

National Parks & Conservation Magazine

The Environmental Journal

January 1977



NPCA • National Parks & Conservation Association • NPCA

A Letter to the New President

DEAR MR. PRESIDENT-ELECT: As you assume the responsibilities and authority of the Presidency, you have the strong support of one of the most powerful movements among the American people, the conservationists, environmentalists, survivalists.

The times require confidence, faith, vision, courage. Our spirits are already lifted by your accession to office.

The NPCA is one of the major conservation organizations of America. It takes primary responsibility for monitoring the administration of the National Park System. But it is a broad-program environmental organization with a deep concern for forests, wildlife, wilderness, river basins, pollution, energy, transportation, land use, open space, and population, both at home and abroad.

The Environmental Journal in which this letter appears goes to all of our members every month. We also work with the Executive Branch, Congress, and the courts.

THE NATIONAL PARKS of America need your help. They have been starved by miserly budgets for land acquisition, maintenance of facilities, preservation of natural features, and visitor protection and enjoyment.

An Administration which re-assumes responsibility for the wise expenditure of public funds at a level which will ensure high employment could do no better than to rechannel public money into the National Park System.

We have long-range plans for the parks which we hope to lay before your Administration in due course: preservation of natural conditions, public transit to safeguard visitors against the traffic, dispersion of crowds into the other public and private lands around the parks, and comprehensive interagency re-

gional planning at the Cabinet level.

The concessioner system needs overhauling toward what we call external concessions for consortiums of private businesses in the communities outside the parks, instead of monopoly concessions inside.

THE NATIONAL FORESTS of America have been passing through a crisis. The father of American forestry, Gifford Pinchot, believed in selective cutting, as against clearcutting. He wrote the principle into the organic act of the Forest Service, but increasingly the principle has been ignored.

Conservationists took the matter to court and won; the new legislation this year was a compromise; if the new regulations are good, it might be workable.

Your intervention may be needed and a good Secretary of Agriculture and Assistant Secretary for Forests will be essential, persons with an understanding of the ecological problems, and not merely the short-term economics of the forests.

Redwood National Park and the privately owned redwood forests around it are a tough case in point. The highly destructive clearcutting which the logging companies have been conducting around the edges of the park and on the watersheds of the streams flowing through the park has been injuring one of the most beautiful units of the entire National Park System. It has been harming the commercial forests as well.

The government could stop this devastation by a declaration-intaking of the ecological management rights of the logging companies pursuant to the authority already expressly conveyed by the Redwood National Park Act. If, as

we contend, ecological forestry is just as profitable as clearcutting, or more profitable in the long run, the taking would not cost the government a cent. Your strong help is greatly needed.

THE WILDLIFE of America, and indeed of all the world, is fighting a losing battle against extinction. One of the great joys of human life, as we feel we do not have to say to you, is the natural world around us—the fields and streams, the forests and mountains, the birds and fur-coated animals, the katydids, the butterflies, the wild flowers.

This would be the time for strong action by the Chief Executive to reverse the trend toward obliteration for America's endangered plants and animals, and to buttress the agencies and policies needed for a durable ecological security. In practical terms this means, among other things, a strong Fish and Wildlife Service and Office of Endangered Species, and American participation in the worldwide survival effort through the United Nations Environment Programme and otherwise.

You spoke during your campaign about abolishing the Corps of Engineers. As you renew the authority of the President to reorganize the Executive Branch, we hope you will carry through with that promise. Reorganization, however, should include the Bureau of Reclamation, the Federal Power Commission, and as far as more dams are concerned, the TVA.

The management of our river basins needs to be turned against big dams and toward flood plain protection, the elimination of pollution at source, the preservation of natural stream valleys for recreation, and the security of the farmlands we are going to need so greatly.

