

# National Parks & Conservation Magazine

The Environmental Journal

August 1978



# End-Game at UNCLOS: The Living Resources

**A**FTER GREAT LABOR over many years, the text of the document that may become the Convention on the Law of the Sea begins to emerge in a form which environmentalists may be able to support.

Whether it can in fact be supported may depend on a few small but vital changes being made during the final four-week term of the present session of the UN Conference on the Law of the Sea (UNCLOS) this summer in New York.

Because the support of environmentalists may be the decisive factor in ratification by the U.S. Senate, these critical amendments could make a difference of historic proportions.

The text which has been under negotiation at Geneva and will come before the meeting again in New York is the Informal Composite Negotiating Text (ICNT). It was revised in effect if not formally by the Reports of Committees and Negotiating Groups at Geneva earlier this year. The changes we have in mind would be additional.

**I**T WILL BE recalled that NPCA has been involved in UNCLOS by editorial comment and the participation of its President as a member of the U.S. Delegation for some eight years. The concern of environmentalists in the outcome is multiple: the marine mammals, including whales and dolphins, among others; the oceanic fisheries as a food resource and as wildlife; the oceanic ecosystems, including those of the deep seabeds; oceanic pollution; the conservation and wise utilization of the metal-ore resources of the seabeds; and progress toward world order under law.

Because the world has no legislature, there is no way to reach agreement on a treaty for the oceans except by consensus. Because the issues to be settled have been numerous and tightly interlinked, and because nearly 150 nations are involved, the work has been complex and laborious. Beginning with the UN Committee on the Seabed, which preceded UNCLOS, session after session has narrowed the differences, and the draft which should emerge this summer will probably be at least penultimate.

The present note deals with the text as to the living resources; we hope to discuss pollution and ocean mining next month.

**T**HE CURRENT DRAFT, like earlier versions, contains Article 61, conferring on coastal states the authority to determine the allowable

catch of living resources within their economic zones, which will extend 200 miles or more from their shores.

Article 61 also requires each coastal state to ensure that the living resources are not endangered by over-exploitation. Measures to be taken for this purpose must be designed to maintain the resources at levels which can produce maximum sustainable yield (MSY). These measures need not, however, result in MSY, which might reduce populations much below natural levels, and because MSY is not easily determined, to a danger point.

This text permits a coastal state, if minded to protect its resources, to do so. The earliest versions of this Article required harvesting at MSY: the delicate readjustment of language represented by the present version in this respect was mainly the work of the President of NPCA, and in our judgment, justifies our participation in these negotiations over the years.

**U**NFORTUNATELY, the protective value of Article 61 was gravely impaired as time went on by many qualifications. With adequate interpretive machinery in the nature of binding dispute settlement, preferably arbitration or adjudication, the ambiguities could be resolved, the weaknesses corrected, and a body of international standards with enforcement procedures developed giving international protection to the resources and to the coastal states themselves during periods of adverse domestic political pressure.

While earlier drafts of the convention provided for dispute settlement with respect to navigation, pollution, mining, and other matters, the living resources, always the stepchild of the Conference, lost all such protection early in the successive conferences. Not until the recent meetings at Geneva did they regain them in any measure. But regain them they did, to an extent, and the U.S. Delegation regards the changes as a distinct success; we concur. Sharp differences among several factions were compromised into a consensus on compulsory conciliation. We trust that the Conference as a whole will accept the revision.

**T**HIS RESULT is the achievement of Professor Louis B. Sohn, who has been leading the efforts of the U.S. Delegation on dispute settlement, in consultation with the President of NPCA, among others; this contribution by  
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FRONT COVER Russell Glacier, by M. Woodbridge Williams

BACK COVER St. Elias Mountains, by M. Woodbridge Williams  
*When describing the proposed Wrangell-St. Elias National Park and Preserve, one must use superlatives, for the area is an undisputed spectacle amid numerous spectacles. (See page 4.)*

Eugenia Horstman Connally, *Editor*Joan Moody, *Assistant Editor*Nancy Schaefer, *Production Assistant*

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A spectacular 12-million-acre area in southeastern Alaska contains a wide diversity of wildlife, stunning scenery, and geological features

**N**EAR one-hundred-degree temperatures had changed the Jacksina Creek into a torrential monster. Milky brown with glacial silt and pulverized rock, the water thundered through five channels, brushing boulders downstream like bread crumbs. The creek flowed tumultuously into the Nabesna River on the north slope of south-central Alaska's Wrangell Mountains.

We hadn't planned on the Jacksina keeping us from a high mountain lake and a rendezvous there with the bush pilot with whom we'd left a twenty-two-days' supply of food. But we had neither a way to wade the water nor a bridge

by which we could avoid it entirely. We could see only wilderness far and wide in all directions, land that implied the wolf, the loon, the brown bear. We could see Dall sheep, for which the Wrangells are prized by photographers and hunters alike, scrambling agilely across talus chutes two thousand feet above us. Ahead were only voluminous green-floored valleys and other swollen nonnegotiable creeks. Farther south lay immense broad-backed glaciers, ice fields, and mountains sometimes called "the Jewels of Alaska" in a state proclaimed for its abundance of awesomely uplifted land.



Dall sheep are especially abundant in

the Jacksina Creek drainage in the northern sector of the proposed Wrangell-St. Elias National Park and Preserve.

## Wrangell-St. Elias: ALASKA'S MOUNTAIN KINGDOM

by CHIP BROWN

**T**HE SPOT where we stood that August morning facing the unfordable water is part of a twelve-million-acre area proposed as the Wrangell-St. Elias National Park and Preserve.

Alaska has thirty-nine mountain ranges, but no single area of the state surpasses the Wrangell-St. Elias area for sheer mountainousness. It is the mountain kingdom of North America. The southeast corner of the proposed park contains a portion of the St. Elias Range, which has the greatest concentration of peaks over 14,500 feet (4,420 meters) in altitude in North America. In less than twenty miles, the range's namesake, Mount St. Elias, first scaled in 1891 by the Italian Duke of Abruzzi, rises to 18,009 feet (5,490 meters). Water-saturated clouds sweep in from the Gulf of Alaska, meet the mountain bulwarks, and drop as much as six hundred inches of snow annually, forming glaciers

and ice fields of unimaginable proportions.

Since the Pleistocene epoch, ice has been the chief architect of the landscape, and the Wrangell-St. Elias region is a showcase of that bygone era when most of the continent was heavily glaciated. The Malaspina, a piedmont glacier at the base of the St. Elias Mountains, is forty miles wide and 1,500 feet thick and covers an area larger than Rhode Island. The Bagley Ice Field running eighty miles west through the Chugach Mountains (subject to the same maritime climate as the St. Elias) is the largest ice field in the world outside Greenland and the Antarctic. Inland, in the northwestern corner of the proposed park, the volcanic Wrangell Mountains, with peaks topping 16,000 feet (4,877 meters), circumvallate a 250,000-acre ice cap. From this lifeless, wind-ruled stronghold of snow and ice the Nabesna Glacier, one of the longest on the continent,

grinds inexorably northward. On the southern slope ice is vented through deep, cold troughs below Mount Regal and the massive 16,390-foot (4,996 meters) bulk of Mount Blackburn. Bubbling cauldrons of mud near Mount Drum on the proposed park's western edge, and mineral springs, lava flows, and wisps of sulfurous steam leaking from 14,163-foot (4,317 meters) Mount Wrangell itself, attest to the range's fiery beginnings in the Paleozoic era. Contiguous with the Wrangells is the University Range—blocky, jagged uplifts that culminate in 16,421-foot (5,005 m) Mount Bona and is separated from the Wrangells by Skolai Pass, Russell Creek, and the White River.

The heart of the proposed park is the Chitina Valley, drained by the Chitina River, which taps water from portions of all three of the major ranges. With the Wrangells on the north, the Chugach on the south, and the St. Elias to the

east at the head of the valley, few rivers in Alaska can boast such a dramatic backdrop. The river rises from the frozen cascades that spill off Canada's Mount Logan. With peaks gleaming three miles above them, the many braids of the Chitina River flow west for one hundred miles, emptying finally into the mighty Copper River at the town of Chitina.

A railroad once ran up the Copper, crossing into the Chitina Valley at Chitina and continuing up to the mining towns of McCarthy and Kennicott where the Kennecott Copper Company had erected a mill on the moraine of the Kennicott Glacier. Three hundred million dollars in copper and silver were extracted and shipped down-valley out to docks at the coastal town of Cordova before the mines were abandoned in 1938. The railroad ties were removed, bridges left to wash out. The shutdown nearly finished the town of Mc-

Carthy. But a hardy, self-sufficient bunch of archetypal Alaskans remains, relishing the isolation. The "McCarthy Road" follows the old railroad bed and is passable only during months of low water. The ramshackle outbuildings of the mine still stand, remnants of another era.

**S**OME 5.5-million acres of the 12 million acres that have been considered for park or preserve status are ice, a trackless world unfit for life. Dall sheep and mountain goats occasionally wander out along the fringes, but the terrain is virtually impregnable. Even mountaineers with their medieval array of spikes, picks, axes, and ropes find the uniformity and austerity difficult to endure for long. The winds and snows quickly erase signs of their camps.

In a moment of rash inspiration, two friends and I set out for this realm on a side trip. We were un-

derequipped and underprovisioned and our ambitions grossly oversized. That we would even contemplate climbing Mount Jarvis with only four days of food indicates the extent to which its beauty had warped our common sense. At 13,421 feet (4,090 meters) Jarvis is one of the cardinal points that lord above the Wrangell ice cap. The summit rose six thousand feet above the glacier where we began our trek. Ice was draped across the mahogany-colored buttresses of the north face. After a day of climbing we were in the middle of an ice field, like dozens of others in the mountain kingdom. We spent two long nights perched between two huge crevasses, and we felt tremendous shocks as the intensely pressurized ice shifted and cracked. It snowed four inches the first night. Water froze in my cooking pot. Our clothes were soaked from the climbing and wouldn't dry. A week

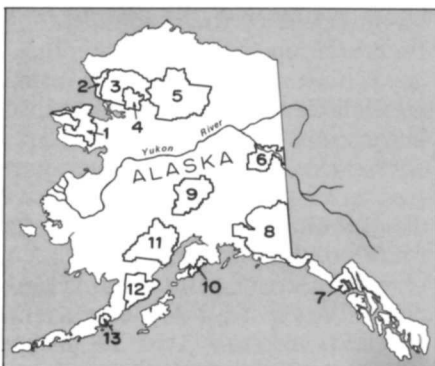


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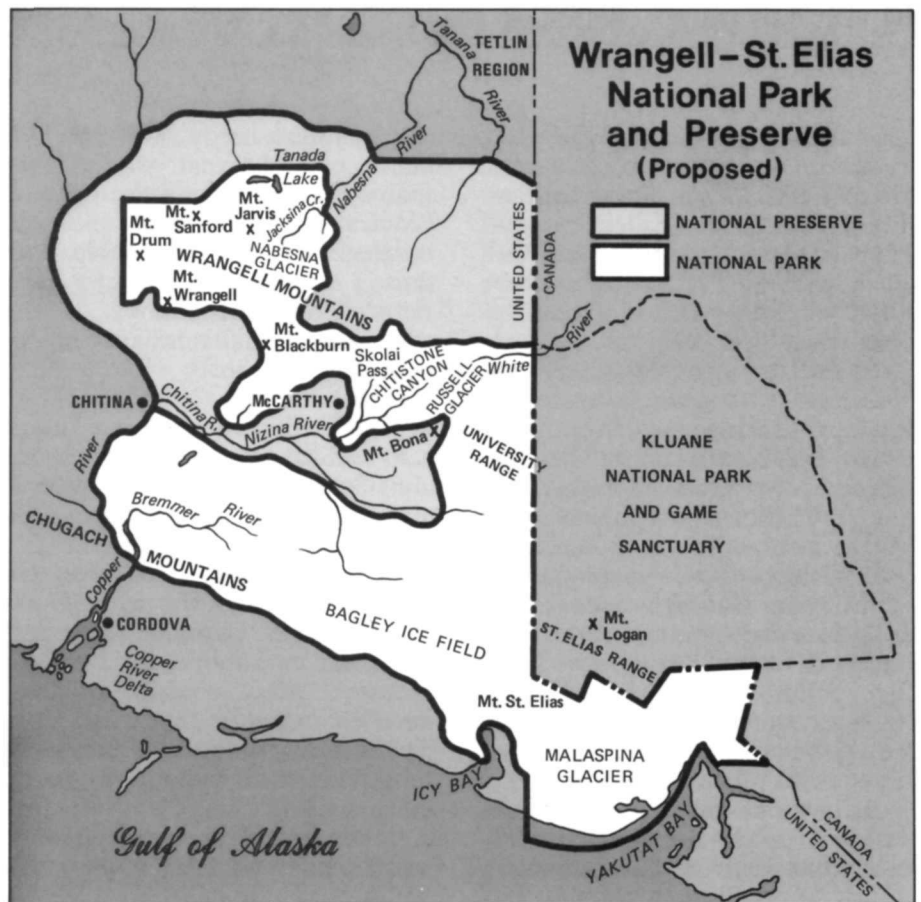
Central to the proposed park are the Wrangell Mountains, a lifeless stronghold of snow, ice, glaciers, wind, and volcanic peaks. Above, glaciers creep down the sides and around the base of Mount Blackburn, the highest of these peaks. The lower mountains and lowlands surrounding this icy realm are proposed for "preserve" status, which permits some uses, such as sport hunting, not allowed in national parks.

