Maes, D-Santa Fe (endorsed by Sierra Club SCCOPE, not incidently).

* It would immediately impose landfill siting and operating standards comparable to those in much of the rest of the country. New Mexico has the dubious distinction of being one of the two states that lack even a minimal permitting system; and about the only standards in effect are that the bottom of the waste trenches must be 20 feet above the water table and that the trash be covered every day (for sanitary

landfills, that is; modified landfill standards don't even require this). This lack of standards promises to make New Mexico a magnet for garbage from around the country, since it is cheaper to dispose of it here than to dispose of it correctly at its source. Municipalities and industries from as far away as the East Coast have been eyeing New Mexico as a possible waste disposal site.

* The bill would eliminate much of the waste stream originating from within New Mexico through requirements for a statewide recycling program.

* The bill would delineate "Solid Waste Sheds" and would impose stiff fees on all wastes imported into a "garbage shed." This would tend to make it more costly and difficult for both New Mexico and out-of-state waste producers to export their wastes--and the environmental

and economic problems associated with them--and thus prevent rural New Mexico from becoming a "garbage colony" of more affluent areas. The fees generated in this manner would be used by the Environmental Improvement Division in their recycling and waste disposal efforts.

Your calls and letters to your State Senator in support of the "Resource Recovery and Waste Management" bill could just catapult New Mexico out of its "third world" status, as far as waste disposal is concerned, and into the ranks of "first world" status finally. Urge your Senator to support SB 2 in its entirety, with requirements for recycling, public involvement, anti-organized crime measures, and strict siting, permitting, and operating provisions intact.

Please call or write your

see Garbage, page 8

RIO GRANDE CHAPTER ELECTION RESULTS

The election committee announced the election of Jana Oyler, Steven Flint, and Jay Sorenson to the three regular ExCom positions voted on by the membership in the December election. Also, Ben Zerbey was appointed by the ExCom to complete the unexpired term of Nick Nicolaus, who resigned.

Joining the ExCom for the first time was the new Las Cruces representative, Storm Sermay.

Congratulations to all the new ExCom members.☆



LEGISLATIVE PRIORITIES FOR THE CHAPTER

by Chuck Wiggins, Albuquerque

The Rio Grande Chapter of the Sierra Club includes the state of New Mexico as well as El Paso and the surrounding Trans-Pecos area in West Texas. Sierra Club volunteers and staff members are actively involved in issues of environmental concern in the legislatures of both states. The following paragraphs outline some of the issues that are being followed in Santa Fe by the Rio Grande Chapter and in Austin by the Lone Star Chapter.

NEW MEXICO

Five items currently top the Rio Grande Chapter's legislative agenda for the 1989 session of the New Mexico State Legislature. Below is a brief description of each priority, along with the name and telephone number of the Sierra Club activist to contact if you would like more information.

SOLID WASTE DISPOSAL: New Mexico is one of 2 states that has not brought its solid waste regulations in line with federal standards outlined in the

see Legislature, page 8

LETTER TO THE EDITOR

by Richard B. Smith,
National Park Service

While it is not my intention to argue with the Sierra Club over the fires this summer at Yellowstone, I do believe that Mr. McNeel's article in your November/December issue deserves a few comments.

I was not asking conservation organizations to provide fig leaves to the National Park Service. What I did say, perhaps inarticulately, is that environmental groups such as the Sierra Club can't have it both ways. The Club has repeatedly criticized the National Park Service over its management decisions, often taking the position that the Service has not been aggressive enough about protecting natural resources in parks from human interference. This is a defensible position, one with which many National Park Service employees would agree.

Now comes the 1988 fire season during which the National Park Service pursues a policy which conservation organizations have supported since long before it became official doctrine. A highly unusual set of environmental circumstances combine to produce the burning

see Fires, page 8

CHAPTER PRIORITIES FOR 1989

by Tom Brasfield, El Paso

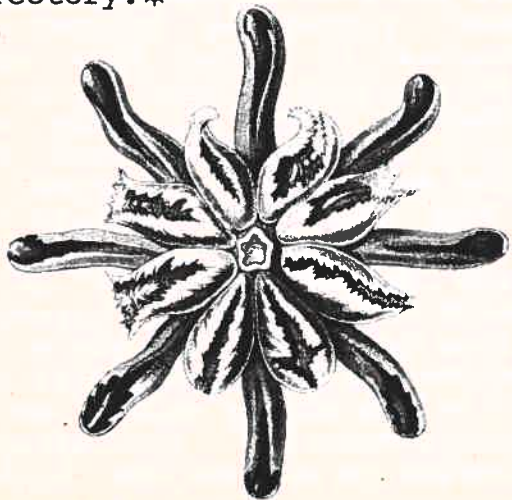
Every year the Rio Grande Chapter ExCom establishes conservation priorities. Careful consideration is given to all potential issues, and many factors are taken into consideration. The seven top priorities are as follows:

1. BLM - Secure wilderness status for the 1.9 million acres of New Mexico BLM lands included in the New Mexico BLM Wilderness Coalition proposal.
2. National Forests - Assure environmentally sound management of five National Forests in New Mexico and protect the wilderness values therein.
3. West Mesa - Ensure establishment of the Petroglyph National Monument by working for the necessary federal and state legislation.
4. Clean Air - Strengthen federal and state air quality standards and enforcement efforts at all levels of government.
5. Clean Water - Protect our surface and groundwater from further contamination.
6. Toxic Waste - Work for the reduction of toxics and for the safe disposal of toxic wastes.
7. Radioactive Waste - Assure safe storage and transportation of radioactive waste (including uranium mining) throughout the Chapter area.

Other areas that the Chapter will be working on include urban land use, wildlife, in-stream flow, wild/scenic rivers, the Ole power line, and Animas Wildlife Refuge.

Of course we work on many issues at the local and chapter level that are not on this list. However, the bulk of our resources are expended on our top priorities. We would be interested in receiving your comments about chapter priorities; they are not locked in stone.

For more information about these conservation issues, contact the conservation chairs or issue chairs listed in the directory.✱



PUBLIC LANDS ACTION NETWORK FORMED

by Jim Fish, Placitas

Public lands represent one of the treasures of this country. These lands belong to all of us. They encompass our national forests, our wildlife refuges, our national parks, our national monuments, and our vast public lands managed by the Bureau of Land Management (BLM). These lands are critical to air and water quality, to wildlife, to biological diversity, and to a plethora of recreational opportunities.

Unfortunately, a few, with the encouragement of the past and the current administrations, see our public lands only as a coffer to be plundered for private gain. Archaic mining practices, below-cost timber sales, overgrazing, and land giveaways are quickly eroding our public treasure.

To stop this erosion, the general public must be educated and enticed to become involved. Public Lands Action Network (PLAN) has been formed to address these objectives. "We will do what we have to do to protect our public lands from abuse!"

Initially, PLAN will focus on two activities: 1) formation of volunteer groups to assist the government agencies in management of our public lands; and 2) education of the public on the destruction and the costs associated with the grazing of domestic livestock on public lands.

The government agencies are staffed with many dedicated specialists who are frustrated by lack of funds and administration policies that prevent them from doing their jobs. Volunteers can help get the jobs done and, at the same time, bring attention to the burdens under which the staffers must try to function. Volunteers also get educated on the issues and at the same time become activists.

Although several individuals and local groups have been addressing the grazing issue for a number of years, the national environmental groups have shied away from a frontal attack. A grassroots campaign must be launched against the domestic livestock industry, the number one obstacle to proper management of our public lands, especially those under the BLM.

If you are tired of seeing cows and sheep where there should be elk, deer, antelope, cougar, bear, wolves, quail, turkey; if you are tired of polluted streams, bare ground, severe erosion; if you are tired of paying taxes to support grazing fees that are less than one-fourth market value; if you are tired of being denied access to your public lands by a handful of

"cowboys", do something.

The first of several informational meetings for PLAN will take place in Santa Fe on March 30. Contact me at (505) 867-3062 or Joy Cheshire-Turk at (505) 989-7969 (Santa Fe) for time and location.