When we think of river basins, we also consider the priceless remaining wetlands of America; the estuaries, cradles of life on the planet, basins for replenishment of the oxygen of our atmosphere; and our wild and scenic river system and national trails system, so im-

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National Parks & Conservation Magazine

The Environmental Journal

Vol. 51, No. 1, January 1977

NPCA · National Parks & Conservation Association · NPCA



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FRONT COVER North Country Wilderness, by J. Arnold Bolz
(Courtesy of *Naturalist* magazine)

BACK COVER Eastern timber wolves, by Rolf O. Peterson
The maze of lakes, streams, rapids, muskegs, islands, and mossy evergreen forests that is the southern edge of the great Canadian Shield in northern Minnesota and Ontario is an exceptionally wild and magnificent area intended as an international sanctuary. Now, however, loggers and miners are eyeing some of the most pristine remaining areas, snowmobilers demand increased access to wilderness areas, and the federal government and the state government of Minnesota are locked in a struggle over jurisdiction of the waterways and over management of the endangered eastern timber wolf. Finally, conservationists fear that a proposed 800,000-kilowatt powerplant in Canada would cause air pollution and acid rain in the Quetico-Superior region.

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JOHN M. TYSON

FRONTIERS

*We dream of times when there was room to breathe,
work to challenge our strength and courage,
a chance for a man to carve out his destiny*

by SIGURD F. OLSON

Sigurd F. Olson, one of America's most esteemed naturalists and interpreters of wilderness, intimately knows the rivers, lakes, and forests of the Quetico-Superior wilderness region. He is a past president of the National Parks Association (now NPCA), honorary president of the Wilderness Society, and adviser to many other conservation organizations—and a leading spokesman for the preservation of wilderness everywhere. This essay is the first chapter of his new book, *Reflections from the North Country* (Copyright © 1976 by Sigurd F. Olson). Reprinted by permission of Alfred A. Knopf, Inc.

WHILE I HAVE KNOWN many frontiers over the continent, it is the era of the fur trade and exploration in the Northwest that has intrigued me most. I never lost my love of it or the thrill of following those ancient routes and facing the challenges voyageurs met when the Northwest was still unknown. I live at the edge of the famous lake region known as the Quetico-Superior, and as I look across the reaches of a waterway beyond my cabin, I think of the gaily painted birchbark canoes that once crossed those white-capped expanses on

the trail from Lake Vermilion to Grand Portage on Lake Superior.

Coming out of the mouth of the Tamarack two miles to the west, the canoemen paddled toward the entrance to the Burntside River and must have watched for a Lob pine somewhere near my point that would show the way. Sometimes I can almost hear them singing "En Roulant," "La Claire Fontaine," and see red-tipped paddles flashing in the sunlight. That was long ago, but the great areas of the Canadian shield mean more to me because of the adventurous spirit of those early canoemen and the love they had for a wilderness way of life.

I have known the West as well, and followed the old trails, the Oregon, Santa Fe, and Coronado, and even those of the East leading through the passes of the Appalachians, the fading paths of the pioneers who surged away from the first beachheads on the Atlantic coast. So close are we to those frontiers, one can almost hear the rumble and screech of the wagon trains and the cries of "Westward ho!" On the plains the ruts of those trails still show, and following them I think of the unlimited space and opportunity of a land once new and unchanged.

We sing the songs of those days, re-create in movies and on television what now seems a Golden Age, dream of times when there was room to breathe, work to challenge our strength and courage, a chance for a man to carve out his destiny. We treasure those memories, but now something is missing and we have lost the sense of direction and purpose we once had. We flounder and wonder where to turn, see stagnation, crowding, and ugliness, with the free spirit of an almost forgotten era gone.

It is good for us to recall the hardihood and simplicities that period represents, for we are still part of those frontiers and will survive because of what they gave us. We must solve the enormous problems that confront us, far bigger ones than we have ever known, but we face them with those sterling qualities woven into our pioneer character. Within us is an inner reserve

of power and resilience because of what the frontiers did.

With the romantic era of expansion long past, we ponder the mounting environmental and sociological crisis. Countless panaceas have been expounded, billions spent on possible solutions, but none held the answer to our real dilemma. During the past decade, however, a new pattern of action has been emerging that might hold within itself the key to our predicament. It sprang from the same courage and indomitable resolve that drove wagon trains across hot deserts, forced them through precipitous mountains; from the spirit that carried canoes over endless portages and down dangerous rapids to goals no voyagers were ever sure could be reached.