#### NPS PROPOSALS IN ALASKA

1. Bering Land Bridge National Preserve
2. Cape Krusenstern National Monument
3. Noatak National Preserve
4. Kobuk Valley National Park
5. Gates of the Arctic National Park
6. Yukon-Charley Rivers National Preserve
7. Glacier Bay National Park
8. Wrangell-St. Elias National Park
9. Mount McKinley National Park
10. Kenai Fjords National Park
11. Lake Clark National Park
12. Katmai National Park
13. Aniakchak National Monument



MAPS BY JAMES F. O'BRIEN



before this adventure we had been broiling in the heat that made the creeks rage; but that was in the lowlands, literally another world, as remote from this one as Fort Lauderdale. When we could see past our noses, crevasses—hundreds of yards long, twenty to thirty yards wide—yawned regularly up toward the ridges and thousands more acres of ice. In the winter many would be invisible, filled or bridged with snow. The idea of “protecting” such a landscape seemed ridiculous—it was hardly even land. It had ably defended itself since time immemorial, and I have no reason to suspect it will not continue to do so.

But the lowlands, where people camp and watch magpies and porcupines, are another matter. Near Tanada Lake, set in the foothills of the northern Wrangells, water-filled scars from all-terrain vehicles run for miles. Other lakes are blighted with piles of trash that include junk as malapropos as broken-down lawn chairs. Clearly, this part of the country has been and will be the most heavily used. It has suffered already from slovenly habits and carelessness. Although the mountains are beautiful, they do not welcome visitors as the broad lowland valleys do. Green, ice-free, rife with living creatures and wildflowers, berry

bushes, and forests, these stretches will be sought out. The measure to which we protect these outlying regions is the measure of our commitment to the living wilderness. The high peaks of the Wrangells presiding above may indeed be the “Jewels of Alaska,” but without their settings they might as well be industrial diamonds.

Among the most fabulous of these ice-free areas are the canyons of the Nizina and Chitistone rivers. They rival Yosemite and Zion national parks for depth and natural drama. The enormous whorls of twisted and folded strata can be clearly seen in the mile-high cliffs that enclose the Nizina. Its tributary, the Chitistone, plunges in a magnificent cascade, surging through a gorge that exhibits an unsurpassed variety of geologic formations and affords striking views of the University Range.

The University Range belongs to an international ecological unit bounded in the United States by the White River and Russell Glacier. The complement in Canada—Kluane National Park and Game Sanctuary—has already been established. This area is one of the five major wildlife regions in Alaska.

**C**ARIBOU from three herds range through the Wrangell-St. Elias. Calving takes place in the White River drainage and on the western flanks of Mount Sanford where, at 16,237 feet of elevation (4,949 meters), the great snowy mountain rises 14,000 feet (4,267 meters) above the Copper River Valley.

The region is home for black bear and, along the coast, the rare bluish-silver-coated color phase of the black bear known as the glacier bear. Both types avoid contact with the brown, or grizzly, bear, a regal figure moving with thunderous power across the bush in search of anything from blueberries to moose. The raging waters of the Jacksina would have been no more of an obstacle to a grizzly than a tent wall. Like caribou, grizzlies are extremely sensitive to such in-

*Crowned by vast icefields that feed numerous glaciers, the St. Elias Range in southeast Alaska (below) contains the greatest concentration of peaks over 14,500 feet (4,420 meters) in altitude in North America. Between these mountains and the Gulf of Alaska the awesome Malaspina Glacier (bottom), the largest piedmont glacier in North America, covers an area larger than Rhode Island.*



M. WOODBRIDGE WILLIAMS, NATIONAL PARK SERVICE



NATIONAL PARK SERVICE



JOHN M. KAUFMAN, NATIONAL PARK SERVICE

*Rivaling Yosemite and Zion national parks for drama, the spectacular canyons of the Nizina and the Chitistone rivers exhibit an unsurpassed variety of geologic features. Here the Chitistone River drops from a glacially formed valley in a magnificent cascade reminiscent of those in Yosemite National Park.*

cursions of man as roads and drilling operations. Wilderness, which they embody, they also require.

We were always worried about surprising grizzlies, especially in such particularly inauspicious places as dense alder thickets. The only night I slept without worrying about bears was in the middle of the icefield protected on all flanks by chasms of ice. Any bear that could have found its way into that camp would have deserved something to eat.

Moose are found throughout the lowlands of the Wrangell-St. Elias, browsing in lakes and willow copses. Dall sheep of world-record size are present in the region, with high concentrations in the Jacksina drainage. They like the foothills and high ridges, which offer defensible redoubts against all kinds of predators—including man. Snowshoe hares, ground squirrels, and a variety of grouse and ptarmigan support marten, lynx, foxes, and coyotes. The fearless wolverine is found throughout the region. Whales, sea lions, and seals inhabit off-shore waters.

The Copper River delta and the lower reaches of the Bremner River—a prized ninety-mile stretch of water parallel to and south of the Chitina—are breeding grounds for trumpeter swans. Harbor seals scull upstream in pursuit of salmon returning to spawn. Bald and golden eagles sail the thermals and, as poet William Stafford said, “keep the mountains clean.”

**I**N THE Lower Forty-eight states we have diminished the significance of great rivers. We cross them without a second thought. Lesser streams have been channelized or dammed or nullified with poisons and trash. I saw them when I was growing up—slack, yellow-brown channels that trees crept away from in the midst of ugly towns. Their spirits, their capacities to instruct, inspire, and arouse anything but revulsion were dead.

Seventeen days after we had planned to cross Jacksina Creek, and after we had picked up our food

from an alternate rendezvous, the creek was ready to let us over. We had learned so much about it that it was only fair we be allowed a success. And we did not just find passage across one creek among a hundred in an enormous world. We found a way into an enlarged sense of land. We completed a journey that a bridge would only have hindered. ■

Free-lance writer Chip Brown writes frequently for the *Alaska Advocate*, *Mountain Gazette*, and *The Living Wilderness* as well as for *National Parks & Conservation Magazine*.

The Kennecott mine at McCarthy produced \$300 million in copper and silver before it was shut down. Now, where hundreds once toiled, only the old buildings of the crushing and concentration mill remain.

The beautiful University Range (below) is part of an ecological unit that is one of the major wildlife regions in Alaska.

M. WOODBRIDGE WILLIAMS, NATIONAL PARK SERVICE



BEN SHAWNE, NATIONAL PARK SERVICE



# Island Lizard in Danger



Restricted to only  
two small islands  
in the Caribbean,  
the St. Croix  
ground lizard's  
future is far  
from secure

**P**ROBABLY none of the many tourists who visit the U.S. Virgin Islands each year is aware that on a few offshore islands north of St. Croix lives one of the rarest animals in the United States or its territories. This is the St. Croix ground lizard, *Ameiva polops*, a beautiful, small lizard endangered by man and introduced animals, particularly the Indian mongoose.

Quick-moving and delicate, the adult St. Croix ground lizard ranges from seven to nine inches in length, most of which is tail. An attractive creature, its back is handsomely marked with parallel stripes of brown, black, and white; its belly is light gray with bluish markings along the sides; and the undersides of its snout, legs, and tail are faintly flushed with pink. The tail itself is ringed with alternate stripes of blue and black—the blue rings wider than the black.

Although this species was first described in 1862, very little is known about its life history. Like most ameivas—a rather common group of lizards inhabiting the Caribbean Islands, Mexico, and Central and South America—it is active during the day, when it forages for ants and other insects. It is also known to feed on amphipods such as sand fleas that may be found in beach debris. The St. Croix ground lizard is an active species, darting back and forth between clumps of vegetation. Occasionally it will rest and sun itself in the open but always near undergrowth where it can retreat should danger appear. Virtually nothing is known of its reproductive habits and social behavior.

Today, the St. Croix ground lizard is known to exist only on two offshore islands, Green Cay and Protestant Cay. However, populations of the lizard were once known from the vicinity of Frederiksted (from the seashore inland, thirty meters from Two

Brothers north to Fort Frederick), and Christiansted (from the seashore inland, fifty meters from Fort Christian to East Point) on St. Croix. The last lizards were seen near Christiansted in 1920 and Frederiksted in 1968.

Although the disappearance of the St. Croix ground lizard at Frederiksted may have been hastened by the construction of a sea wall, the main cause of its extirpation was predation pressure from the Indian mongoose, *Herpestes auropunctatus*. The mongoose was introduced onto St. Croix in 1884 from Jamaica and flourished there at the expense of native fauna, as it has done throughout the Caribbean islands. It is now estimated that the mongoose density on St. Croix may be as high as one per acre. The species was not introduced on Green or Protestant cays.

Also off the north shore of St. Croix is Buck Island, an approximately three-square-mile island that is part of Buck Island Reef National Monument. Although mongooses had been introduced onto Buck Island, National Park Service efforts to trap them had proven successful enough that it seemed desirable to try to establish *A. polops* there in the early 1970s. Buck Island, after all, has habitat similar to Green Cay; and sight records indicate that the St. Croix ground lizard may have been present there at one time, although apparently no specimens were preserved. More important, the island's greater area would provide a safeguard against the kind of catastrophe—such as a hurricane—that could wipe out the entire species population. St. Croix ground lizards were introduced onto Buck Island, therefore, and at first seemed to thrive and to be reproducing, judging from subsequent sightings of young lizards. Unfortunately, however, the Park Service mongoose trapping program on Buck

Island had ended in 1970, shortly before the introduction of the lizards. Thus, although secure at first, the lizard population began to decline as mongoose numbers increased. By 1974, *A. polops* had once more disappeared from Buck Island. Before new efforts at reintroduction can succeed, all mongooses will have to be trapped and removed—a very expensive undertaking in both money and time.

**F**OR THE immediate future, the fate of the St. Croix ground lizard is linked to the fate of its two island homes. Protestant Cay, the smaller of the two islands, comprises only four acres. Two hundred lizards were estimated to survive there before 1968. The development of a hotel complex on the island in 1969, however, is thought to have reduced this lizard population to between fifty and one hundred specimens. The ensuing steady modification of habitat caused by constant raking, removal of undergrowth, and other “beautification” measures can only jeopardize the lizard’s continued survival. Although the owners of the hotel—Jockey Club International—seem to be aware of their unique charge, it remains to be seen whether they will curtail certain practices that harm the lizard. The fact that the species has survived in spite of already severe modification of its habitat on Protestant Cay does indicate, however, that with a little care it can coexist and thrive with man.