PLAN is a network. As such, we will have no official membership nor stifling organization. Rather, PLAN will serve as a facilitator among the various individuals and groups actively involved in public land issues. Send name, address, phone number, and issue(s) of interest to me at PO Box 712, Placitas, NM 87043 to become a node on the network.✱

PAT REILLY NEW COORDINATOR FOR CABEZON COYOTES

by Jim Fish, Placitas

The new coordinator for the Cabezon Coyotes is Pat Reilly, Star Route Box 346, Placitas, NM 87043 (505/867-2956). Those of you who have helped in the past will be contacted. Anyone else interested in joining should contact Pat.

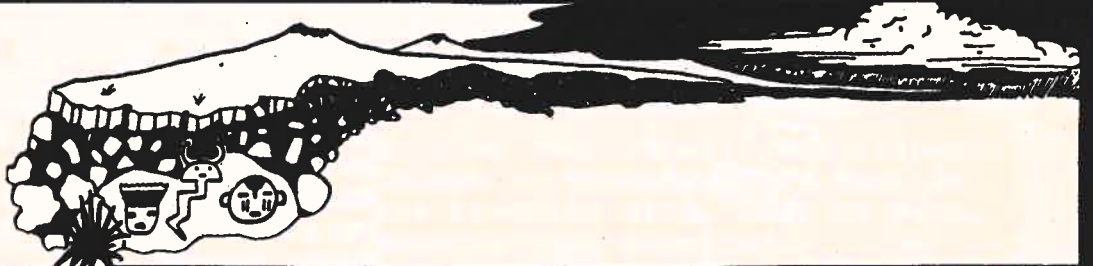
Pat has recently moved to New Mexico from Pennsylvania. She has a strong interest in wilderness protection and a broad understanding of the issues. The Rio Grande Chapter is fortunate indeed to have such a dedicated new member.

The Cabezon Coyotes were formed as an ad hoc group in 1986 to assist the Bureau of Land Management (BLM) in the Rio Puerco Resource Area. The primary focus of the group has been the "Cabezon Cluster" Wilderness Study Areas: Cabezon, Ojito, Empedrado, La Lena, Ignacio Chavez, and Chamisa. Projects have included wilderness patrols, emplacement of signs on the WSA boundaries, closure and rehabilitation of illegal and unnecessary vehicular ways in the WSAs, construction and repair of wildlife enclosures (livestock enclosures), wildlife surveys, litter removal, photodocumentation, visitor assistance, and tree planting. The group has received recognition locally as well as nationally. An editorial in The Albuquerque Tribune in 1987 carried the subtitle "New Mexico conservation fans should take a cue from Coyotes". In 1988, I received one of BLM's national "Take Pride in America" awards for founding and coordinating the Cabezon Coyotes.

Thanks to all of you who have helped make the Cabezon Coyotes a success. I encourage you to continue the good work. I think you will find working with Pat Reilly a treat.✱

The Escarpment REPORT

Winter, 1989



PROGRESS ON NEW MEXICO'S PETROGLYPHS NATIONAL MONUMENT

PETROGLYPH FUNDING BILLS IN TROUBLE

by Ike Eastvold, Albuquerque
Chapter West Mesa Issue Chair

New Mexico legislators aren't getting enough letters and phone calls from us to make funding of Petroglyph National Monument a top priority, according to word from key committee staffers in Santa Fe. As the session shifts into its final thirty days, legislators are firming up their funding priorities, and competition is particularly stiff this year. Money from severance taxes has virtually dried up, and the general fund surpluses may only stretch to cover one-fourth of the \$300+ million requested to date in capital projects bills. Please help put the petroglyphs back in the competition!

We need an avalanche of phone calls and letters supporting house bills #77 and 87 by Reps. Eisenstadt and Henry "Kiki" Saavedra, and Senate Bills #37 and 284 by Sen. Martin Chavez.

The Capitol switchboard number is (505)984-9300, and the mailing address is: State Capitol Building, Santa Fe, NM 87503. Please make a commitment to take a few minutes to call and/or write Gov. Garrey Carruthers, your Senator, and your Representative. If uncertain of your legislators, call your county voter registrar. Then briefly, and in your own words, touch on a few of the following points:

* It is critical that the 1989 State Legislature complete its \$6 million share of land acquisition costs for the new National Monument. These lands are endangered by development and vandalism and may be lost or further degraded unless protected soon.

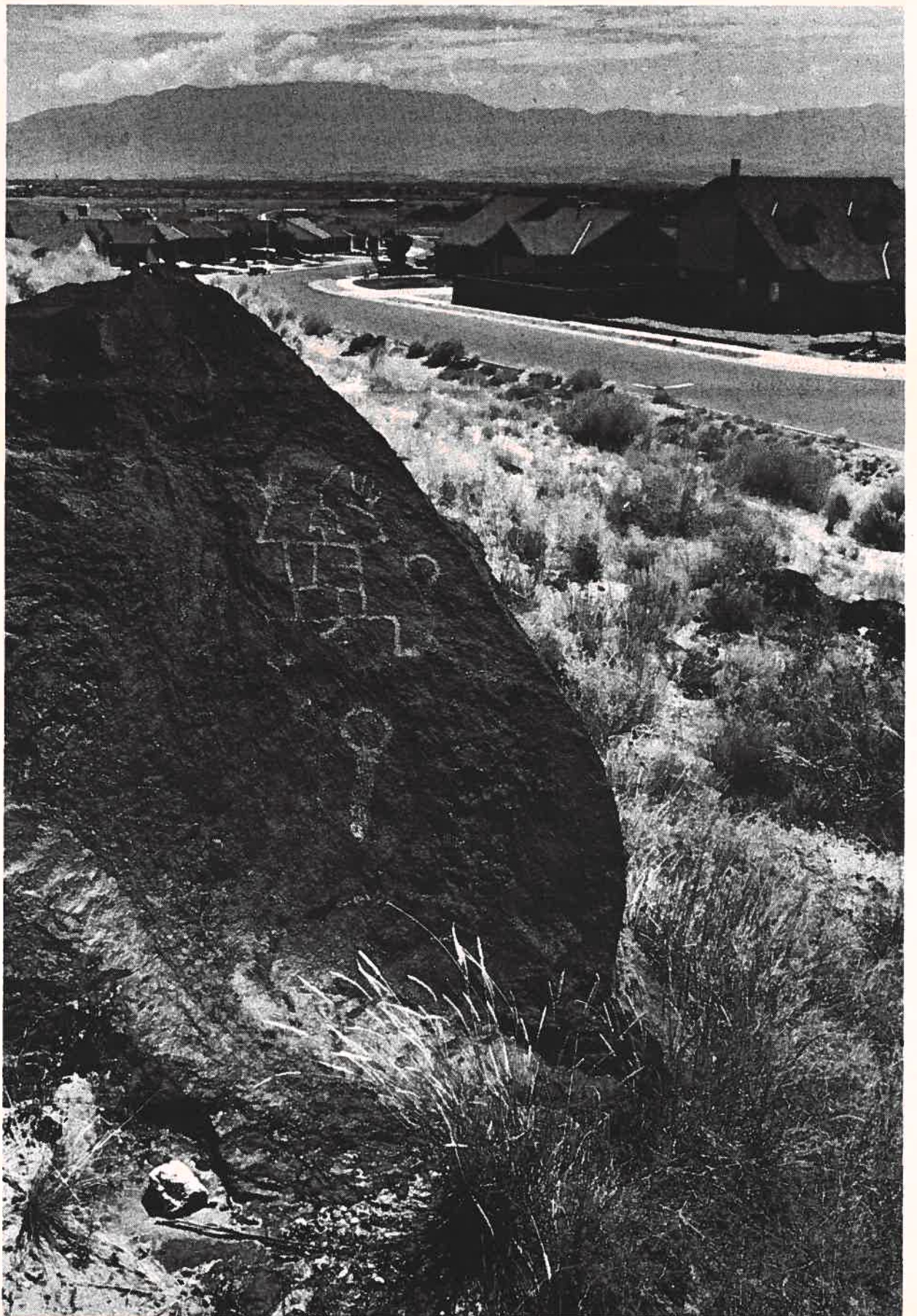
* If the Legislature shows strong support, the US Congress is more likely to pass the bills introduced last month and begin appropriations toward their lion's share of costs: \$40-60 million in land acquisition, \$8 million in facilities construction, and \$600,000 per year in operations.