We no longer face a physical frontier, but a change in philosophy, a complete reversal of our attitude toward the earth that might open the door to a golden era far more resplendent than the old. Never in man's long evolution have such ideas arisen, never has he had a more dramatic choice or one that could change his life more drastically. It is enlightening to look back beyond the old familiar frontiers into the misty past of the Stone Age, for this is not the first time man has had to make such decisions.

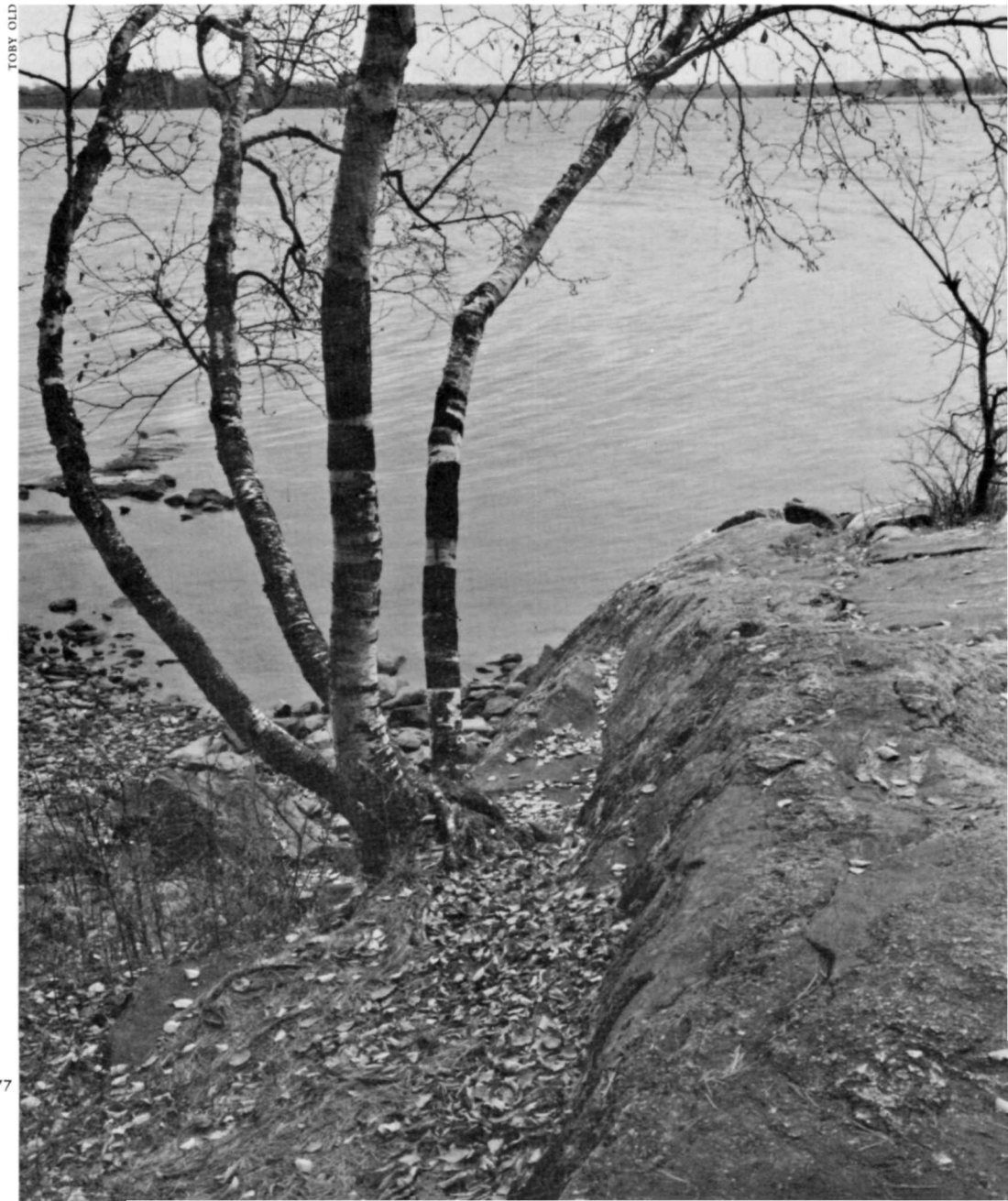
During the past fifty thousand years, he has made three, each of which has influenced his future irrevocably. The first was when he abandoned his former existence of perhaps a million years or so and began to plant seeds and domesticate animals. As he discovered the security of growing his own food and taming creatures he used to hunt, life changed. For thousands of years he continued his nomadic ways to supplement his new activities, but eventually depended more and more on herds and growing crops. We have not forgotten these ways, however, for genetic structures, mutations, and adaptations move very slowly, and within us all there is still evidence of a primitive life which left its indelible mark—far deeper, perhaps,