The largest population of *Ameiva polops* is on Green Cay, which supports perhaps two hundred lizards in an area of 13.8 acres. Green Cay is unusual for the popular Caribbean, for it is both uninhabited and unmodified biologically. Aside from the ground lizard, it is the home of American oyster catchers (*Haematopus palliatus*) and brown pelicans (*Pelecanus oc-*

*cidental*is), both of which nest there. In addition the slipperyback skink, *Mabuya mabouia sloanei*, which is apparently extinct on St. Croix and its adjacent islands, may still be present on Green Cay. To add to its interest, the cay provides an excellent example of low, wind-swept island vegetation well adapted to dry conditions.

Until recently, the danger of development on Green Cay was extreme, for its owner wished to sell and developers were interested. However, because of its unique biological attributes and its importance to the survival of the St. Croix ground lizard, the U.S. Fish and Wildlife Service purchased the island through a reprogramming of Land and Water Conservation funds. On February 14, 1978, therefore, as a result of this emergency acquisition, Green Cay became a National Wildlife Refuge—primarily for the protection of *Ameiva polops*.

Currently, the St. Croix ground lizard is listed as endangered on the U.S. List of Endangered and Threatened Wildlife and Plants. As such, it is fully protected under provisions of the Endangered Species Act of 1973. In addition, critical habitat under Section 7 of the act has been determined to include both Protestant and Green cays. As a result, any actions authorized or funded by the federal government that would harm the habitat of this lizard would be prohibited. In spite of these measures, the low number of lizards, the threats of introduced mammals—particularly the mongoose—and the modification of habitat occurring on Protestant Cay, still make the continued survival of this species precarious.

**A**S AN ENDANGERED species, *Ameiva polops* has been unusually fortunate in having had friends interested in its survival—notably biologists Richard Philibo-

sian and John Yntema of St. Croix—even though it had little recognition elsewhere. It is important for people interested in conservation to remember that although the glamorous endangered species of the world, such as condors, whooping cranes, and whales, receive much publicity, many more unknown and unheralded species need help to survive. Even though the St. Croix ground lizard is still in danger, at least we are now aware of its existence. What a pity if this little-known species were to be lost to us forever before we had learned to know it. ■

**Dr. C. Kenneth Dodd, Jr., is the staff herpetologist with the Office of Endangered Species of the U.S. Fish and Wildlife Service. His own research and his work with FWS have taken him throughout the United States, Central America, and the Caribbean; and he has visited Green and Protestant cays to observe the St. Croix ground lizard.**

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#### Help the Island Lizard

Because the range of the St. Croix ground lizard is so severely restricted, every little bit of habitat is urgently needed. You could write the manager of Jockey Club International expressing your concern for the population of lizards on Protestant Cay and urge him to stop raking, removing undergrowth, and other landscaping measures in order to avoid disturbing island lizard habitat. And you can write the Fish and Wildlife Service to urge strict enforcement of the Endangered Species Act on behalf of the island lizard and proper management of Green Cay.

Mr. Charles Dunn, Manager  
Jockey Club International  
P.O. Box 4020  
Christiansted, St. Croix  
U.S. Virgin Islands 00820

Dr. Lynn Greenwalt, Director  
U.S. Fish and Wildlife Service  
Washington, D.C. 20240

Well-organized citizens  
can fight highway builders

by MAXINE A. ROCK

## How to Fight a Freeway —And Win!

**I**T STARTED SUDDENLY. Yes, there had long been whispers about a "big highway" coming through our neighborhood. But who would defile our gracious, in-town community, with its solid brick homes and ivy lawns?

We thought we were safe.

No one, however, is safe from a hungry state highway department. In February 1972 that department in Georgia created a State Tollway Authority. This started a chain of events that touched me personally and eventually stirred the soul of an entire city. It changed many passive conservationists to active ones, proving that when you believe strongly in an environmental issue, you *can* do something about it. Most of all, it finally showed that citizen participation in environmental planning has at last become real for all of us.

But "citizen participation" was a joke in 1972. That year former Secretary of the Interior Walter J. Hickel challenged the rape of the land by government and some private interests in his book, *Who Owns America?*

"Who owns the air?" he demanded. "Who owns the millions of acres of public land. . . . Who owns America?"

The people own it, Hickel insisted. They had been jammed into concrete cities and plastic suburbs. Now they must rebel, Hickel said, and take back "control over our physical assets and our spiritual destiny."

Hickel's ideas, I thought, applied to Atlanta. Citizens had allowed 50 percent of the downtown area to be paved for parking lots. Storekeepers, and the wealthy young families who supported them, were slipping away to the suburbs.

That gave businesspeople and developers an excuse to badger officials for new highways, which they claimed would make it easier for shoppers and city workers to zip into and out of downtown. The officials seemed interested. But a big urban highway could never be federally funded, because it couldn't squeeze around the new federal environmental regulations.

So the highway department came up with another way to fund the road. They would make it a state project—The North Atlanta Tollway—and avoid federal environmental standards. The road would "pay for itself," they claimed, via tolls.

**W**HEN we heard the news, my husband and I started phoning neighbors. Together, we pulled out yellowed newspaper clippings and official state highway studies, spread the documents over our living-room floor, and started reading. It was early morning when we stumbled into bed.

In the next few days the phone rang almost constantly. Always, another neighbor wanted to know more about the proposed road. Yes, we told them, it would now be a toll road, eight lanes wide. Yes, it

was scheduled to slash through the neighborhood, mow down some houses, and chop away the backyards of others. It would squat within 20 feet of our elementary school. It would gobble our trees and leave a concrete trail instead, then hook across town to join a federally funded interstate highway, I-485.

We already knew about *that* road. For several years homeowners across town had struggled to stop I-485. They seemed doomed; many of the houses had already been torn down, and some land was cleared. Conservationists appealed again and again to then-governor Jimmy Carter. Carter sent them to the head of the highway department, State Transportation Director Bert Lance. Lance sent them home.

Just as I was wondering what to do about my own highway problems, the leader of the "Stop I-485" band telephoned me.

"It won't be easy to stop the roads," she said. "This is a question of changing the city's trans-

portation concepts from auto-oriented to mass-transit-oriented value systems. But I think if citizens get together, we might make a pretty big fuss about it. You'd have to organize your neighborhood, find a lawyer, get City Hall on your side. What do you say?"

I hesitated. This meant time, money, guts. This meant hard work, and probably a head-on clash with traditional businesspeople, who believed big roads meant big profits.

A bead of sweat trickled down my forehead. "Yes," I said. "I'll do it."

**T**WOWEEKS after I heard about the road, we had our first "Fight the Tollway" meeting at a local church. We printed bold leaflets, proclaiming "Don't let the highway department run over you!" We included carefully researched facts, then tapped on doors to spread the word. Nearly a thousand people jammed the church!

The turnout jolted city and state

officials. It was election time, and now they knew the proposed tollway would be a major issue.

Major issues demand a major effort. Endless yawning hours—and tanks of coffee, it seemed—went into researching the case against building a tollroad through an established urban area. But we won the crowd with good preparation. I read them a portion of a community impact study on the road, which was produced for the State Highway Department. It said the road was "a foreign element of enormous size" that would lead to "noise, air pollutants, rapid water runoff, and other environmental alterations."

A businessman neighbor, Bill Beasley,<sup>1</sup> dug up statistics showing that toll roads were economic failures in other cities. A housewife, Liz Gilliam,<sup>2</sup> noted that the road would run parallel to a route recently chosen for a rapid transit line; it would compete with our long-awaited mass transit system. Two fiery veterans of the I-485 battle, Mary Davis<sup>3</sup> and Virginia

Taylor,<sup>4</sup> leapt up and declared, "If we join forces, we can beat both roads. We *can* fight the highway builders—and we can win!"

The crowd cheered.

I learned a few solid rules about citizen organization that night:

1. Make sure the issue is worth a fight. You've got to care enough about the problem to plunge right in—and stick it out.

2. Arm yourself with the facts. Emotional outbursts won't impress anybody—even if they're on your side. Be calm, well informed, and prepared to articulate the problem and your suggested alternative solutions.

3. When you hold a meeting, come prepared with pledge cards, sign-up sheets, collection boxes, and handouts. The handouts should clearly state the problem, tell how you think it can be solved, and outline what each individual can do to help. The pledge cards should be self-addressed and stamped—or signed and collected on the spot. We urged people to give an amount equivalent to their



J. C. LEE

monthly mortgage payments, because fighting the road was an investment in their homes. Most people responded to the "Thirteenth Mortgage" concept, and many gave even more!

The money we collected went to form The Eighth Ward Civic Association (named after our political district) and to hire an attorney to battle the road in court. Five hundred people signed our register and sent pre-made cards opposing the road to their legislators.

4. Follow through with your promises, and take the time to keep friends informed. We still send the "Eighth Ward Watchdog" to members, keeping them up-to-date on news about the road, zoning, and other environmental affairs.

**E**VEN BEFORE that first meeting, we knew our problem was too much urban traffic. But instead of an environmentally destructive road, we proposed to widen and "clean and green" an already existing thoroughfare, Roswell Road. A victim of mindless zoning, Roswell Road was an ugly neon strip. Most people already used it to get in and out of the city. We asked some neighbors who knew about zoning, architecture, and city planning to devise a plan for adding several lanes to Roswell Road. At least one new lane would be used as a rapid busway; another would be reserved for carpools. People who insisted on using their private autos could still do so, although they would eventually find it easier to go by bus or carpool. The center lane of Roswell Road would be heavily planted with trees and shrubs, making it a lovely boulevard. Shops on either side would install sidewalks and give the area a new and improved commercial life. We asked for—and got—neighborhood approval of the plan, and it is now being reviewed by City Hall.

When citizens become that active in environmental affairs, politicians pay attention. Not long after we showed that we had solutions—not just gripes—to offer, a

young black man contacted our group. He was running for U.S. congressman from our Fifth District, he said; and even though our cause was not well understood at the time, he believed in what we were doing.

We could hardly believe our ears. This was a predominantly white district, and he was the first black here to try for a congressional seat. The auto lobby, the developers, many businesspeople, and other special interest groups would be against him. Was he willing to take the risk?

He was. He stumped the area on the tollway issue. We passed out leaflets, made phone calls, and talked to neighbors about this new "conservation candidate." And he won the election. His name was Andrew Young.<sup>5</sup>

When Young went to Washington, it seemed natural to follow him and present our plight to the U.S. Department of Transportation. We decided to ask for an end to I-485. If that road were killed, we knew the tollway would probably shrivel too. Several neighborhood leaders, our attorney John Myer,<sup>6</sup> and two anti-highway city officials, Panke Bradley<sup>7</sup> and Nick Lambros,<sup>8</sup> made the first of several trips in October 1973.

General Benjamin Davis, then-Assistant Secretary for Environment, Safety, and Consumer Affairs, listened soberly to the group. So did other federal officials, particularly because our congressman, Andrew Young, showed such a keen interest in the affair.

We told our neighbors back home that "we got a very fair hearing."

**T**HAT'S HOW our battle bounced beyond city limits. We met people from conservation groups in Washington, D.C., who told us that citizens had stopped highways in Baltimore, San Francisco, Indianapolis, Cleveland, Philadelphia, and in Washington, D.C. In Boston, we discovered, when the mayor called for an "immediate halt" to urban highway-

building, the governor of Massachusetts complied. In Newark, New Jersey, local opposition to part of I-278 forced an end to that road. In Washington state, Governor Daniel Evans openly questioned the advisability of "any route" for urban highways.

Environmental journalist Albert R. Karr, in a book called *Our Mistreated World*, noted that "these reappraisals reflect a wave of public reaction against urban freeways. . . . Now white suburbanites are joining black ghetto dwellers to protest roads, saying they are ugly, use valuable land, tear up homes, stores and parks, split neighborhoods, and add to pollution and noise."

Atlanta's conservationists were not alone! Anti-highway groups were springing up in many cities. In Washington, D.C., the NPCA, the Environmental Defense Fund, the Sierra Club, and other national conservation organizations were there to lend a hand.

But all along, our foes were fighting, too. As soon as they got wind of our Washington visit, a delegation of pro-highway businesspeople, developers, and state highway officials also trooped to D.C. One of them was an official of the J. E. Greiner Company, the study team hired by the state to prepare the federally funded environmental impact statement on I-485. The Greiner Company was also going to *design* the proposed road!