* The State will have a one-time-only responsibility for \$6 million in acquisition costs. All facilities construction and ongoing operations will be borne by the Federal and City governments.

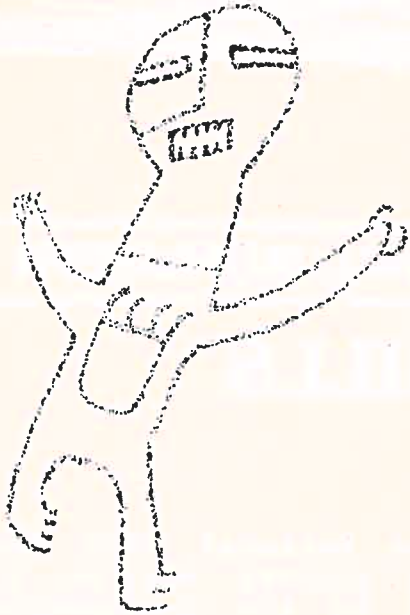
* Visitors interested in pre-historic art and Indian culture will be attracted to New Mexico from all over the US and foreign countries since Petroglyph National Monument will be a one-of-a-kind, unique in the

entire National Park System. These visitors will be introduced to the Congressionally authorized Masau Trail automobile tour of other Indian and historic sites in New Mexico,

see Funding, page 4



Unprotected petroglyphs and suburban encroachment, Santa Fe Village I, just south of Indian Petroglyph State Park. Swift action from City, State and Federal governments is necessary to save the West Mesa Escarpment from further losses due to encroaching development. The proposed Petroglyph National Monument is squarely in the path of Albuquerque's most intense growth to the west.



Funding (from page 3)

thereby bringing economic benefits to communities from Silver City to Farmington and west to the Arizona state line.

* At start-up, Petroglyphs is projected to attract 400,000 visitors yearly, with an economic impact of \$5 million. The majority of the yearly \$262,500 in gross receipts taxes on that amount goes into State coffers. The initial \$6 million investment will be repaid, with dividends going to the State general fund in perpetuity.

* Besides the \$13.82 million earmarked by the City of Albuquerque toward its share of acquisition costs, the private sector is helping, too. Bellamah Community Development recently donated 36 acres of their land worth nearly \$2 million to the Monument, and other land owners have offered help, too.

Finally, for those of you who are willing to go the extra mile, contact as many of the members of two critical committees as you can with messages of support for the Petroglyph bills (HB 77 and 87; SB 37 and 284). From Santa Fe, phone messages are toll free!

SENATE FINANCE COMMITTEE

- Altamirano, Ben D.-Chairman (D)
- Fidel, Joseph A.-Vice Chair(D)
- Alarid, Michael (D)
- Aragon, Manny M. (D)
- Benavides, Tom R. (D)
- Chavez, Tito D. (D)
- Donisthorpe, Christine A. (R)
- Foreman, Harold W. (R)
- Garcia, Mary Jane M. (D)
- Ingle, Stuart (R)
- Jennings, Timothy Z. (D)
- Maes, Roman M. (D)
- Martin, James Lee (R)
- McKibben, Billy J. (R)
- Stoddard, Stephen D. (R)
- Tice, C. Ray (D)

HOUSE TAXATION & REVENUE COMMITTEE

- Minzner, Dick-Chairman (D)
- Sandel, Jerry W.-Vice Chair (D)
- Hill, Stuart C. (R)
- Lambert, Martha L. (Marty) (R)

- Lujan, Ben (D)
- Madalena, James Roger (D)
- McMullan, John J. (R)
- Michael, Toby (D)
- Morgan, Linda M. (D)
- Peralta, Frederick A. (D)
- Ryan, Murray (R)
- Sandoval, Edward C. (D)
- Stell, Joe M. (D)
- Thompson, Mary L. (R)✱

NATIONAL MONUMENT BILL INTRODUCED IN CONGRESS

On January 31, identical companion bills (S. 286 and HR 745) were introduced by the New Mexico Congressional delegation to establish a new Petroglyph National Monument on Albuquerque's Northwest Mesa escarpment. The bills are considerably improved over last year's legislation in a number of important ways:

* A monument boundary map is included as a result of reaching final consensus with certain key landowners, especially Westland Development Co., Inc, which owns 1900 of the 3200 acres needed for acquisition. The Monument would be 7100 acres in size, with 5150 acres managed by the National Park Service in an "Atrisco Unit," and 1950 acres managed by the City of Albuquerque in the "Boca Negra" and "Piedras Marcadas" units. The federal legislation only designates its 5150-acre Atrisco Unit as a National Monument. The City's units would be officially designated when acquired with City and State funds.

* Continued access by Pueblo Indian groups to sacred sites for religious uses is guaranteed.

* The Park Service is given immediate authority to enter into lease agreements to protect resources on private or City lands pending their final acquisition.

* Acquisition by one agency in the management area of another agency is allowed in order to speed up protection, as long as the final management areas remain unchanged. For example, the City can trade some of its properties for lands in the Federal Atrisco Unit with the expectation that the federal

government will later help the City acquire lands in the Boca Negra and Piedras Marcadas Units.

* The Park Service is directed to research other Rio Grande style rock art sites in northwestern New Mexico and report back to Congress on their location, condition, ownership, appropriate types of technical assistance needed for the protection and care. This important research and report should greatly facilitate the protection of a number of these dramatic Southwestern Indian rock art phenomena in its entirety.

* The boundaries of the Monument have been expanded to include the 1100-room Pueblo known as the Zuris-Mann site (LA 290) and the southern geological window, both of which are owned by the City.

Many of these improvements were requested in a multiple signature letter delivered January 12 to the delegation by the Sierra Club, Audubon Society, National Congress of American Indians, Friends of the Earth, Society for American Archeology, The Wilderness Society, and National Parks and Conservation Association. Altogether, these national organizations represent over 2 million members nationwide. West Mesa Issue Chair, Ike Eastvolok met with these groups plus key Congressional staffers and Park Service planners in Washington DC, over the Christmas holidays. The consensus arrived at was used in the letter to successfully strengthen the new legislation.

Senator Pete Domenici would like us to all take a minute and fill out his "Petroglyph Ballot" and mail it back to him showing strong New Mexico support for the new National Monument. Please clip out the ballot and mail it to Senator Pete with a personal note of thanks! Letters of thanks are also in order to the others in the delegation. Much hard work remains before passage of the legislation is assured. We will need everyone pulling together in a truly bi-partisan effort to bring years of effort to final fruition.✱

O P I N I O N B A L L O T

PETROGLYPHS BALLOT

- Yes, Senator Pete, I believe that Congress should pass your bill creating the Petroglyphs National Monument.
- No, I am against protecting the West Mesa Escarpment and the petroglyphs in Albuquerque.

Your name and address: _____

OUTINGS IN THE CHAPTER AREA

by Norma McCallan, Santa Fe

The following list of outings has been compiled from the Group outings schedules so that any Sierra Club member living anywhere in the Chapter can take advantage of our many and varied Group outings. In some cases, as noted, prior reservations are required. Hikers should bring lunch, sturdy hiking boots or shoes, and clothing appropriate for the weather. Radios are never allowed; dogs are allowed only if noted. Leaders reserve the right to turn away anyone whose equipment, experience, or health condition appear unsuitable for the particular outing.

All area codes are 505 except as noted.

Sat March 4 Myles Brown 471-5075 (Santa Fe). Moderate cross country ski tour. Call for time and meeting place.

Ike Eastvold 255-7679 (Albuq.). Clean-up trip in Rinconada Canyon in the proposed Petroglyphs Nat'l Monument. Meet 10:30 AM, Dunkin Donuts, Coors Blvd at Sequoia. RSVP.