The intricate labyrinth of waterways and forests lying for over two hundred miles along the Minnesota-Ontario border between Grand Portage Post on the northwest coast of Lake Superior and the Rainy River seems made for enjoyment and wilderness travel.

It is the ancient land of the Chippewas. Moose and deer are found there, and beaver still build their dams along its streams. The hermit thrush, the white-throat, and the loon are heard at dusk and in the spring the partridges drum. Here are stands of tall red and white pine, redolent cedars, silvery birch, and golden fields of rice.

Its campsites, clean and close to the water's edge, are paved with smooth glaciated granite, for this is the southern rim of the Canadian Shield. Even the air seems rarefied and, in early morning, there is a high mountain freshness and sparkle that makes one think of timberline. Here there is intimacy, vistas of rare poetic beauty—and everywhere is delight.

—Sigurd F. Olson, *Runes of the North*. Copyright © 1963 by Sigurd F. Olson. All excerpts on this and subsequent pages by permission of Alfred A. Knopf, Inc.





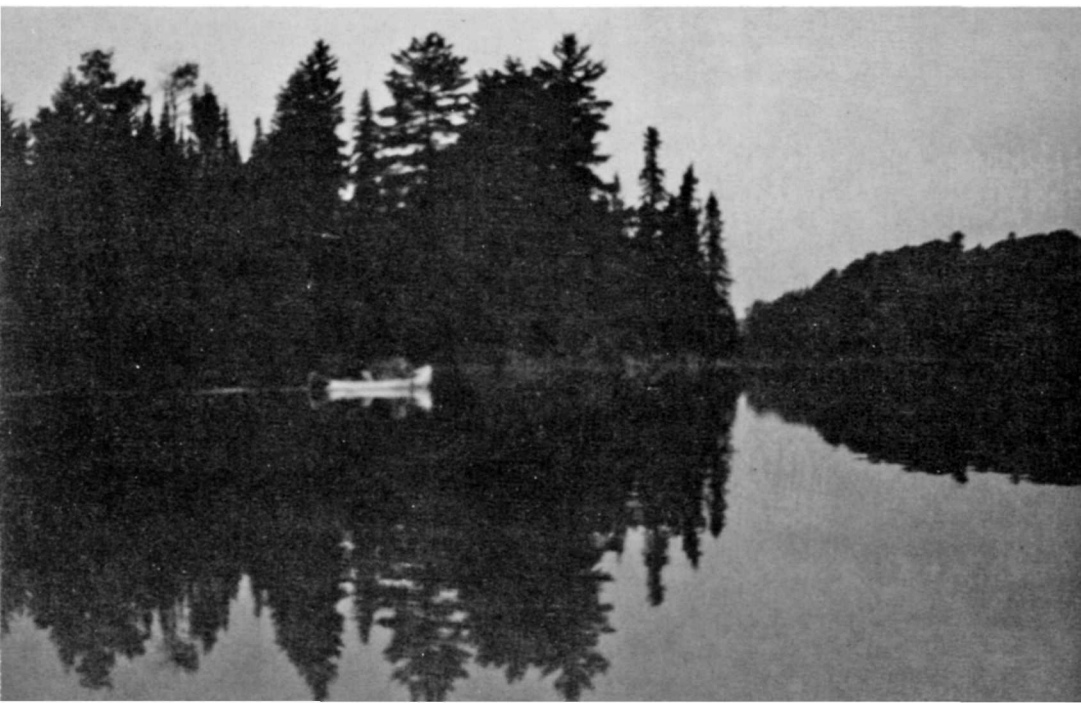
NATURALIST

The sound of a whippoorwill means an orange moon coming up in the deep south; the warbling of meadowlarks, the wide expanses of open prairies with the morning dew still upon them; the liquid notes of a robin, a rain in the middle west and east; the screaming of Arctic terns, the marshes of the far north. But when I hear the wild, rollicking laughter of a loon, no matter where I happen to be, it means only one place in the world to me—the wilderness lake country of the Quetico-Superior.