"That," said one of our neighbors sarcastically, "is like asking the fox to guard the chicken coop."

It all added up to a bad case for the pro-road people. On June 18 General Davis turned thumbs down on the Greiner-produced report (which said that the road wouldn't be *too* destructive). That same afternoon, the Atlanta City Council passed a resolution declaring, "It is in the best interest of the people of Atlanta that said Highway I-485 not be built."

Our gang celebrated at a local tavern, whooping like happy warriors. But my husband and I

weren't there. Instead, we hustled to the hospital, where I gave birth that night to a boy.

**T**HE FEDERAL LINK of the road, I-485, was gone. But the threat of a tollway still haunted our homes. Now, other politicians perked up. A year passed, and Maynard Jackson, then vice-mayor of Atlanta, began talking about the tollway as an example of "citizen

participation in the planning process."

For too long, Jackson said, government agencies such as the highway department made plans that affected people's lives—without asking citizen advice or opinion. Public hearings were held, he said, but only to present the plans, not really to achieve "citizen input."

I knew about those hated "hear-

ings." We went to many of them, and they were all frustratingly alike: a panel of "experts" would flash maps and slides on a screen, point out the proposed tollway route, and reel off its economic benefits. They would listen politely to our questions and protests, take minutes, then disappear. Nothing changed.

Slowly, we became militant. We carried homemade signs to hearings and wore T-shirts emblazoned with the slogan, "Tollway? No Way!" We put up our own charts and maps to the tollway. Earlier, we had massed on the steps of the state capitol as my husband, hunched against a light rain, read our battle declaration:

"We are opposed to a self-perpetuating State Tollway Authority with virtually unchecked power. We call for more progressive, comprehensive transportation planning. We call for genuine citizen participation in the planning process. We call for transportation that is truly responsive to human needs. Until the completion of such planning, we call for a moratorium on the construction of all urban expressways."

Newspapermen scribbled furiously. TV cameras whirled. We chanted, "No more roads!" My little girl, her cheeks flushed with excitement, bobbed up and down with a sign that said, "Save Our Neighborhoods."

Jackson wanted to help us save the neighborhoods, he said. He also wanted to be mayor.

He knew that by now our civic association had become a finely tuned political action organization. We had joined with the folks fighting I-485 to form A.C.T.C., the Atlanta Coalition on the Transportation Crisis. Several of us had also contacted people all over the city—black and white, rich and poor—who were interested in neighborhood preservation. Another group sprouted up, called the City-Wide League of Neighborhoods.

We exchanged information,



PATRICIA TULLIER

learning that most highways gobble about two city blocks for a right-of-way and an average of forty acres per interchange. But a single lane of city highway can carry, at the most, 3,000 people per hour in cars. Buses and rail rapid transit—using the same amount of space—transport as many as 30,000 and 40,000 persons, respectively.

We also talked about trees, clean air and water, quiet city streets, and pleasing architecture. Those ideas weren't "cute" or funny anymore; they touched a common chord in all of us.

Together, we pushed Maynard Jackson as our "neighborhood conservation candidate." He became the first black man to become mayor of a major southern city.

**O**UR VICTORIES came hard, and it often seemed that we lost more fights than we won. When I published an article called "Diary of a Toll Road Fighter" in our local newspaper, my boss accused me of "rocking the boat." Quietly, I resigned. Other road-fighters were also forced to make life-changing decisions.

But we weren't the only ones making important new decisions. In 1974, when the U.S. Department of Transportation granted more than \$69 million to MARTA—the Metro Atlanta Rapid Transit Authority—it stipulated that the money could not be used to help build the tollway. The Atlanta Regional Commission, a local planning body that still supports the road, finally put it on the back burner until 1982. Mayor Jackson proposed using the vacant land once slated as a right-of-way for I-485 as a "Great Park," and we now hold "Park I-485" picnics there every spring. In our neighborhood, reputable home-builders are constructing single-family homes in the tollway right-of-way, as if to say, "This land is for people, not cars!" The city has also instituted a new system of Neighborhood Planning Units—made up of citizens—who determine how their own areas will grow. And just last October we backed nine pro-

conservation candidates for City Council—and all of them won!

Is our highway fight over? No. Developers and land speculators keep pushing to revive the road. Businesspeople accuse us of "stopping progress"—and they threaten to talk tollway as soon as Mayor Jackson vacates his office in 1979. Not every citizen is against the roads in Atlanta; plenty of folks complain that they prefer private autos to mass transit, and "to heck with that silly conservation talk." The pressure is always on.

When our highway fight first began, John Volpe, then U.S. Transportation Secretary, warned developers that "more highways only bring more cars, which bring more congestion, which brings more highways. It's a vicious cycle."

But the cycle may be nearing completion. On February 8, 1978, our present Transportation Secretary, Brock Adams, made good on Volpe's warning and announced a major shift in federal transportation policy: an end to new highway construction. Now, said Adams, the emphasis will be on mass transit as a way of saving energy, cleaning the air, easing downtown congestion, and saving in-town neighborhoods. A key goal, said reports from Adams' office, is to "cool the U.S. love affair with the car."

That's good news! The federal government is on our side now, and this may be one conservation battle that has a happy ending. The giant roads slated to slice into Atlanta are probably dead, although their ghosts may haunt us for a long, long time. We have given new values to the city and new hope to lonely environmentalists. As one Atlanta newsman, Ray Moore,<sup>9</sup> declared, "the tide of the battle has turned... *against* highways... and *for* neighborhoods."

"It means a great new opportunity for Atlanta to put parks and playgrounds and better housing where the pavement was supposed to be.

"It means a bright day of hope for a better quality of life." ■



Science writer Maxine A. Rock specializes in conservation and ecology. Her articles have appeared in national and local magazines and newspapers, including *National Parks & Conservation Magazine*. Besides fighting freeways, Ms. Rock helped form the Zoological Society of Atlanta.

#### Notes

1. Beasley is now President of the Eighth Ward Civic Association.
2. Gilliam went on to become an officer in the Environmental Protection Agency (EPA).
3. Davis was recently elected to Atlanta's City Council, on the strength of her pro-conservation activities.
4. Taylor, possibly as a result of her exposure to the highway fight, dropped a career in real estate and went to law school. She is now an attorney with a leading Atlanta firm.
5. Andrew Young is now U.S. Ambassador to the United Nations.
6. Myer is still attorney for Atlanta's anti-road groups and has a national reputation as a skilled conservation lawyer.
7. Bradley was Atlanta's first female member of the City Council.
8. Lambros was appointed a Judge in Atlanta.
9. Moore now heads a "new town" development near Atlanta that is based on using solar energy to aid conservation.

Some way must be found to protect scenic  
Jackson Hole Valley from urban sprawl  
and commercial development

article by JILL BAMBURG  
photographs by ED RIDDELL



## Jackson Hole: More Than Meets the Mountains

Last March, by Presidential proclamation, the northern part of Jackson Hole was designated a national monument. The news was received in our community with varied emotions. It was startling to all of us. The question of national control of this area for recreational purposes had simmered and bubbled for a decade or two. At times it had blazed out in open conflict, setting neighbor against neighbor, breeding recriminations and hate, and political maneuvering.

—Olaus J. Murie, "The Spirit of Jackson Hole," *National Parks Magazine*, fall 1943

**T**HE LATE NATURALIST Olaus Murie, a long-time Jackson Hole observer-in-residence, wrote those words thirty-five years ago at a time of great controversy in Jackson Hole.

The creation of the Jackson Hole Monument, an area set aside earlier that year and subsequently included in Grand Teton National Park, had thrown the local community into an uproar. In a well-publicized incident, an armed guard escorted a group of cattlemen across the newly created monument on their annual cattle drive through the area. The Teton County board of commissioners sent a telegram to Wyoming governor Lester C. Hunt, calling the monument's creation "dictatorial and unamerican," a "stab in the back," "particularly vicious in view of the fact that our young men are fighting to preserve those principles of democracy our government has now renounced. . . ."

Jackson Hole has seen some changes since those angry words were written. The threats to the

valley's future are different now. Some of the alliances have changed. But the question of national control of this area for recreational purposes still simmers and bubbles and sometimes boils over into angry exchange.

These local controversies have a way of becoming national issues. Grand Teton National Park, the nation's second most heavily visited national park, is located here, as are the National Elk Refuge and the headquarters of the Bridger-Teton National Forest. Jackson Hole is the gateway to some of the most spectacular country in the Lower Forty-eight states, a home to more than fifty species of mammals and two hundred species of birds, many of which are found in few other places and in no place at once so diverse and accessible as Jackson Hole.

The federal government controls approximately 97 percent of the land in Teton County, where Jackson Hole is located; and the people of the United States, who visit the area at the rate of nearly four million a year, have always taken a considerable interest in its future.

Today that future hinges on the fate of the valley's privately owned lands: a mere 3 percent of the land in Teton County, a mere 75,000 acres in the midst of public holdings approaching 18 million acres.

By western standards, that 3 percent is not a lot of land. By eastern standards, it sometimes seems like the last of the wide open spaces. By any standards, it's attractive

land, a critical part of the visitor's experience—the reason he talks about his vacation in Jackson Hole instead of his visit to Grand Teton National Park.

But first of all: What is this area like; what are its values? Some maintain that the valley is not of national monument caliber. They say, "The Tetons, yes. That's all right. But this flat valley out in front—no." "Just sagebrush," someone says. "The forest is only lodgepole." "Just gravel." A picture was published showing the "ordinary character of the lands involved."

What is there, then, about this Jackson Hole that is so attractive, if it is possible to criticize it piecemeal? The answer, I think, lies in something bigger, something that transcends one local controversy; something that means the understanding of the American landscape with all its esthetic and emotional implications.

—Murie, "The Spirit of Jackson Hole"

**T**HE LANDS IN QUESTION in Jackson Hole today are equally "ordinary." "Just ranch lands," some might say, and they would be right. Just 60,000 acres of some of the most beautiful ranch lands in the country. Just haystacks and hay meadows—in the foreground of the most spectacular mountain range in North America. Just cattle drives and cowboys—to hold up the traffic of the millions of Americans who vacation in the "last of the Old West" each year. Just ranch lands—that provide critical habitat and migration routes for elk, moose, and deer populations supported by the 18-million-acre federal investment in the area. Just "ordinary" ranch lands



—worth from \$10,000 to \$15,000 an acre in three-acre parcels.

Even at those prices—\$30,000 to \$45,000 for a homesite—there's no shortage of buyers. Jackson Hole is a very attractive place to live. The federal protection of the surrounding lands, the open hay meadows of the valley floor, three fine ski areas and a wealth of other outdoor recreational opportunities, the friendliness and informality of western small town living—all these things combine to give Jackson Hole a seductive appeal guaranteed in the long run to be self-destructive.

Current population figures are hard to come by, but usually reliable indicators like utility hook-ups, employment statistics, and building permits show an average annual growth rate of about 10 percent for the past five years.

Development statistics are even more startling. Regulations have varied during Teton County's history, making consistent comparisons nearly impossible—but interesting and noteworthy nonetheless. In the early years of the county's development, subdivision plats were not required, but plats were filed on most of the major developments beginning as early as 1911. From 1911 through 1974, during a portion of which period subdivision plats were required, plats were filed on about 2,100 acres. From 1974 through 1977, a period of consistent regulation during which plats were required, subdivision applications covering just over 1,600 acres were approved. In the *first three months* of 1978, however, despite the adoption of a relatively stringent com-

prehensive plan that went into effect the first of the year, subdivision applications were approved or filed for lots totaling more than 1,500 acres. Even discounting figures for the earliest period, it is obvious that Jackson Hole is booming at a rate unprecedented in the valley's history.

But the local ranchers, who have preserved the valley's open spaces and kept the area as attractive as it is today, participate in the boom only when they sell. A perverse set of circumstances conspires against their future as ranchers in Teton County. It is a conspiracy without malice; one that exists despite a sincere appreciation—both locally and nationally—of the esthetic value of ranching in Jackson Hole and the ranchers' contribution to maintaining the valley's open space.

The desire to retain those open spaces and the western ranching esthetic, coupled with a recognition of the seriousness and complexity of the rancher's problems, has led the local community to turn, at last, to its old enemy—the federal government—for a solution to a set of problems that simply can't be resolved locally.