Chuck Wiggins 266-3622 (Albuq.). Daylong trek in El Malpais Nat'l Monument and Natural Conservation areas. Weather will dictate the exact agenda, but we will explore the rugged lava flow south of Grants. Meet Albuq. Group office, 207 San Pedro NE at 8:30 AM.

Sun March 5 Ken Adam 983-1949 (Santa Fe). Moderate hike for dogs, owners, and friends. Leave 8 AM from PERA parking lot.

Page Press (Santa Fe; contact Norma McCallan 471-0005) Moderate/strenuous cross country ski tour, Big Tesuque traverse from Aspen Vista Rd. Leave 9 AM from PERA parking lot.

Sat/Sun March 4-5 Wesley Leonard (915) 581-3480 (El Paso). Ft. Bayard car camp and dayhikes, Gila National Forest. Leave El Paso early Sat. morning, camp at Cameron Creek. Hike Sawmill Road Nat'l Recreation Trail Sat. afternoon and see world's largest juniper tree. Sunday hike on Wood Haul Wagon Rd Nat'l Recreation Trail. Reservations & leader approval required.

Sat March 11 Ike Eastvold 255-7679 (Albuq.). Hike into Rinconada Canyon, with an option to trek to the volcanoes and do a car shuttle return in the proposed Petroglyphs Nat'l Monument. Meet at Dunkin Donuts, Coors Blvd at Sequoia at 11 AM. RSVP.

Sun March 12 Art Judd 982-3212 (Santa Fe). Moderate/strenuous hike. Leave 8 AM from PERA parking lot.

Alan Karp 982-1960 (Santa Fe). Easy hike. Leave 9 AM from PERA parking lot.

Betty Fisbeck (915) 581-0174 (El Paso). Ron Coleman Trail

dayhike (moderate). McKellington Canyon to Transmountain Road in the Franklin Mtns. near El Paso. Reservations required.

Thurs-Sun March 9-12 Claus Christiansen (915) 833-4701 (home) or 747-5761 (wk) (El Paso) Big Bend Mountain Loop Highlight trip. Hike entire Outer Mountain Loop (32 miles) in 3 days without carrying backpacks by using support vehicles. Call Claus for more information & reservations.

Sat March 18 Mike Ginsberg 988-2347 (Santa Fe) Easy hike at Tent Rocks. Leave 9:30 AM from PERA parking lot.

Sun March 19 David Brown 662-2185 (Los Alamos) Moderate/strenuous cross country ski trip. Call for details of time, location and meeting place.

Sat or Sun March 18/19 Mark Post (915) 581-1696 (El Paso). Moderate dayhike to Dog Canyon, Oliver Lee State Park in the Sacramento Mtns. near Alamogordo. Reservations required.

Sat/Sun March 18-19 Norma McCallan 471-0005 (Santa Fe) Ski both days near Cumbres Pass and spend Sat. night at Little Creel Lodge in Chama (2-8 people per cabin, \$25 for each cabin, some with kitchens). Dogs allowed. Call to reserve by March 1.

Sat March 25 Norma McCallan 471-0005 (Santa Fe) Moderate/strenuous hike, possibly up Glorieta Baldy if snow conditions permit. Leave 8 AM from PERA parking lot. Dogs allowed.

Sun March 26 Norbert Sperlich 983-1962 (Santa Fe). Moderate hike, La Cienega/Caja del Rio. Off-trail; wear sturdy hiking boots. Leave 8 AM from PERA parking lot.

Alan Karp 982-1960 (Santa Fe). Easy hike. Leave 9 AM from PERA parking lot.

Sat/Sun March 25-26 Wesley Leonard (915) 581-3480 (El Paso). Apache Creek backpack in Gila Wilderness. Moderate +. Reservations and leader approval required.

Sat April 1 Ike Eastvold 255-7679 (Albuq.). Hike into the 3 Geologic Windows on the West Mesa, proposed Petroglyphs Nat'l Monument. Easy Walking. Meet 11 AM at Dunkin Donuts, Coors Blvd. at Sequoia. RSVP.

Paul Krehbiel 835-0759 (Socorro) Climb Ladrone Peak between Belen and Socorro. Meet at Bernardo Exit of I-25 at 8 AM. Trail is rocky with possible snow and lots of cactus. Wonderful vistas, steep grades.

Sat April 29 Ike Eastvold 255-7679 (Albuq.). Hike into Piedras Marcadas area of the proposed Petroglyph Nat'l Monument. Meet 11 AM at Dunkin Donuts, Coors Blvd. at Sequoia. Bring sack lunch, sturdy hiking shoes, and camera. RSVP. ♂

EDITOR

Dave Glowka

CONTRIBUTORS

Ike Eastvold
 Norma McCallan
 Chuck Wiggins
 Richard Smith
 Jim Fish
 Julie Andersen
 Tom Brasfield
 Mark Irwin

Thanks to the Albuquerque Group for helping to mail the Sierran.

The Rio Grande Sierran is provided at no charge to Sierra Club members as a membership service. Otherwise, subscriptions may be obtained for \$10/year by contacting Membership Chair Nick Nicolaus (see Chapter Directory at right).

Printed bimonthly by Vanguard Printing, 101 Summer Avenue NW, Albuquerque. Headlines typeset by Mona Gonzalez at Southwest Research and Information Center in Albuquerque.

OUR EDITORIAL POLICY

Opinions expressed in the Rio Grande Sierran are those of the contributors and not necessarily those of the Sierra Club or the Rio Grande Chapter unless so stated. Other organizations may use non-copyrighted materials appearing in the Sierran as long as acknowledgement is made. We welcome contributions of articles, essays, prose, poetry, photographs, drawings, and other submissions. We request that all submissions be signed and accompanied by a telephone number and address at which the author may be contacted. Please send submissions to the Editor (see Chapter Directory).

CONGRESSIONAL DIRECTORY

REPRESENTATIVE BILL RICHARDSON (D-NM)

332 Cannon Building
 Washington, DC 20515
 202-225-6190

SENATOR JEFF BINGAMAN (D-NM)

502 Hart Senate Building
 Washington, DC 20510
 202-224-5521

175 Federal Building
 and U.S. Courthouse
 Roswell, NM 88201
 505-622-7113

200 East Griggs, Suite 201
 Las Cruces, NM 88001
 505-523-8237

REPRESENTATIVE MANUEL LUJAN (R-NM)

1323 Longworth Building
 Washington, DC 20515
 202-225-6316

10001 New Federal Building
 500 Gold Street SW
 Albuquerque, NM 87102
 505-766-2538

3006 Federal Building
 and Post Office
 Santa Fe, NM 87501
 505-988-6521

REPRESENTATIVE JOE SKEEN (R-NM)

1007 Longworth Building
 Washington, DC 20515
 202-225-2365

SENATOR PETE DOMENICI (R-NM)

434 Dirksen Building
 Washington, DC 20510
 202-224-6621

10013 New Federal Building
 500 Gold Street SW
 Albuquerque, NM 87102
 505-766-3481

3004 Federal Building
 and U.S. Post Office
 Santa Fe, NM 87501
 505-988-6511

140 Federal Building
 and U.S. Courthouse
 Roswell, NM 88201
 505-623-6170

REPRESENTATIVE RONALD COLEMAN (D-TX)

E-202 Federal Building
 Las Cruces, NM 88001
 505-523-7959

REPRESENTATIVE LLOYD BENTSEN (D-TX)

416 Cannon Building
 Washington, DC 20515
 202-225-4831

146 U.S. Courthouse
 El Paso, TX 79901
 915-541-4650

304 U.S. Post Office Building
 Pecos, TX 79772
 915-445-6218

SENATOR PHIL GRAHAM (R-TX)