—Sigurd F. Olson, *Sigurd F. Olson's Wilderness Days*. Copyright © 1956, 1958, 1961, 1963, 1969, 1972 by Sigurd F. Olson. Alfred A. Knopf, Inc.

... this was one of the times when the lake evoked a spell, when it mirrored not only the shores but the spirit as well. Through some strange alchemy that water possesses during such witching hours, we absorb its calm, its mystery or violence as though we were part of it. . . . Of all the moods, all the variations of feeling and experience the waters of a lake can give, it is moonlight that is most remembered, for here is a strange excitement born of man's long and intimate involvement with its light. There is mystery when paddling down the gleaming avenues between islands silhouetted against its glow, unreality in the colonnades of tall trees or in the silvery reeds reflected in the shallows.

—Sigurd F. Olson, *Listening Point*. Copyright © 1958 by Sigurd F. Olson. Alfred A. Knopf, Inc.



JOHN M. TYSON

than those of the recent frontiers so fresh in our memories.

The second great decision was inevitably an outgrowth of the first: a gathering together in family groups, hamlets, villages, and finally cities, with the actual departure from the land by countless millions. The resultant impact on human culture, development, and outlook that came with separation from close involvement with the earth was a new security and leisure, the beginnings of education and class consciousness—a far cry from anything man had ever known. In forgotten cities flourishing from five to six thousand years ago—such as Ur and Babylon, in the valleys of the Tigris and the Euphrates of Mesopotamia; and Thebes and Memphis, in the valley of the Nile—men behind the protection of city walls and armies forgot their old ways and proceeded to build a society of specialization and surplus, a society that produced mathematics, sculpture, art, and writing, with the luxury of time to plan and philosophize.

Most of man's known history is involved with this era, but not until two hundred years ago did he embark on a third major decision, after the invention of the steam engine by James Watt. This relatively simple event spawned the industrial revolution, bringing in its wake all the developments our inventive genius could contrive. Once man chose such a course, the entire civilized world was changed, as was his old way of life in a relatively stable environment. In the process, he cut his spiritual roots to the land and to the interdependencies that over the centuries had preserved the ecosystem of which he was once an integral part.

Now we are on the verge of making the greatest decision of all, a change in the goals and philosophies that brought about the present ecological crises, a complete realignment of our relationship to the earth, a man-land ethic that it is hoped will recognize our responsibilities and stewardship. Until now progress has been measured by things, better organization,

and new inventions that increased our affluence, but now we are beginning to think of quality and richness of life rather than quantity. We are asking great questions about our system of values, wondering if the good life can be measured by old standards, if more and more is always better, or if there can be satisfaction with what we have.

We are at last beginning to understand what is at stake. It is more than wilderness, beauty, peace of mind; it is the survival of man and his culture. Other ages have passed into oblivion; one has only to consider what happened to the fertile lands of Mesopotamia and the hundred dead cities built one on top of the other, the eleven civilizations that simply disappeared, to realize it was not war or pestilence that brought their end, but changing climates, unwise use of the land, and lack of vision. It was then the barbarians moved down from the mountains to destroy the cities, for the people were weakened and had no strength or will to repel disaster.

Where does this leave us, this knowledge of the distant past of our race and our frontiers? We know our basic human needs, that man is part of all that has gone before, his hunger and discontent an inescapable longing for the old simplicities he once knew, that we are in truth children of the earth and cannot change. It is wholeness we are seeking, and being in tune with ancient rhythms and the intangible values of a life we have abandoned.