This is our problem. Not the number of acres that are under state or private or federal jurisdiction, but whether or not we can retain the ability to be attuned to the many facets of primitive America, and keep our souls receptive to their uplifting message.

Jackson Hole is not merely a sky-piercing range of mountains for tourists to point their cameras at. It is a country with a spirit of its own.

—Murie, "The Spirit of Jackson Hole"

**M**URIE'S "spirit of Jackson Hole" is that elusive total experience that is greater than the

sum of its individual parts. It is "the big picture," the "western setting," the "pastoral scene." It is cowboys and cattle drives and the rhythm of the seasons. It is the brilliant whiteness of the newborn calves in spring, the lush green of hay meadows in the summer's irrigation, the clacking of the hayracks in the early fall, the moist breath of the work horses against the winter's bright blue sky. It is all those things and none of them—individually. As much as anything else, it is a guy like Earl Hardeman.

Earl grew up on a ranch near Kelly, on land homesteaded by his father and now included in Grand Teton National Park. When that ranch sold to the park, Earl and his family moved their operation to a ranch near Wilson. Earl, his brother Howard, and their two families continue to run that ranch today, despite the fact that adjacent lands are developing rapidly and bringing prices as high as \$17,500 for half-acre lots.

The land's value as ranch land is considerably less. A local realtor estimates that there hasn't been a sale of ranch land *as* ranch land in Teton County since the late 1950s; but several scenic easement transactions, in which the land's development potential has been removed through a deed restriction, place the agricultural value at \$400 to \$500 per acre.

The discrepancy between the land's value for agriculture and its value for development leads to a lot of good offers that are hard to resist, particularly when they are combined with the other factors at work against ranching in Teton County: poor prices for cattle, in-



*Ranching is more appropriate in Jackson Hole adjoining Grand Teton National Park than residential or commercial development is.*

creases in federal grazing permit fees, estate taxes based on the land's speculative value rather than use, lack of expansion options, anger and frustration over local planning regulations, and a whole raft of problems created by development on neighboring lands.

"You just got to be a hell of a lot better diplomat than you used to be," is the way Earl Hardeman sums it up. "Our problem is that you get so many people building on a ditch and if it overflows a bit or you bring up the [sub] water, they're a little mad at you. Used to be, if you turned the water up and spilled over a bit on your neighbor, he was a rancher and he loved it. But now you have to watch these things; you've got to be considerate of these people, meet with them, and talk with them and explain things to them."

"I love kids and I love dogs, but you get so many of these people around and they can't be in the cows. It's just kinda like trying to raise cows in town—it just won't work."

"I would actually kind of like to stay here; but if you're a young man, there's no future in the cow business as far as going any farther. We've got kids coming up, so we've either got to get bigger—and there's no way that we can buy a piece of ground in Jackson Hole with a cow dollar 'cause there's no cow ground to be bought. So our best bet, where we've got our families, is to sell

and take our money and go someplace else and buy us a ranch if that's what we want."

Right now Earl Hardeman, like many of the valley's ranchers, is hanging tough. He likes ranching and he likes Jackson Hole. But if Teton County continues to grow as it has in the past, sooner or later he's going to have to choose between the two.

Unless . . .

The American public decidedly will not leave Jackson Hole alone; nor can we ask them to. They will be coming in increasing numbers. In any situation involving large numbers of us, some regulation becomes a necessity, whether we like it or not. No doubt this was in the minds of those residents of Jackson Hole who many years ago began to seek some form of protection for this valley; protection from unregulated commercial exploitation; protection from ourselves, if you will.

—Murie, "The Spirit of Jackson Hole"

**T**HANKS TO the efforts of those earlier generations, to men like Murie and countless others who preceded him, much of Jackson Hole is already protected. These visionaries, backed by an appreciative American public, recognized early the value of the lands now included in Grand Teton National Park, the Bridger-Teton National Forest, and the National Elk Refuge. These lands have been set aside—removed from the pressures of private development and commercial exploitation—their resources permanently protected for

the enjoyment of present and future generations of Americans.

The remaining 3 percent of the land in Teton County that remains in private hands is also protected to a lesser extent under the county's new comprehensive plan that went into effect in January of this year. The local plan, developed after an exhaustive two-year effort, is an elaborate document setting forth density restrictions and development regulations based primarily on the area's natural environmental constraints and secondarily on goals and policies concerning agriculture, wildlife, esthetics, and community.

The development of the plan was a painful process for the local community, and the final document bears many scars from the scuffles along the way. Virtually no one is totally pleased with the plan. Some feel it is too restrictive and often unfair; others feel it is too lenient and went too far in its efforts to be fair. As these things go in Jackson Hole—given the diversity of the community and its love of local controversy—such general dissatisfaction may be a left-handed compliment of sorts, an indication that a successful compromise has been effected.

On one issue, however, the community does seem to be in agreement: that the plan, alone, will not preserve the valley's open spaces. At best it will ensure that the remaining open spaces in Teton County will be developed in an orderly fashion at reasonable densities. At worst, even these restrictions will prove too much for the divided community, and a new group of commissioners will be elected to repeal or modify the present plan.

This is as it should be. Land use planning is by nature a political process. A process that, at best, reflects the desires of the local community at a given point in

time and is flexible enough to respond to changes in those desires as they are reflected by changes in elected officials.

The local plan will not permanently preserve Jackson Hole's ranch lands, nor was it intended to do so. There has been local recognition from the outset of the planning process that permanent protection of the valley's open spaces as scenic resources would require some form of landowner compensation in an amount beyond the financial resources of the local community. Given the extent of the present federal investment in the region and the national interest in that federal investment—the four million visitors who vacationed in Jackson Hole last year represent 2 percent of the country's entire population—the local community decided to turn for aid to its old adversary, the federal government.

At the same time that the county's planning consultants, Livingston and Associates of San Francisco, were developing the comprehensive plan, a county-appointed study group began to draft legislation that would involve the federal government in the preser-

vation of the scenic resources of the valley's private lands.

**T**HE RESULT of those efforts is the Jackson Hole Scenic Area bill now before Congress. Simply stated, the bill's purpose is to designate Teton County as a Jackson Hole Scenic Area, within which federal funds could be used to preserve scenic resources through the acquisition of scenic easements or development rights.

The bill is not perfect, and it is already controversial in Washington. There is concern that the bill doesn't give the federal government enough control for the federal dollars that would be spent in the area. Locally, there is concern that the bill gives too much away. In Washington, the bill looks to some like a "rancher relief" proposal, lining local pockets for the sake of a nebulous view. Locally, there is concern about "another rancher rip-off," based in part on the notion that the comprehensive plan has already unfairly devalued the privately owned land.

With few exceptions, however, there is general agreement on at least three points: that the private ranch lands in Teton County are a

vital part of Murie's "spirit of Jackson Hole"; that those lands and their contribution to the larger setting are immediately threatened by private development; and that the owners of those lands—many of them descendants of the original homesteaders of the property, all of them responsible for the beauty of the valley as it is today—deserve to be compensated if the use of their land is to be restricted for the enjoyment of the rest of us.

One way or another those landowners will be compensated. As Jean Hocker, local coordinator of the Scenic Area Bill has said, "sooner or later, most of the land will change hands. The question becomes what does the public have left after all the transactions are completed? What will be gained and what will be lost? And what will be the end result?"

"If the American public cares about the end result and about what happens in Jackson Hole, then they're going to have to make an investment there. And they're going to have to do it now." ■

**A free-lance writer based in Jackson Hole, Jill Bamburg is a former editor of the *Jackson Hole Guide*.**

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### *Message to Members*

## **Grand Teton National Park & Adjacent Land Use**

The land use problems in Jackson Hole Valley are a good example of such problems adjacent to many national parks all over the country. NPCA has conducted a study of adjacent land use and will publish a report of the findings in a forthcoming issue of the Magazine. These land use problems can be addressed in several ways; the Jackson Hole Scenic Area Bill (HR 9135, S 2162) offers a solution to the problems adjoining Grand Teton National Park.

The Jackson Hole Scenic Area Bill asks Congress to recognize the unique scenic resources of the private lands in Jackson Hole and their relationship to the surrounding federal lands by the creation of a Jackson Hole Scenic Area.

In the bill's present form, this area would include, by definition, all the private lands in Teton County outside the present boundaries of the existing

federal preserves: Grand Teton National Park, the National Elk Refuge, and the Bridger-Teton National Forest.

Within this area Congress would authorize the expenditure of up to \$200 million for the acquisition of scenic easements across those lands within the area that were deemed critical by a specially appointed Scenic Area Commission. This commission, composed of representatives of local, state, and federal entities having an interest in the lands of the area, would probably focus attention to highway corridors, lands along the Snake and Gros Ventre rivers, and critical wildlife migration routes and habitat.

Under the bill, a maximum of 5 percent of the total authorization could be used to purchase fee title on these lands. The balance would be used to purchase scenic easements, that is,

deed restrictions negotiated with individual landowners that would prohibit development beyond a certain level and would run in perpetuity with the deed.

The easement approach was selected for a number of reasons. It permits the land to remain in private ownership, to be kept on the local tax rolls, used for agriculture, and passed on from one generation of a family to the next. At the same time, it prohibits further development and guarantees that the American public will always enjoy a view of the Tetons across a foreground of ranch lands.

Further information on the Jackson Hole Scenic Area Bill may be obtained by writing to Jackson Hole Scenic Area Proposal, Teton County, Box 1727, Jackson, Wyoming 83001.

# ***ENCONA Group Urges Action on Illegals***

*On March 9, 1978, the National Parks & Conservation Association and the Environmental Coalition of North America (ENCONA) sponsored an informal meeting of representatives of environmental, population, and labor organizations to discuss the impact on society and the environment of increased illegal*

*immigration. Again, on March 28, ENCONA held a conference on issues of mutual concern to environmentalists and labor: Jobs and the Environment, Jobs and Immigration, Urban Open Space, and the Safety of the Work Environment. As a result of these meetings the following letter was sent to President Carter.*

Dear Mr. President:

Over the past few weeks, a series of discussions have taken place between representatives of major labor unions and environmental organizations, meeting at the headquarters of the National Parks and Conservation Association (NPCA) in Washington, on the subject of illegal immigration into the United States.

The unions are concerned with the threats to jobs; the conservationists with pressures on resources and the environment. It was agreed that the two groups and others of like mind have a common interest in working together to solve the illegal immigration problem.

As Americans have cut back voluntarily on the size of their families and have achieved a manageable national growth rate, their efforts have been undermined by out-of-control illegal immigration.

Over one million apprehensions were made in fiscal year 1977 by the overburdened and understaffed Immigration and Naturalization Service, and it is reasonable to assume that most illegal entries were not detected.

A recent Roper poll shows an unprecedented 91% of the American public in favor of strong control of illegal immigration.

As you know, several Congressional Committees have held or will hold hearings this year on population and immigration subjects. Much could be accomplished, however, in the Executive Branch as well.

The persons signing this letter, identified by organization, recommend that the Administration approach the problem along the following lines.

1. Development of an effective system for the identification of legal residents for purposes of employment, with firm protection for civil liberties, civil rights, and all aspects of due process of law.
2. Development of a tamper-proof social security card as one means of voluntary identification for such purposes.
3. Development of tamper-proof Immigration and

Naturalization Service cards as alternative means of voluntary identification.

4. Provision for the rapid verification of documents used for identification.
5. Criminal penalties to be imposed on all employers hiring any person without proof of legal residence and verification.
6. Access to social security and public welfare benefits to be contingent upon verification of legal residence, with consideration for hardship cases.
7. Provision for a carefully worked out program of adjustment of status, subject to a cut-off date, for illegal immigrants with a demonstrated attachment to the community, to allow them to become legal residents.
8. Border control will also need strengthening, but the length of the U.S. borders are so great that emphasis must be placed on employment controls.
9. The system must apply to all equally and contain all possible safeguards against discrimination of any kind whatsoever, whether based on race, creed, color, national origin, ancestry, name, appearance, or otherwise.
10. We support well-conceived programs for overseas economic aid, but significant improvements will not be accomplished quickly by such efforts, and meanwhile the domestic interests of the United States must be protected.
11. Population growth worldwide, including that of countries which are the source of illegal immigrants, will not be stabilized in time to prevent serious harm to the United States unless immigration can be controlled.