703 Hart Senate Building
 Washington, DC 20510
 202-224-5922

370 Russell Senate Building
 Washington, DC 20510
 202-224-2934



CHAPTER DIRECTORY

CHAIR

Chuck Wiggins
 528 Vassar SE
 Albuquerque, NM 87106
 (505) 266-3622

VICE-CHAIR

Ben Zerby
 PO Box 687
 Mesilla, NM 88046
 (505) 526-6207

SECRETARY

Jana Oyler
 411 Paseo de Peralta
 Santa Fe, NM 87501
 (505) 988-5754

TREASURER

Laura Connolly
 3815 Headingly, NE
 Albuquerque, NM 87110
 (505) 884-2739

EXECUTIVE COMMITTEE MEMBERS

Tom Brasfield
 5223 Santa Elena
 El Paso, TX 79932
 (915) 584-8739

Ike Eastvold
 5501 Mountain Rd NE
 Albuquerque, NM 87110
 (505) 255-7679

Steven Flint
 232 Irvine Street, #1
 Santa Fe, NM 87505
 (505) 989-7334

Dan Jones
 313 Fisher Street
 Socorro, NM 87801
 (505) 835 2677

Norma McCallan
 2918 Viaje Pavo Real
 Santa Fe, NM 87505
 (505) 471-0005

Jana Oyler
 411 Paseo de Peralta
 Santa Fe, NM 87501
 (505) 988-5754

Storm Sermay
 3382 Solarridge Street
 Las Cruces, NM 88001
 (505) 521-3348

Jay Sorenson
 2800 Charleston, NE
 Albuquerque, NM 871110
 (505) 884-4314

Gwen Wardwell
 945 Camino de Chelly
 Santa Fe, NM 87501
 (505) 473-9664

Chuck Wiggins
 528 Vassar SE
 Albuquerque, NM 87106
 (505) 266-3622

Ben Zerby
 PO Box 687
 Mesilla, NM 88046
 (505) 526-6207

CONSERVATION CHAIR ENVIRONMENTAL QUALITY
 Tom Brasfield
 5223 Santa Elena
 El Paso, TX 79932
 (915) 584-8739

CONSERVATION CHAIR PUBLIC LANDS
 Chris Rilling
 1409 Gold Avenue, SW
 Albuquerque, NM 87104

SWRCC DELEGATES
 Tom Brasfield
 Chris Rilling
 Chuck Wiggins
 Gwen Wardwell (Alt)

COUNCIL DELEGATES
 Jana Oyler
 Ben Zerby (Alt)

GROUP CHAIRS

ALBUQUERQUE
 Caty Butcher
 321 Monzano, NE
 Albuquerque, NM 87108
 (505) 255-3319

EL PASO
 Wes Leonard
 209 Maricopa
 El Paso, TX 79912
 (915) 747-5450

SANTA FE
 Ken Cassutt
 126 East DeVargas Street

SOUTHERN NEW MEXICO
 Don Dearholt
 4891 Quail Run

ISSUE CHAIRS

BLM ISSUE CHAIR
 Judy Bishop
 3005 Calle Quieta
 Santa Fe, NM 87501
 (505) 471-4439

ALBUQUERQUE WEST MESA ISSUE CHAIR
 Ike Eastvold

WILDLIFE CHAIR
 Susan Larsen
 7712 Harwood Ave. NE
 Albuquerque, NM 87110
 (505) 299-3496

RIO GRANDE SIERRAN EDITOR
 Dave Glowka
 Star Rt. Box 282B
 Tijeras, NM 87059
 (505) 281-1488

OUTINGS CHAIR
 Norma McCallan
 (see above)



SLAUGHTERING WILDLIFE FOR PROFIT

by Jim Fish, Placitas

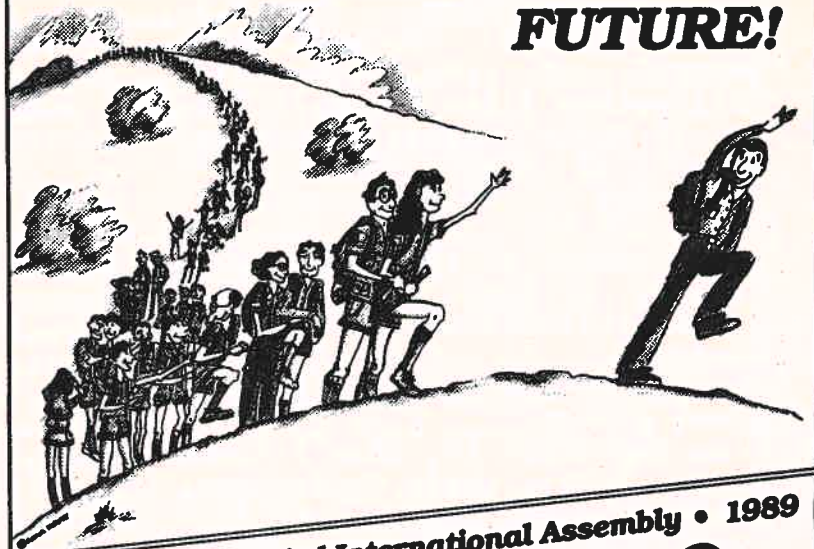
A bill to legalize slaughter of game (elk, deer, antelope) for commercial purposes has been introduced in the New Mexico Senate. Senate Bill 415 was cleverly titled "Wildlife and Rangeland Research Act" and carefully crafted to disguise its true purpose: market hunting. The proposed legislation would allow luring game onto private land; killing that game out of season; and selling the meat, the hide, and the head.

Perhaps worse than what the bill would allow is what it would encourage: poaching for profit. Poaching for subsistence already represents a significant threat to wildlife populations in New Mexico. Imagine the increased pressure if an open market existed for game meat. At \$10 a pound, a 500-lb elk would be worth \$5000. How long would it be before elk and deer and turkey and quail and bear went the way of the passenger pigeon?

As of this writing, Senate Bill 415 was scheduled to go before the Conservation Committee on March 2. Letters and calls to the members of the committee are needed immediately. Members are John L. Morrow (Chair), Louis M. Whitlock (Vice-Chair), Michael Alarid, Tom R. Benavides, James A. Caudell, Willliam F. Davies, Maurice Hobson, Stuart Ingle, Raymond L. Kysar, Jr., Emilio Naranjo, John Arthur Smith, and C. Ray Tice. Address letters to State Capitol Building, Santa Fe, NM 87503. Letters and calls of protest should also go to Senators Michael Alarid (D-Albuquerque); Tito Chavez (D-Albuquerque); James Caudell (R-Albuquerque); and Anthony Williams (R-Belen) for introducing the bill.

Opposition to Senate Bill 415 is mounting quickly. Perhaps the bill will be dead by the time you read this. A call to your Senator is in order anyway. They need to know that we do not want a game ranching bill now or anytime in the future. Contact Chuck Wiggins, Jim Fish, Dave Henderson, or Bob Tafanelli for more information.✪

JOIN YOUR FRIENDS TO HELP SHAPE OUR ENVIRONMENTAL FUTURE!



Sierra Club • Third International Assembly • 1989

July 6, 7, 8, 9

Ann Arbor, Michigan / Windsor, Ontario

VISION FOR THE FUTURE
ACTION FOR GLOBAL ENVIRONMENT

SIERRA CLUB • THIRD INTERNATIONAL ASSEMBLY

FOR MORE INFORMATION, PLEASE CALL OR WRITE:
1-800-888-5131 or 1-800-333-5317
19827 W. Twelve Mile Rd., Suite 344 • Southfield, MI 48076

ENDANGERED IMAGES

**WEST MESA PETROGLYPH AREA
ALBUQUERQUE, NEW MEXICO**



"To us, these petroglyphs are not the remnants of some long lost civilization that has been dead for many years... they are part of our living culture."
Agoyo



"These petroglyphs are the symbols and legends of the Pueblo life and culture of these times... In terms of us, where we are and where we came from as Indian People."
Agoyo



"What is stored in the petroglyphs is not written in any book or to be found in any library... and we need to return to them to teach our own sons and daughters of it."
Agoyo



"In continuing to uphold our past traditions and religion that is embodied in the petroglyphs, we still use certain areas of the petroglyphs for sacred ceremonies that have been going on for centuries before the time of the Spanish Conquistadors and the White Man, and certain of our societies and clans regularly visit these sites or shrines in the way of our ancestors."
Agoyo