We also know we cannot forsake our technology, but must find a balance between it and environment. If we can use this tremendous backlog of knowledge to work toward the preservation of the land instead of its desecration, if we can improve the quality of life, change our priorities, achieve balance and understanding of our role as human beings in a complex world, this coming era may well set the stage for a richer civilization than man has ever known. This is the challenge of the new American frontier. ■

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If the great, gray timber wolves ever leave the Quetico-Superior, the land will lose its character. It may still be a wilderness, but one with the savor and uniqueness gone. Traveling through such an artificially managed area would be like seeing a cultivated estate with game no longer alert to danger. The ancient biological stability would be destroyed [for] a tame and colorless substitute.

—Sigurd F. Olson, *Sigurd F. Olson's Wilderness Days*. Copyright © 1956, 1958, 1961, 1963, 1969, 1972 by Sigurd F. Olson. Alfred A. Knopf, Inc.

The sun was trembling on the edge of the ridge. It was alive, almost fluid and pulsating, and as I watched it sink I thought I could feel the earth turning from it, actually feel its rotation. Over all was the silence of the wilderness, that sense of oneness which comes only when there are no distracting sights or sounds, when we listen with inward ears and see with inward eyes, when we feel and are aware with our entire beings rather than our senses. Sitting there, I thought of the ancient admonition "Be still and know that I am God," and knew that without stillness there can be no knowing, that without divorcement from outside influences man cannot know what spirit means.

—Sigurd F. Olson, *Sigurd F. Olson's Wilderness Days*. Copyright © 1956, 1958, 1961, 1963, 1969, 1972 by Sigurd F. Olson. Alfred A. Knopf, Inc.

JOHN M. TYSON



Challenge at Voyageurs

A jurisdictional battle over state versus federal authority at Voyageurs National Park could have a widespread impact on the National Park Service's ability to enforce federal regulations

by J. MICHAEL NORMAN

THE HISTORIC AND SCENIC 219,000-acre Voyageurs National Park on Minnesota's Canadian border sprawls across forest land, glacial lakes, and streams a few miles east of International Falls. Nearly 80,000 acres of the park are water, which, of course, has always been a central factor in considering the uses of the park. The Sioux and the Ojibwa Indians living in the region were nomadic gatherers and hunters, plying the maze of waterways and portages (overland crossings) in search of wild rice, berries, maple sap, fish, moose, deer, bear, and beaver. The hardy and colorful voyageurs of the seventeenth and eighteenth centuries depended on the trails in the present park as a link in a vast water highway over which they transported huge quantities of furs between Montreal and the far Northwest. The water trails were so important that the French and English battled for their control in the French and Indian War.

Today canoeists, fishermen, and others frequent the park, the main area of which consists of the 75,000-acre Kabetogoma Peninsula, surrounded by the rock-strewn waters of Kabetogoma, Namakan, and Rainy lakes and numerous islands. Although, beginning about 1880, the timber industry removed most of the virgin trees, today the park looks much as it did two

hundred years ago and is still accessible primarily by foot and canoe. The interior of the peninsula is dotted with lakes so pure one can drink from them, streams, and portages that look much as they did during the days of the voyageurs.

But the waterways of Voyageurs are still the subject of a dispute. Federal jurisdiction over the waters of the park is being contested in the courts, and the waters are the focus of a battle concerning hunting, snowmobiling, and seaplane use. The outcome could threaten preservation of the wilderness qualities of Voyageurs park, but even beyond that it possibly could have some impact—for better or worse—on the ability of the National Park Service to administer some national parks in accordance with their legislated purpose.

In virtually all national parks public hunting is strictly forbidden because it is inconsistent with the national park goal of preserving ecosystems in a natural state. In addition, snowmobiling and private flying into the parks are regulated. But the state of Minnesota along with some residents who live near the park are trying to change all that in Voyageurs.

A section of the western edge of the Kabetogoma Peninsula known as the Black Bay of Rainy Lake is at the heart of the hunting contro-

versy. As early as 1968, National Park Service literature about the proposed Voyageurs park said federal regulations—including a prohibition on hunting—would apply. However, according to park officials, some local citizens along with various state officials either chose to ignore those words or believed the regulations could be relaxed.