We point out that the AFL-CIO has testified in the Senate Committee hearings in favor of strong controls over illegal immigration along lines which are similar in many basic respects to the above recommendations.

In addition to the persons associated with population organizations signing this letter, Zero Population

Growth has already testified in Congressional hearings along lines which are similar in certain respects to our position. The text of the AFL-CIO and ZPG statements are, of course, available to you.

Most of the steps recommended above can be taken by Executive action of the Social Security Administration, the Immigration and Naturalization Service, the Labor Department, and the State Department. The imposition of penalties on employers hiring illegal immigrants in violation of the recommended safeguards would require suitable legislation.

The Environmental Coalition for North America (Encona), founded in 1970, is a center for consultation and cooperation among persons associated with labor and conservation organizations, and groups having similar interests.

There will be strong support by labor and conservation organizations for vigorous action in the Executive Branch and in Congress along the lines recommended; we would be happy to consult with any person you may designate in the Executive Office of the President.

With assurances of our high esteem,  
Faithfully yours,

ANTHONY WAYNE SMITH, *Chairman*  
Environmental Coalition for North America  
President and General Counsel  
National Parks and Conservation Association

ELVIS J. STAHR  
President  
National Audubon Society

ELLEN KELLY  
Chairman  
National Affairs and Legislation Committee  
The Garden Club of America

JOHN A. HOYT  
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Natural Area Council, Inc.

MARION PARKS  
Environment Forum

HAMILTON PYLES  
Executive Director  
Natural Resources Council of America

# NPCA at work

ALASKA D-2

## Down to the Wire on the Conservation Vote of the Century

One early explorer's way of describing Alaska was to say that "for one Yosemite, Alaska has hundreds." Today that's a concrete way of explaining that even the greatest of our parks in the lower forty-eight are overshadowed by the opportunity before us to protect our last wilderness frontier in Alaska.

NPCA continues to give high priority to the Alaska National Interest Lands Conservation Act. T. Destry Jarvis, NPCA Administrative Assistant for Parks and Conservation, is Senate Coordinator for the Alaska Coalition, a group of thirty-seven environmental, civic, and labor organizations supporting the bill. It's a tough assignment.

Despite an overwhelming victory in the House, the bill is still in murky waters in the Senate. Senators Ted

Stevens and Mike Gravel of Alaska are still saying they will filibuster the bill. Competition with other bills threatens to keep it from even reaching the floor this Congress, despite a December deadline for deciding the fate of national interest lands in Alaska.

At press time the Energy and Natural Resources Committee aimed to report a bill to the full Senate by mid-July. NPCA and other members of the Alaska Coalition support strengthening amendments to the bill based on the Metcalf-Durkin bill, the revised version of S 1500.

This bill was introduced by Sen. John Durkin (D-N.H.) with Senators James Abourezk (D-S. Dak.), Wendell Anderson (D-Minn.), Howard Metzenbaum (D-Ohio), William Proxmire (D-Wisc.),

and Charles M. Mathias (R-Md.) as original cosponsors. Along with Durkin, active cosponsors who serve on the Energy and Natural Resources Committee include Abourezk, Anderson, Sen. Floyd K. Haskell (D-Colo.), and Metzenbaum.

**You Can Help:** NPCA members can ask their senators to support strengthening amendments based on the Metcalf-Durkin bill and to commit themselves to final Senate action on the bill this year even if it means cutting off the filibuster. Check your July issue, p. 26, for details and call the Alaska Coalition twenty-four-hour hotline at 202-547-5550 for a recorded update. Between 11 p.m. and 8 a.m., you can call for a maximum charge of 39 cents. ■

## BOUNDARY WATERS CANOE AREA

### Internal Combustion in Canoe Country

"The same qualities of the BWCA which bring the canoeists into the area also bring the individual who chooses to use a motor," says Rep. James Oberstar of Minnesota. Apparently most paddle canoeists—including many Minnesotans—using the Boundary Waters Canoe Area would sharply disagree with his assumption, according to visitor surveys.

So did the House of Representatives. On June 5 the House rejected a proposal by Oberstar that favored local motorboat interests. Instead it gave a sweeping 324-29 victory to legislation that would significantly reduce use of motors in our nation's only lakeland canoe wilderness and would protect the BWCA from development.

Like its earlier action in passing bills to protect Alaskan wildlands and California redwoods, the House again took the unusual step of going against the wishes of a local representative in order to protect public lands of national significance.

But even before the champagne bottles were uncorked in the House, like the Alaska bill the BWCA legislation was threatened in the Senate by an intense campaign by local opponents of

the bill and by Senate politics in the states.

On June 23 Sen. Wendell Anderson of Minnesota introduced a bill that, like the House-rejected bill, would freeze into law virtually all the current extensive motorboat use of the BWCA and would allow snowmobiling—now banned—as well.

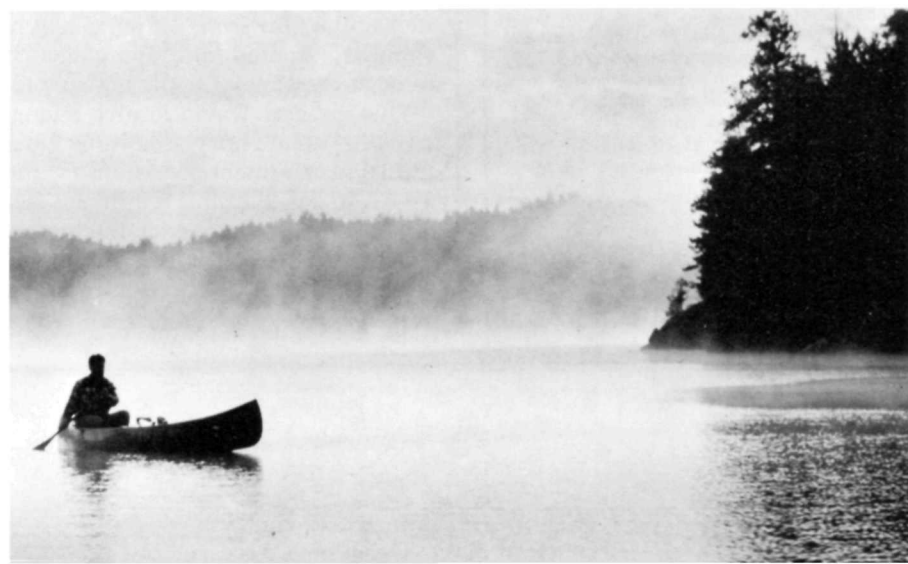
Anderson made it clear that he would oppose any proposal such as the House-passed bill, presenting revisions in that bill as necessary for getting a bill through the Senate in 1978. He announced a goal of having the Energy

and Natural Resources Committee, on which he serves, report a bill by August 1 for consideration by the full Senate during August.

"Naturally we want a bill this year," responded Erika Sitz of Friends of the Boundary Waters Wilderness, "but this bill pours gasoline over the whole BWCA issue. It is not an acceptable bill. It's presented as a compromise but the compromises have already been made in the House bill and we just can't make any more of them to reconcile it with a weak Senate bill. Hard work in the House gave us a bill that

*Continued on page 24*

*Photo from Meet My Psychiatrist by Les Blacklock, published by Voyageur Press, 9337 Nesbitt Road, Bloomington, Minnesota 55437.*



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## NPCA at work

### NEW RIVER

## New National River Through "Grand Canyon of the East"?

The scenic canyon segment of the New River, the oldest rivercourse on this continent, may soon be established as a national river in the National Park System.

Legislation that is currently in committees of both houses of Congress—HR 12001 and S 2866—would protect a fifty-five-mile stretch between Hinton and Ansted, West Virginia, that includes the whitewater canyon known as the Grand Canyon of the East.

The banks of the New River stand as high as 1,300 feet above valley floors

in spectacular patterns within the gorge in there and the river runs a wild, winding course. It is highly prized by whitewater boaters and fishermen.

NPCA has long led efforts to interest the government in giving protection to the canyon because of continual threats to its integrity from strip mining and timber interests. This Association has recommended the national river designation, a relatively new NPS category that would give more protection than wild and scenic river classification. (See August 1977, p. 22)

### BWCA—Continued from page 23

not only is the strong wilderness-oriented bill but also is the fair bill." At press time Anderson had scheduled July hearings on his bill and the House bill.

The House bill, HR 12250, which was championed by Representatives Phillip Burton of California and Donald Fraser and Bruce Vento of Minnesota, would create a 1.07-million-acre Boundary Waters Canoe Area Wilderness incorporating the present BWCA and several additions—largely federal land—on the periphery. It would cut back motor use and prohibit logging, mining, and virtually all snowmobiling there. In addition, in order to protect the area from adverse effects of mineral development, the bill would establish a 220,000-acre Mining Protection Area along the three road corridors that divide the BWCA.

Fraser first introduced the legislation to ensure real wilderness protection for the BWCA. (As the bill's prime supporter, the issue is now being used against him in a tight Senate race in the state.) Drawing on Fraser's bill and a strong Administration proposal as well as Oberstar's bill, Burton carefully wrought a compromise and guided it through the House for the big victory.

This measure would resolve a long-standing controversy resulting from special management provisions for the BWCA included in the Wilderness Act of 1964. The Forest Service interpreted these provisions to allow logging of some of the area's best forests and ever-increasing motorboat use—uses

prohibited in other wilderness areas. Motorized vehicle use is now the main point of contention about the BWCA, a wilderness of a thousand lakes and of virgin forests where portages are marked by the tracks of wolves and moose. Long a water highway for Indians and for the French voyageurs who passed along its quiet colonnades of pine in fur-laden canoes, the BWCA is still visited mostly by canoeists. But it is being managed so that 60 percent of its lake area is open to the roar of motorboats.

Several factors weigh against letting the internal combustion engine continue to have the run of the boundary waters. First of all, the sheer numbers of canoeists do. In 1977, over 60 percent of BWCA visitors (72 percent of visitor days) were paddlers.

Secondly, the conflict between motorboats and canoes is well-documented. In fact, research on this and other subjects in the BWCA is of particular interest because there probably has been more study of visitor attitudes and use patterns in the BWCA than in any other comparable wild area. Five independent studies by the Forest Service and universities have uncovered great dissatisfaction on the part of paddlers with meeting motorized parties. For instance, a Forest Service survey found that 93 percent of paddle canoeists preferred not to meet any motorboats whereas only 10 percent of them preferred not to meet other paddle canoes. Apparently most of them find motors particularly disruptive to the wilderness experience.

In April the Administration asked Congress for legislation to protect the scenic gorge area as a national river. West Virginia senators Jennings Randolph and Robert Byrd and Representatives Nick Joe Rahall and Harley Staggers then introduced the bills.

This section would be the second area of the New River to receive protection through congressional action. In 1976 Congress designated a short segment of the river in North Carolina as a state-managed unit of the National Wild and Scenic Rivers System. ■

The survey confirms that those using motors are often on one-day fishing trips. Fishing in the pure lakes of the BWCA is naturally one attraction of this area. However, whereas three-fourths of all visitors report fishing as one of the reasons for their trips, only about one-third noted fishing as *the* reason. About 18 percent of paddlers note fishing as a primary attraction, whereas 62 percent of motorized parties so list it. Moreover, those indicating fishing as a primary attraction were less drawn to the area for solitude, wildlife observation, and scenery than those less interested in fishing *per se*. Because opponents of HR 12250 say it does not meet the needs of local people, it is interesting to note that fishermen tend to be day users from adjacent counties.

As a matter of fact, local motorboaters—people who live within a 75-mile radius of the BWCA—account for only 7 percent of visitors to the wilderness. Yet the House bill would generously allow motorboats to continue using selected lakes including the most popular fishing lakes. More than half of all present local BWCA use will be accommodated as the motorboats will be permitted on every wilderness lake on the edge of the area now having heavy local motorboat use or concentrations of homes and resorts.