Herman Agoyo, All Indian Pueblo Council Chairman, Statement Before the U.S. House of Representatives Committee on Interior and Insular Affairs, Albuquerque, New Mexico, October 11, 1988

ENDANGERED IMAGES 14" x 24" POSTER, FRONT SIDE

REVERSE SIDE OF THE POSTER (NOT SHOWN) CONTAINS:

1. Six photos of vandalism and development damages, with Herman Agoyo and Polly Schaafsma quotes urging protection in a new Petroglyph National Monument;
2. Map of proposed monument;
3. List of fifty (50) groups in support; and
4. Credits

POSTER ORDER FORM

PLEASE SEND _____ POSTERS @\$6.50 DONATION EACH PLUS \$1.50 POSTAGE (UP TO 5 POSTERS). TOTAL ENCLOSED \$ _____

NAME _____

ADDRESS _____

PHONE _____

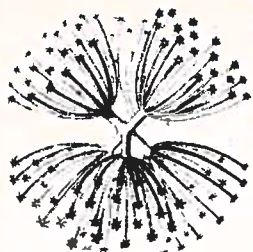
PLEASE MAKE CHECKS TO: **Rio Grande Chapter of the Sierra Club** 207 San Pedro Avenue NE
Albuquerque, NM 87108

Fires (from page 1)

conditions that Mr. McNeel cites. No agency had ever seen these extreme conditions. Even the nation's premier wildland fire organization, the U.S. Forest Service, couldn't cope. Several of the so-called Yellowstone fires began in U.S. Forest Service areas, were aggressively fought by the USFS from day 1, escaped containment, and still burned into the park, adding to the fires which already existed. These fires in the Yellowstone area may be analogous to the 500-year floods around which we plan in flood plains.

On September 10, when I spoke to the Public Lands Conference, what was under attack politically was the nation's natural fire policy. What Mr. McNeel seems most exercised about are tactics: when we should have attacked the fires, how the weather reports should have been interpreted, etc. Fair enough, I say. With 20-20 hindsight, we all might have done some things differently. What's important, though, is to defend the policy publicly, not just when we burn a few thousand acres in the Park System, but also when we burn half a million. Interestingly enough, I received a letter from the Wilderness Society representative several days after the conference. He enclosed a copy of the Society's press release defending natural fire policy. His organization responded when the really dangerous fires were political ones burning along the Potomac. That was the point I was trying to make.

I hope Mr. McNeel's article will stir debate within the Rio Grande Chapter regarding fire policy on public lands. It's a complex, controversial issue that merits our most serious consideration. During the debate, no idea advanced should be considered too outlandish, even ones such as Mr. McNeel's that somehow got the MOVE conflagration in Philadelphia mixed in with natural fire policy. Perhaps Mr. McNeel would like to share the fig leaf he awarded me. ✪

**Garbage (from page 1)**

State Senator:

State Capitol
Santa Fe, NM 87503

or

Capitol Switchboard
(505)827-4011 ✪

Legislature (from page 1)

Resource Conservation Recovery Act. A number of new landfills have been proposed for New Mexico, punctuating the need for stringent requirements to prevent New Mexico from becoming the nation's garbage dump.

Roman Maes (D-Santa Fe) recently introduced legislation to regulate solid waste disposal in New Mexico. Maes' Senate Bill 2 would direct the state to designate solid waste management districts. Garbage brought into a district from another district or from another state would be subject to disposal fees higher than for refuse originating within the district. Also, to reduce the volume of solid waste in New Mexico, the bill would establish mandatory recycling programs throughout the state.

In a related matter, both the Senate and the House are considering moratoria that would prohibit the licensing of new landfills until New Mexico's laws governing solid waste disposal are strengthened. Unfortunately, a moratorium does not have the power of law and would be difficult to enforce. Contact Norma McCallan at (505) 471-0005 for more information.

IN-STREAM FLOW: Under current New Mexico water law, the only "beneficial" uses of water are those that physically divert water from its natural course. The proposed legislation would simply allow "in-stream" uses of water to be classified as beneficial. This change in definition of "beneficial use" would encourage water conservation, and it would benefit wildlife and recreational users of the state's waterways. Contact Chuck Wiggins at (505) 266-2622 for more information.

PETROGLYPHS NATIONAL MONUMENT: The proposed Petroglyph National Monument is closer to reality than ever, but we need \$5.7 million from the state to help acquire lands for the Monument. This fragile area is squarely in the path of Albuquerque's urban development, and it is daily subjected to vandalism. Time is of the essence!

Representatives Pauline Eisenstadt (D-Sandoval) and Henry "Kiki" Saavedra (D-Bernalillo) introduced legislation in the House to allocate such funds, and Senator Martin Chavez (D-Bernalillo) introduced similar legislation in the Senate. New Mexico Governor Garrey Caruthers recently endorsed the proposal and suggested that money to acquire the land should come from severance tax bonds.

Hearings on the funding proposals were held by members of the House Taxation and Revenue Committee on Thursday, February 2, and by members of the Senate Finance Committee on Friday,

February 3. While there is little opposition to funding the proposal, the big question centers on the availability and sources of funds. Some proponents seek to pay for the land with money from the state's general fund, while others look to severance tax bonds. One key activity of the Sierra Club is to keep pressure on the legislators. If you haven't already called or written your state legislators to express support for the Petroglyphs, please do so!

On the national front, members of New Mexico's congressional delegation recently introduced legislation to establish the Monument. Congressional hearings for the bill will likely be scheduled sometime in the spring, perhaps after the state legislative session.

The Club helped to develop the new "endangered images" posters, which feature photographs from the West Mesa Escarpment, with comments from Pueblo leader Herman Agoyo. The attractive posters are being sold at \$6.50 each to raise funds to protect the Petroglyphs and are also useful tools for lobbying and educational efforts. Public service announcements on behalf of the Petroglyphs have been aired on radio station KLSK. The latest series of announcements featured actor/director/author Robert Redford. Contact Ike Eastvold at (505)266-3622 for more information.

EID-RELATED ISSUES: The State of New Mexico's Environmental Improvement Division (EID) deals with numerous issues of importance to public health and our environment. The Sierra Club will monitor and support selected issues that will better enable this important agency to protect our environment. Currently, proposals to restructure the funding mechanisms for the division are being forwarded by Representative Robert Hawk (D-Albuquerque). Mr. Hawk's proposals would allow the agencies within EID to become financially self-sustaining, that is, one step further from the whims of state legislators. Contact Chuck Wiggins at (505)266-3622.

CLEAN AIR AMENDMENT: New Mexicans may be in for a breath of fresh air, thanks to the hard work of Santa Fe Group Chair Ken Cassutt. A Santa Fe attorney, Ken recently drafted legislation that would allow New Mexico air quality standards to exceed those recommended by the US Environmental Protection Agency (EPA).

Under present New Mexico law the state's Environmental Improvement Board is powerless to set regulations that are more strict than those adopted by

see Legislature, page

Legislature (from page 8)

the EPA. However, this restriction is not mandated by federal law; case law under the Clean Air Act holds that states have clear authority to promulgate air quality laws that are more strict than federal laws. EPA regulations provide a minimum standard, but it is New Mexico's own statute that makes federal regulations the maximum standard in our state.

This limitation makes sense when EPA has promulgated comprehensive regulations on the subject. It saves the Board and EID staff the time and money necessary to devise new regulations. However, this self-imposed limitation does not make sense when EPA has failed to come up with adequate regulations to govern a particular air pollutant or source of air pollution. In such cases, the Board's hands are unnecessarily tied.

Cassutt's proposed legislation would retain the limitation that state regulations cannot be more strict than federal regulations, but with one exception: if the board finds that federal regulations are inadequate, the Board has the power to develop adequate regulations of its own.

Additionally, Cassutt's legislation would reverse the results of Public Service Company of New Mexico vs. Environmental Improvement Division, a 1976 New Mexico Court of Appeals decision that restricted the Board's regulatory authority to prevent violations of ambient air quality standards. The legislation would restore the efficacy of the statutory language, making it clear that the Board's goal is not simply to allow air pollution to deteriorate to a certain tolerable level, but rather to protect the high quality of New Mexico's air. Contact Ken Cassutt at (505)988-8019.

BOTTLE BILL: The 1989 version of the bottle bill, one of the Club's original priorities for this session, was recently killed in the House. However, all is not lost! Roman Maes' Senate Bill 2 has a component that deals with mandatory recycling. Because the recycling portion of the Maes bill remains controversial, the Sierra Club will intensify its effort on behalf of this important legislation.

Additional priorities may be added to the list as necessary. The Executive Committee established a Legislative Issues Oversight Committee, composed of the Chapter Chair, the Conservation Co-Chairs, and the Chapter SCOPE Chair, who will review additional proposals on a case-by-case basis. If you know of an issue that the Club should add to list of priorities, contact Chuck Wiggins at (505)266-3622.

TEXAS

(Please note: The following paragraphs were taken from the "State Capital Report," a publication of the Lone Star Chapter of the Sierra Club.)

The 71st Texas state legislature began on January 10, 1989. This session is likely to prove as challenging on environmental and natural resource issues as the last regular session. For one thing, the state's financial picture, while noticeably improved from 1987, is still not very rosy. State agency budgets will still be tight, and the danger of attempted raids on dedicated funds such as the Local Parks Fund remains. There is, however, a qualitative as well as quantitative difference between an estimated \$1 billion revenue shortfall for the coming biennium and the \$6-7 billion revenue shortfall in the last session.

Several major environmental and natural resource issues constitute "unfinished business" from the 1987 regular session. These include important groundwater management and protection bills, a number of which passed the Senate in 1987 but were either defeated in the House or were left sitting on the House calendar when time ran out at the conclusion of the legislative session. State Representative Terral Smith of Austin, who served last term as Chairman of the House Natural Resources Committee, carried many of the important groundwater bills in 1987 and is expected to be named once again as Natural Resource Chair and to carry significant groundwater legislation (his committee acts on most water resources legislation).

In addition to groundwater legislation, the Texas Rivers Protection Act will be proposed in 1989. This bill is a revision of the 1987 legislation known as the Texas Rivers Conservation act, and the revised bill has met with a better response than the previous legislation. However, the bill is still drawing strong opposition from a number of rural and agricultural interests, including major agricultural organizations such as the Texas Sheep and Goat Raisers Association, the Texas and Southwestern Cattle Raisers Association, and the Texas Farm Bureau (part agricultural group, part insurance company).

These agricultural groups have either misinterpreted or deliberately distorted the purpose and provisions of the proposed Rivers Protection Act. The main thrust of the legislation is to prohibit reservoirs, channelization, and channel realignment on significant river segments which need protection due to their important

ecological, historical, recreational, or other values. Only a few river segments comprising slightly over 500 stream miles out of tens of thousands of stream miles in Texas are being proposed for such protection. There is a mechanism in the proposed bill for legislative designation of additional river segments for protection at a later time, but protected river segments are never going to comprise more than a small fraction of the state's stream miles.

However, some rural and agricultural people have been misled or misinformed into thinking that the proposed legislation would guarantee the public the right of access across private property to get to protected rivers, would lead to involuntary establishment of "scenic corridors" along the rivers, and would prohibit normal activities such as agricultural production along these rivers. The proposed legislation does none of these things, but trying to combat this campaign of distortion and misinformation is an obstacle that will make passage of the bill difficult.

In addition to unfinished business from the last session, a number of new environmental proposals will be coming forward. These will include legislation promoting the use of natural gas as a clean-burning fuel to aid in addressing the state's air pollution problems, bills encouraging the recycling of municipal solid waste and the better enforcement of solid waste laws, legislation streamlining the clean-up of abandoned or problem hazardous waste and hazardous substances sites through the state superfund, proposals to reduce the generation of hazardous waste and municipal solid waste, legislation to address global warming concerns at the state level, and bills to reform the regulation of uranium mining in Texas. A major fight is expected over the continuation of the Texas Department of Agriculture as the pesticide regulatory agency, as TDA undergoes sunset review this session. ✪



Drawings by Ernst Haeckel (1834-1919)

THE SCLDF REPORT NEWS OF THE SIERRA CLUB LEGAL DEFENSE FUND

by Julie Andersen, Denver
SCLDF Rocky Mountain Office

Previously, you folks out in the Land of Enchantment have muddled through without a column on environmental law, but in line with our strategy of saving the global environment, we hereby inaugurate this little column to educate, elevate, and amuse you, our clients. Now, Colorado, Utah, and you folks will all be treated to a monthly barrage of news and information from the Rocky Mountain Office of SCLDF regarding our lawsuits in the West. This handy introductory column is to help you identify who we are and what we are.

First of all, Sierra Club Legal Defense Fund is a misnomer. We do not defend funds. We defend mostly those things that cannot bring lawsuits on their own behalf--wildlife, forests, and so forth. Also, the Sierra Club part is true but incomplete; we also do legal work for The Wilderness Society and other environmental groups and individuals. Our staff is as follows:

Lori Potter is our managing attorney. She works on water issues and various other cases involving development projects. She did that famous suit which established the right of wilderness areas to reserved water (essential out West where schemes to dewater wilderness are plentiful). She also worked on the Burr Trail case in Utah (the suit to prevent the Burr Trail from turning into a monster freeway--it won't be now). She also manages the office, which involves arguments over the office lease, copier machine breakdowns, and the caffeine addiction problems of the staff.

Doug Honnold is our chief Forest Planning Honcho. He brought the Texas Southern Pine Beetle suit, which prevented a lot of clearcutting of Texas wilderness and protected red-cockaded woodpeckers (an endangered species) by protecting their homes in the Texas National Forest. He also assists environmental activists with forest planning appeals so that the new plans will be less of a threat to public lands.

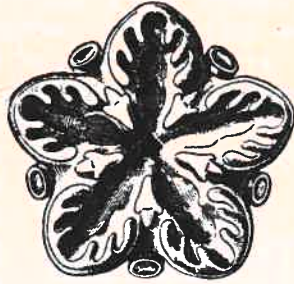
Fern Shepard is our only attorney with an environmentally-oriented name, and she mostly does oil and gas cases. She just filed a protest on oil and gas leasing that resulted in the cancellation of leasing for oil and gas in 8 of 11 Colorado forests.

Fred Cheever works on forest planning, water, and oil and gas. Fred is working on a new case involving the Holy Cross

Wilderness in Colorado on behalf of the Holy Cross Wilderness Defense Fund. He is preparing a "cross motion for summary judgement" (i.e., cross-fire between lawyers for all sides). This is a case where two cities want to take water from Holy Cross Wilderness so that they can enjoy unlimited urban sprawl while turning the Wilderness into a moonscape.

AND we just got a lawyer, Rolf Asphaug, who walked in from Houston, Texas. (Literally. After leaving a law firm in Houston, Rolf walked from Tucson, Arizona to Portland, Oregon. But he's buying a bike, so don't worry.) Rolf has recovered and is currently working on forestry, National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and attorney's fee issues. (That last issue relates to getting getting reimbursed for our costs when we win.) Rolf seems to be settling in nicely and is getting used to his new shoebox desk.

Our office manager is Nan Houser, who argues with vendors for cheap prices, types, handles all the accounting, and is Den Mother for the office plants. Not only is she cagey with vendors, she tends to be



calmer than anyone else here. She also adds that bit of tone that our office so desperately needs.

My title is "legal research assistant," which sort of involves computer work and fixing dead equipment, legal research, harassing agencies for information, phone answering, and typing legal briefs. Right. Whatever needs doing.

We also have a bunch of law students with us most of the time. They are critical to our work because they do all kinds of sticky legal research and find significant new food sources for the staff at various happy hours in town. They liven up the place considerably and are good to party with. Sadly enough, we are bidding farewell to three of them, Janey Sharke, Cinde Corbett, and Dan Stotter since they must go back home. We will miss them. Sob.