In fact, 40 percent of *all* current motor use of the BWCA could continue until 2000, and a full quarter of the existing motor use would be made permanent by law. Such compromises

*Continued on page 29*

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## PREDATOR CONTROL

### FWS Says 70,000 Coyote Kills a Year Not Significant

The failure of the U.S. Fish & Wildlife Service to prepare an environmental impact statement on its predator control program, which annually kills 70,000 to 86,000 coyotes and additional thousands of nontarget species including endangered wildlife, recently came under fire by NPCA.

In particular, NPCA and other environmental organizations charge that a recent FWS draft report on its Animal Damage Control (ADC) Program shows that the program violates the National Environmental Policy Act (NEPA), the Endangered Species Act, and the Wilderness Act.

Primarily an overview of the sheep industry and FWS attempts to curb coyote predation, the FWS report is part of a comprehensive Interior Department policy review of the ADC program. Although the report is entitled "Predator Damage Management in the West," it concedes that there is no definitive evidence to show whether the coyote control program actually reduces livestock losses.

The policy review—the third in two decades—is the result of pressure on the Department by livestock interests,

particularly the sheep industry lobby, to revise the current program and reinstate the use of the poison Compound 1080.

Compound 1080 and other popular toxicants widely used in the program in the '50s and '60s were banned in 1972 after the secondary poisoning of nontarget species, such as carrion-eating eagles, became apparent.

In response to the current review, in June the Washington, D.C. law firm of Hogan and Hartson submitted a position paper on the ADC Program to FWS on behalf of NPCA and nine other national environmental organizations.

The position paper notes that "since 1970, this program has destroyed well over 600,000 coyotes in fifteen western states. . . . By the end of the decade the toll of dead coyotes will likely approach 800,000. A federal program which removes this number of coyotes from the environment in only ten years has a significant effect on the environment."

This massive loss of coyotes is not the only effect of the program. For example, the FWS report notes that since 1970 the government has killed at least

35,747 bobcats. Extrapolating from incomplete 1976 annual figures of *reported* deaths alone, at least 25,000 red and gray foxes have been killed so far in the 1970s. Thousands of badgers, raccoons, skunks, black bears, mountain lions, and raptors have died as a result of the program. Nontarget species also include perhaps 4,000 pet dogs in this decade alone.

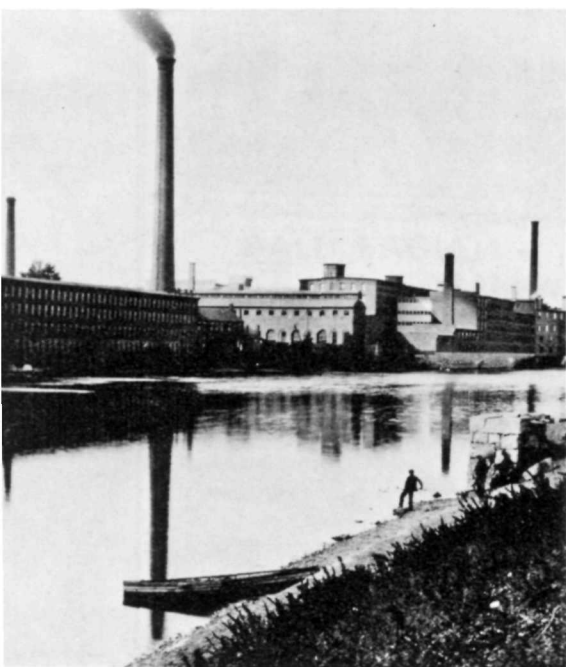
Nevertheless, the FWS report boldly states that "there is virtually no adverse environmental impact resulting from the ADC program as now conducted." The environmental position paper counters this claim by pointing out that the report fails to assess the program's cumulative effects on local predator populations.

NPCA and the other organizations also maintain in their comments that in accordance with NEPA, a separate environmental impact statement also should be prepared for the current policy review and any future special projects or program changes by the FWS.

The FWS predator control program's failure to comply with the provisions and intent of the Endangered Species Act is particularly surprising because

## LOWELL

### New Historical Park in Mill Town Illustrates Industrial Revolution



"MILE OF MILLS," CIRCA 1900, COURTESY OF LOWELL HISTORICAL SOCIETY

One hundred and seventy-five years after mass production shook New England agrarian culture at its core, that revolution in social and economic history is being commemorated at a new Lowell National Historical Park in Massachusetts.

In early June the Senate passed a bill similar to one already passed by the House to establish the park; the legislation was signed on June 5.

Lowell was once the largest cotton textile center in the nation and initially was the site of an experiment in a new brand of capitalism. James Cabot Lowell and other wealthy Boston merchants built the town thirty miles north of Boston and attracted a work force composed largely of farmers' daughters. For two decades young women flocked to Lowell to escape farm life, providing a cheap source of labor for the mills. The "nuns of

Lowell" led a highly structured life that included mandatory prayer services, classes, lectures, and debates. The labor force changed after 1850 when immigrant laborers streamed into Lowell. Working conditions had become dehumanized. The mills eventually moved south in search of still cheaper labor and Lowell declined.

Today most of the original buildings still stand and need only restoring. Guided tours of the city's last functioning textile mill and canals may be underway this summer.

NPCA supported the creation of this park both because it will cover an aspect of our nation's history that is not adequately represented in the National Park System and because it is innovative in the way it draws upon local, state, and federal resources. In addition the restoration and tourism will give a boost to the city. ■

FWS is the federal agency primarily responsible for implementing the Act.

The position paper urges that the present ADC rules be modified to provide that the nonselective methods of control now popular in the program—the steel jaw leg-hold trap, the snare, and the M-44 “coyote-getter” (a baited device that sprays short-lived hydrogen cyanide gas when triggered)—be banned in areas where rare or endangered species are known or believed to be present. Although this restriction already applies to the use of the M-44, it should be immediately extended to all nonselective methods.

National wilderness areas throughout the West also have been legally abused by the ADC program, according to the position paper. Grazing and predator control clearly violate the Wilderness Act and are incongruous with the values wilderness is intended to represent. Although a 1971 Interior Department policy review of the ADC program recommended that all methods of predator control be prohibited in statutory wilderness areas, the FWS has failed to heed this advice.

This current program review will result in an options paper. At press time the Secretary of Interior was expected to determine policy guidelines drawn from the options paper sometime this summer. The position paper has urged that the time frame for preparation of the guidelines be extended to allow preparation of an accurate and adequate environmental impact statement. No policy for the predator control program can rightfully be developed before meeting legal responsibilities to NEPA, the Endangered Species Act, and the Wilderness Act.

**You Can Help:** Write Interior Secretary Andrus to urge that the FWS prepare an environmental impact statement on its Animal Damage Control Program in consideration of the thousands of predators as well as non-target species killed each year:

Hon. Cecil D. Andrus  
Secretary of the Interior,  
Washington, D.C. 20240. ■

## Thank You

I am so impressed with your magazine that I am enclosing a contribution of \$25 [and] \$2 to pay for a copy of your June issue, which I would like to pass on. Thank you for your help and good luck.

Florence King Gardner  
Locust Valley, New York

## Wind Power in Blue Ridge

Thank you for the timely article “Harnessing the Wind,” by Lee Stephenson in the [May 1978] NPCA magazine and especially for the little table in the lower right corner of the Available Wind Power chart [page 14]. This is the first wind-to-watts correlation that I have seen in simple form.

However, the map is apparently not up-to-date: it shows the site for the new 1500-KW DOE wind mill unit to be in a “LO” area. Howard Knob, near Boone, North Carolina, on which this unit will be erected, is approximately 22 miles south of the tri-state intersection of Tennessee-North Carolina-Virginia.

My home is 18 miles northeast of Howard Knob and is line-of-sight to that point. While we hardly receive as much wind (we’re about 1,300 feet lower, but the valley of the South Fork of New River is in between), there is enough for me to activate my antique Western Electric 2-KW AC generator. It is over fifty years old and was used over in Johnson County, Tennessee, on a water-powered mill. Western Electric disclaims any knowledge of the unit, but it is in fairly good condition and definitely bears their nameplate.

Our Blue Ridge winds are unbelievable unless you live here. We have 40–60 mph every winter, and the past two have seen the chill factor down to –50° or lower! On Hallowe’en night when my wife opened the door to greet the Trick-or-Treat gang, the wind caught the storm door, knocked down one of the children, and landed my wife on top of him. No injuries, but the door has had to have the glass replaced twice. I have had to wait a week to repair wind-damaged antennas on my roof.

All of the sensible old-timers in the region built their homes down in the protected hollows, but at least we have a fine view!

Please pass this on to Mr. Stephenson, and add a little circle at the proper place on that Wind Power Map!

Keep up the good work.

Herrick B. Brown

Glendale Springs, North Carolina

*In view of the proven effectiveness of Mr. Herrick’s windmill, he obviously is not in a “LO” area. The Department of Energy, however, could show only the most general long-range trends, unfortunately omitting many windy hilltops like Mr. Herrick’s.*

## On Shooting Burros

Anyone who advocates “eradicating” burros in the Grand Canyon can never expect any memberships from animal lovers. We think you are only in this business for the money and have no actual interest in nature.

Can you guess what you can do with your magazine and organization?????

H. S. Pond

*Nobody wants to shoot burros, but they are overpopulating and destroying habitat needed by native wildlife. Animal lovers should care about the desert bighorn sheep and small mammals that the burros displace.*

## Vehicles on Assateague

In March of this year I embarked on a backpacking trip on Assateague Island. I thought that I would leave all civilization behind at the parking lot, and was surprised to find that on this national seashore cars are allowed as well as recreational vehicle “camping” and seasonal hunting. I had expected a serene, lonely, wild preserve. Indeed, there are such places on the island. But there are also the aforementioned needless intrusions of man with machines on this, the *only* national seashore in all of Maryland/Virginia/Delaware. This fact is all the more astounding considering that there are only a few national wildlife refuges along the ocean and bay shores of these three states.

Thus, there is a growing controversy

## reader comment

concerning present and future use of Assateague Island. This debate envelops basic differing philosophies about use of national land everywhere in the United States: on the one hand, there are those who want to "use" the land, bringing more roads, traveling homes, and civilization with them, regardless of the effect they have on wildlife and the natural environment. On the other hand, there are those of us whose purpose it is to visit only, to live with the land according to its laws and the laws of nature alone.

Betsy Glassman

Chevy Chase, Maryland

You are probably referring to the north end of Assateague Island in Maryland. Assateague is a thirty-seven-mile-long island with a national seashore (managed by the Park Service) at each end and a wildlife refuge (managed by the Fish and Wildlife Service) in the middle. In addition, there is a Maryland state park at the northern end of the island.

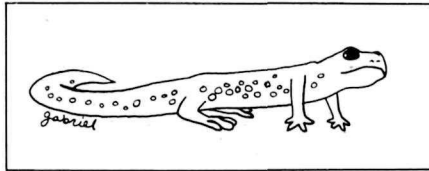
Sport hunting is allowed within the national seashore. In contrast to parks, eight of the fourteen national seashores and lakeshores permit hunting; the law establishing Assateague National Seashore provided for continuation of hunting under state and federal laws.

The Maryland state park provides for recreational vehicle camping, and the Maryland portion of the national seashore includes a vehicle campground near parking facilities. The other NPS campgrounds are primitive, hike-in, or canoe-in sites.

No vehicles are allowed on the beach in Chincoteague National Wildlife Refuge; only official vehicles of refuge personnel are permitted there behind the dunes. Private over-sand vehicles, however, are allowed in the Maryland portion of the national seashore and at the very southern tip of the island in Virginia.

To understand why the Park Service permits these over-sand vehicles, one must realize that national seashores have been viewed as "recreation areas" in the National Park System, even though some recreational activities in some cases conflict with pres-

ervation of the important coastal environments and wildlife that the areas are intended to protect. For instance, some surf fishermen exert much pressure for use of the over-sand vehicles at Assateague. NPCA, on the other hand, has long urged that the natural values of national seashores be given priority and that they be managed as natural, not recreation, areas. We agree that all too few wild places remain.