And now the news for New Mexico. Lori Potter is advising Chuck Wiggins of the Rio Grande Chapter on the Mantano bridge controversy in Albuquerque. Neighborhood groups and individuals in the vicinity of the proposed bridge construction site have already brought a suit over the Corps of

Engineers' issuance of a permit. Construction will degrade and fracture an important tract of the dwindling stock of wild life habitat and wetlands. The Club is considering its option with respect to the ongoing suit and the controversy in general.

ANOTHER SHOT AT EDEN

The Flathead National Forest is a little Eden in northwestern Montana; a place of incredible beauty where the streams and lakes are pure, trout fishing is sublime, and where wildlife like the grizzly bear, gray wolf, and bald eagle still roam. Understandably, such a paradise could not long go unthreatened. The Forest Service, which administers it, came out with a Forest Plan in 1986 which focused pretty much on clearcutting the place. Upon noting that it was impossible for the Forest Service to meet their twin goals of preserving the forest while destroying it, environmentalists promptly filed 39 separate appeals 45 days later. Jon Heberling, attorney extraordinaire in Montana, and Doug Honnold of SCLDF assisted with some of these appeals as they dragged on through the Forest Service's justly famous appeals process.

With its usual sense of flair and timing, the Forest Service got around to deciding some of the appeals in August of 1988. The 81-page decision gave us some of the specific things we asked for while saying that the Plan itself was just a concept, a little gameplan, and nothing to be taken seriously. According to the Chief, all the issues we raised on clearcutting, endangered species, etc., should all be dealt with later--when specific projects are being approved. Although we were deeply appreciative of the individual concessions they made to reality, we felt their overall idea of forest planning ranked right along with doing your family planning after conception.

There are a number of interesting aspects to the Flathead decision. At the local level, we are dealing with the Forest Service's inability to honestly decide between environmentalists, who believe in preservation of a pristine ecosystem, and the timber industry, which instead views the area as another great opportunity to supply the world with toothpicks.

Beyond that, the environmental community at large views this document as the first Forest Service response to some important issues that also come into play at other national

see Eden, page 11

Eden (from page 10)

forests. Also, this decision gives us our first clue as to how the Forest Service thinks the National Forest Management Act (NFMA) and the National Environmental Policy Act (NEPA) apply to forest plans, which is also very helpful when we are trying to imagine what the Forest Service's policy will be with other forest plan appeals around the country.

NFMA theoretically requires the Forest Service to write planning documents that spell out how national forest resources will be used. NEPA theoretically requires agencies to think through the ecological consequences of what they're doing before they do it. We have claimed that the planning documents required by NFMA and NEPA should be clear explanations of how the people of the U.S. can expect their forest lands to be used.

The Forest Service, according to the Flathead decision, believes that NFMA requires it to generally explain the various types of uses the forest might experience and that NEPA requires it to explore the concept when a developer is ready to start a particular project. This means that the Forest Service can state in its forest plan that there will be clear-cutting and mining in critical habitat for an endangered species and explain all at a later date when each little project comes up.

Why, you may ask, does the Forest Service write forest plans if they are going to be so vague as to be meaningless? Why is it looking at all these little projects separately when, if you put them together, the cumulative impacts are horrible and the two type of resource management can't co-exist? After all, don't NFMA and NEPA talk about integrated planning and an overview of the whole situation? What good questions.

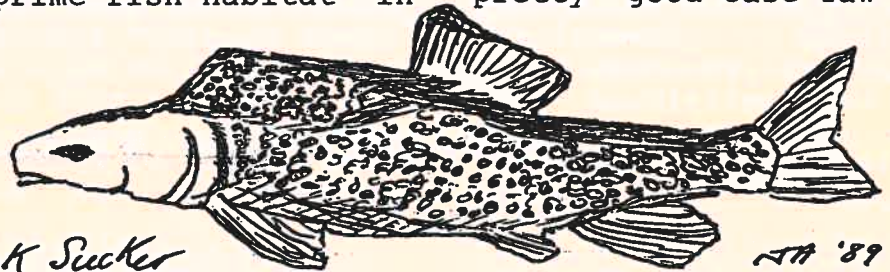
This month's multiple-choice question: As a result of the Chief's decision on this case, our attorneys will: a) wring their hands and wail; b) give up in disgust; c) write a testy letter to the Forest Service; d) sue.

ANOTHER FISH STORY

Thanks to the miracle of high-tech graphics, you have your own reproduction of my drawing of the Razorback Sucker (*Xyrauchen texanus*), suitable for framing. Undoubtedly, you are wondering what we are doing with regards to this handsome fish. We are rescuing it from the brink of oblivion. Because of its geographic isolation, the Colorado River system has produced a number of unique

species like the Razorback that are not found anywhere else. This would be a happy event except for the man-made changes in the system which have cut off the Sucker's migration routes and otherwise trashed its habitat. And since the Razorback sucker is found only in the Colorado River system, you can see why it is unlikely this fish will survive unless conditions improve here at home.

Not to say that the U.S. Fish and Wildlife Service, the states of Colorado, Utah and Wyoming, and assorted damn builders haven't been busy trying to help. They have put together a Recovery Implementation Plan (R.I.P. for short). This plan was designed to protect 3 endangered species of fish, as well as our friend the Razorback Sucker. While it was nice of them to put the Razorback in with official endangered species, the plan was designed primarily to meet the recovery goals of the three endangered fish, not those of the Razorback, which has different habitat needs and different problems. Also, the plan strangely enough does not include New Mexico, despite the existence of the endangered fish and prime fish habitat in

*Razorback Sucker*

the San Juan River there. And since the Razorback is not protected under the Endangered Species Act, this means that it is left without a leg to stand on (in a legal sense) if this plan that purports to protect them, doesn't.

To remedy this awkward situation, Fred Cheever has filed a petition on behalf of the Sierra Club, Southern Utah Wilderness Alliance, and the Colorado Environmental Coalition to list the Razorback Sucker. Actually, the Razorback is already listed as endangered by the Colorado Division of Fish and Wildlife and the Utah Wildlife Resources Department. But in Utah, for example, this only means that people should not catch and eat the aforementioned fish. Still, their hearts are in the right place, and they listened to the experts who said the fish was endangered. Meanwhile, the U.S. Fish and Wildlife Service, whose designation of the fish as endangered could help preserve the Sucker's disappearing habitat, have TWICE allowed the time period to expire without acting. (Could it be that they do not keep their Sierra Club engagement calendars up to date? What do you suppose the problem is?)

Anyway, listing the fish gives federal agencies the authority to prevent Damn Builders and other predators from screwing up the fish's habitat any further. We think this would be a good thing because the Razorback's survival is an indicator of the overall health of the river system. If the Bureau of Reclamation's marvelous concrete playgrounds have so changed the system that even a native can't survive it any longer, there is something wrong. Not only the fate of the Razorback is at stake, but also the well-being of other species that depend on the river.

And of course, the purpose of the Endangered Species Act is to safeguard species for this very reason. As the proverbial canary in the coal mine, endangered species warn us when we have gotten a little too clever with our re-ordering of natural systems. In this instance, the Colorado River is turning into a concrete network that even a fish can't navigate successfully.

Due to a recent victory under the Endangered Species Act (protecting Northern Spotted Owls in the Northwest old-growth forests), we have some pretty good case law to work

with. The court order in that case said the decision whether to list a species as endangered or threatened must be based exclusively on the evaluation of the biological risks faced by the species. Translation: things are looking up, campers.

We will keep you posted. This month's suggested conservation activity: Do something creative to inform the Fish and Wildlife Service that its listing process stinks. But remember campers, dead fish clog up the mail.

One last note: Mark Hughes, our new overly tall attorney from Seattle, Washington, has arrived. Of course, he was unaware when he signed on with us that we would be trashing the library one evening to build him a work area the size of a shoebox. On the bright side, he didn't take one look at the place and walk out. Mark is working on grazing issues, a new Endangered Species Act case, and on our beloved Red-Cockaded Woodpecker case. Having done pro bono (i.e., free) work on mining near the Grand Canyon for us in his former life as a private lawyer, Mark is also interested in hard rock mining and national park cases. You will doubtless hear more about him later.