### Camper Vehicles in Parks

I would like to mention two items that I think need your attention and consideration along with the Park Service's for the national parks. First, I feel that dogs in the national parks should be kept off all trails and that this should be strictly enforced. Second, run-amucks [such as] RVs should be kept in a separate campground than tenters or at least in their own section. Nothing is worse at night in a campground than listening to your neighbor's generator maintaining their air-conditioning or whatever.

Marybeth Barraclough

Barrington, N.J.

### Motors on the Colorado

Having just returned from a motorized trip down the Colorado with White Water Expeditions, I feel a need to express myself regarding your article, "NPS Moves to Ban Motorized Craft from Colorado River" (NPCA at Work, May 1978). Its inaccuracies are astounding. Congestion and crowding were nonexistent. In six days, we saw perhaps a dozen rafts. Noise and "noxious" fumes were at a minimum—when compared to the noise and fumes in our daily rural environment, they were nonexistent.

Your sentence "... elimination of motors will result in an equally safe but slower, more esthetic, and more intimate river experience" has some merit. But "slower" is a key word. How

many people can afford the 20 to 30 days of intimacy and esthetics in vacation time not to mention a boost in cost from approximately \$500 for 6 days to \$2,000 per person for the slower experience.

I cannot see how the new system would increase visitor use. Increased time and cost eliminates many, particularly the elderly who have paid taxes to support the NPS for a longer period of time, and the poor or middle class individual for whom an outlay of \$8,000 for a family of four is impossible.

A "winter season" on the river is a joke. It was cold in May—I can imagine the discomfort in February, March, or April. Limiting the river experience to those who can afford it in terms of time, money, and physical endurance is discrimination.

Wood fires have already been prohibited—there were none. All human waste is now carried out. Our boatman was very fussy about camp maintenance. We left not a single cigarette butt behind nor did we find any refuse in campsites upon arriving.

I would suggest that you rethink your support of the NPS on this issue. Or are you all 21 years of age, in peak physical health, with unlimited time and resources?

The canyon and its river are just rocks and water without human interpretation. A broad base of interpretation from many participants enriches all of our lives. I saw little from human impact that was detrimental to a creation which has withstood the ravages of millions of years.

Sherrill E. Fesler

Lakeland, Minnesota

You're right—we are happy to report that the Park Service already has instituted the part of the management plan that requires outfitters to use no wood fires and to carry out waste. Otherwise, our item is still correct. It reported the results of three years of study by scientists (see March 1977 issue)—in contrast to your six-day experience.

Remember, your trip was in May, but the peak period for river trips is from June through August. Also, the degree of crowding one encounters on

**Continued on page 30**

## BWCA—Continued from page 25

would mostly benefit local interests; the majority of Minnesotans using the BWCA are canoeists.

Furthermore, the House bill provides financial and technical assistance to enable resorts and other local businesses to adapt to a more wilderness-oriented customers.

One of the most fatuous arguments used for extensive motorboat use in the BWCA is that it is necessary to protect the rights of the elderly and handicapped. Like other citizens, the elderly and handicapped hold various opinions on this issue, based not on their physical conditions, but on their particular perspectives on wilderness and recreational preferences. Many of them value and use the BWCA as a nonmechanized wilderness and Fraser notes that HR 12250 would benefit them by removing motors from some of the more accessible lakes and setting up a program to enhance wilderness opportunities for disabled persons.

In an April 1978 statewide poll by Anderson, 58 percent of respondents indicated there should be *no* motors or snowmobiles in the BWCA. Yet Sen. Anderson, like Oberstar, would make about 98 percent of current BWCA motor usage permanent. The only lakes his bill, S 3242, eliminates from motor use are those on which there is little if any motorboating.

Not only would more than half the BWCA water surface be open to motorboats but S 3242 also removes the discretionary authority to regulate motors in the Burton-Vento bill and allows larger boats and larger motors.

Anderson also would reintroduce snowmobiles on all the main snowmobile routes in the BWCA even though recreational snowmobiling is not allowed in other national wilderness areas and has been banned for two years in the BWCA. (One reason they were banned is that snowmobiles—like motorboats—disturb wildlife.)

The most evident difference between this bill and the House bill is that S 3242 overlooks a principal reason for curbing the noise and pollution related to motorized use of the BWCA: motorboaters and snowmobilers have other alternatives. There are about 11,000

lakes in Minnesota open to motor use, including 2,800 in the part of the state near the BWCA. Minnesota isn't called the Land of Lakes for nothing.

On the other hand, those seeking a wilderness canoe experience have nowhere else to go. "Simply stated, there is only one canoe wilderness area in the United States of America and that is in the Boundary Waters Canoe Area," says Rep. Burton.

In Minnesota the BWCA controversy has become so heated that during the 1977 hearings the town of Ely was practically an armed camp. But the way in which Congress resolves this issue could have reverberations in other wildernesses across the nation. A fundamental concept of wilderness protection is at stake: a national wilderness area does not exist to serve local enterprise, and local residents do not have a proprietary interest in the future of nearby public lands. If they did, Yellowstone would belong to a few ranchers and sheepmen.

NPCA supported the House-passed bill in recognition of the national significance of the Boundary Waters Canoe Area. Not only is the BWCA the largest wilderness east of the Rockies, it is also larger than all the other wilderness areas in the East put together.

Thousands of people from across the nation travel long distances to enjoy the BWCA. Most are seeking from this wilderness what the Wilderness Act says a wilderness should provide: "outstanding opportunities for solitude" in a primitive environment. Congress will decide whether they will have to seek those opportunities against a backdrop of droning motors.

**You Can Help:** NPCA members who agree should immediately write (better yet, call or telegraph) their senators to support strengthening amendments to Boundary Waters legislation (S 3242)—amendments based on the House-passed bill (HR 12250). Emphasize that HR 12250 is a bottomline compromise and that the Senate could rightfully provide even more protection than the House for this national wilderness belonging to all Americans. Write to your senators at Sen. Office Bldg., Washington, D.C. 20510 ■



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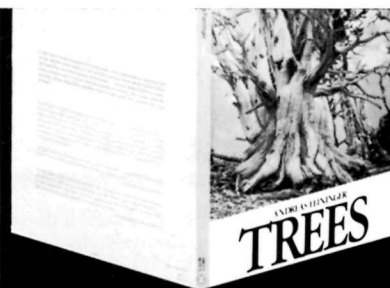
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## Continued from page 28

a given trip on the Colorado depends, among other factors, on the day of the week during which the trip is launched; so it is risky to assess the problems on the basis of a single trip.

In addition, one's experience of crowding, noise, and fumes is subjective; but it should be compared, not to what one experiences at home, but to what one expects to experience in a wilderness setting. Any unnatural noise or noxious fumes in wilderness makes it less than wilderness.

Criticisms that the policy of limiting river trips to nonmotorized craft is elitist are not justified, because there is little significant difference in the cost of oar and motor trips. For example, motorized trips between Lees Ferry and Diamond Creek now take from seven to nine days and cost from \$377 to \$595 (\$53-\$66 per day); nonmotorized trips cover the same route in twelve to eighteen days and cost from \$480 to \$732 (\$40 per day). Under the management plan shorter oar concession trips will be available for people who don't want to run that long a stretch with a "take-out" at Phantom Ranch and a mule ride or hike out of the canyon to park headquarters on

the South Rim. Furthermore, the plan would increase the number of river-running permits for private citizens, who currently receive only 8 percent of the permits whereas concessioners receive 92 percent.

People taking oar trips are hardly limited to those "21 years of age, in peak physical health." In fact, an NPS demographic study of concession customers found no difference in composition between customers of motorized trips and those of oar trips. About 2,000 people a year—including many elderly persons—currently take the kind of oar trips that require them to hike in to the takeoff point; yet during the past three years there has been only one serious health-related incident. Once one is on the river, health requirements do not vary significantly; guides often do the rowing.

One outfitter that offers only nonmotorized trips, Grand Canyon Dories, reports that the average age of its customers is probably about fifty-two. The group says that blind persons and people with other handicaps are among its adventurous customers.

The draft management plan was still under review at press time and causing waves of protest. Some com-

mercial outfitters are bringing their lobbying campaign against the management plan to Washington, D.C.

NPCA does not agree that the Colorado River is "just rocks and water without human interpretation," and our support for the NPS Colorado River management plan has been carefully thought out. In fact, we urge members who want to protect this river wilderness from human abuse to support the motor phaseout in the draft management plan by writing William Whalen, Director, National Park Service, Washington, D.C. 20240.

## BULLETIN

At press time bills were being introduced in both the House and Senate to weaken the Endangered Species Act even more extensively than earlier proposals. Attacks on the critical habitat provision of the Act could jeopardize all endangered species. The Act has proved so flexible that only 3 of 4,500 potential conflicts could not be solved through routine administrative procedures, and all federal agencies (except TVA) at recent hearings supported the law. NPCA members can help by getting in touch with their senators and representatives.

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*Continued from page 2*

NPCA, again, would have justified involvement over the years.

The significance of these protective provisions for the living resources can be measured against the dangers confronting both fisheries and mammals. Many of the coastal states will be fighting off famine for a century to come. Their governments will be under heavy domestic political pressure to overharvest the resources. If they fail to respond they will be replaced by revolution. They had best provide themselves with international protection.

**N**ONETHELESS, the ICNT still contains a serious flaw from the environmental point of view, which if uncorrected will probably make support by the environmental movement impossible in the Senate.

The draft contains an Article 65 which was intended to accord special protection to the marine mammals, and particularly the whales. Sentiment has been building up all over the world for a decade for the firm protection of these creatures. Moratoria have been imposed by the International Whaling Commission (IWC) on the taking of whales; some coastal states, and specifically the United States, have imposed prohibitions.

Article 61 conferred no authority for such limitations. A special Article was clearly necessary. The U.S. Delegation, pressed by the President of NPCA, among others, urged its inclusion.

The text was to guarantee the right of a coastal state or international organization (such as the IWC) to *prohibit* the taking of marine mammals; tragically, as the language emerged, it purported to ensure the right of coastal states to *regulate* such taking as well, without regard for the protection accorded by Article 61.

**W**HILE THE FLAWED version may have been the result of inadvertence or incompetence, it reflects quite precisely the deep conflict between the desire of some coastal states to exercise unlimited control over their living resources and the insistence by others that they must be conserved for their own sake and the benefit of humanity as a whole.

Needed, then, is a revision of Article 65 which will retain the authority of coastal states and international organizations to *prohibit* the taking

of marine mammals, but not to *regulate* (or refuse to regulate) without restraint; or if the concept of regulation is to be retained, its exercise within the constraints of Article 61 guaranteeing survival.

The principle of the Common Heritage (as we see it) is very much at stake; the living resources of the seas are very much part of the Common Heritage; no state should claim the right to destroy them or suffer them to be destroyed within waters over which it exercises responsibility and control.

**T**HE U.S. DELEGATION, under the dedicated leadership of its Chairman, Ambassador Elliot L. Richardson, has been struggling heroically with this problem. The President of NPCA has devoted most of his conference time recently to this issue. We trust that the good consciences of the nations will prevail at the sessions this summer in New York, and that the essential revisions of Article 65 can be achieved.

One additional accomplishment of the Geneva negotiations should be noted. A consensus was achieved on adding a new paragraph to Article 195, on measures to control pollution, for the protection of rare or fragile ecosystems and the habitats of depleted, threatened, or endangered species and other marine life. Improvements were also agreed to in related language which will be helpful. The initiative toward these changes was taken by Professor Bernard H. Oxman, a Vice-Chairman of the U.S. Delegation, with the support of the President of NPCA, who participated in the development of the language.

The tragic weakness of the conservation movement around the world has been revealed all too clearly in the UNCLOS efforts. Not until much too late, and then without putting themselves to school as to the flow of negotiations, did the private and quasi-private international conservation organizations take a hand. And the national organizations, which hardly participated at all, lent themselves to nationalistic approaches in domestic legislation in respect to fisheries and pollution which handicapped the efforts of the U.S. Delegation to achieve international solutions. There may still be time for the conservation organizations to be helpful, but only if they can link their work to the efforts being made by the U.S. Delegation.

—Anthony Wayne Smith



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