For several years local duck hunters have been advocating the deletion of the area of Black Bay that is within the park, maintaining that it is a prime hunting spot.

However, more is involved than the attempt of a few duck hunters to gain access to park land. Minnesota Governor Wendell Anderson, Commissioner Robert Herbst of the state Department of Natural Resources (DNR), and several state legislators all favor the deletion of Black Bay from Voyageurs.

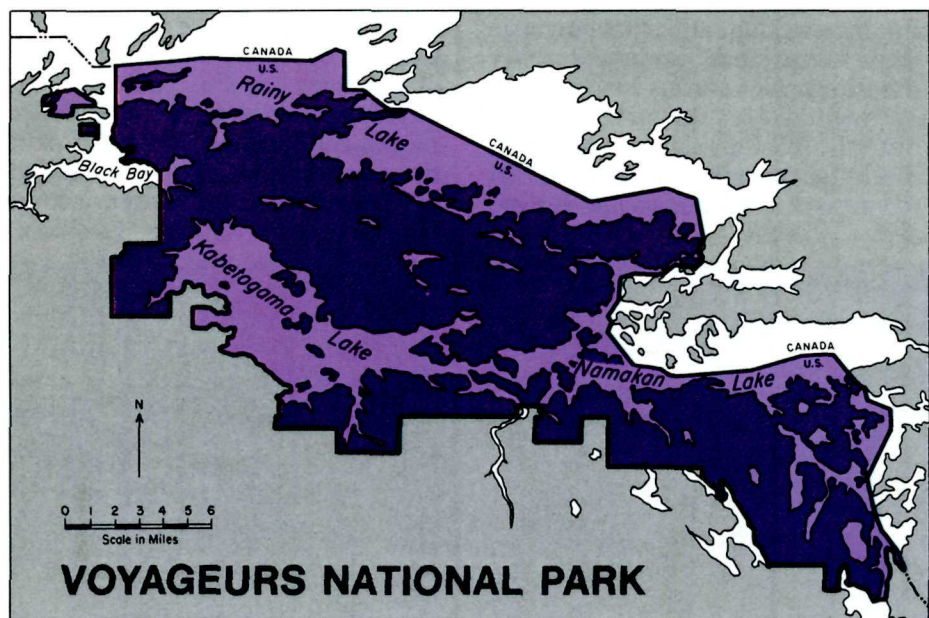
"The duck hunting issue has had strong political aspects," Voyageurs National Park Superintendent Myrl Brooks states. "Other areas, but not Black Bay, were defined during the original wildlife studies of the park as being good duck hunting areas. If we were going to delete an area from the park to provide the best duck hunting, it wouldn't be Black Bay."

The issue moved to the federal courts in late 1975 when park rangers cited a local man, Carl Brown, for hunting in the park on Black Bay. Superintendent Brooks says Brown stated that he would be hunting in that spot and thus apparently stage-managed the confrontation. Brown was fined \$150 by a U.S. magistrate but appealed the decision to the federal district court.

Brown and his attorney claim that the state has jurisdiction over the lakes and streams in the park, so Brown was within his rights to hunt as long as he abided by state regulations.

Minnesota's DNR entered the case as a friend of the court supporting the position that the state does indeed have jurisdiction over the waters in the park.

On November 5, 1976, U.S. District Judge Miles Lord upheld the



right of the Park Service to prohibit hunting on the waters in the park but did not specify the extent of its jurisdiction in regard to other activities. Brown appealed the ruling and was joined in the appeal by the Minnesota DNR.

A DIRECT APPEAL by the DNR to the Department of the Interior to delete Black Bay failed in early 1976. DNR Commissioner Robert Herbst had petitioned Secretary Thomas Kleppe to administratively remove the Black Bay area of the park "for the purpose of resolving certain park boundary conflicts, particularly those relating to waterfowl hunting," maintaining that the deletion would not threaten park preservation.

The Interior Department did not agree. Assistant Secretary of the Interior Nathaniel Reed stated that the proposed change was a matter of significance and would require congressional action. Reed said, "The area in question is every bit as important from a resource standpoint as any other part of Voyageurs," and, "We envision that one concession made would simply lead to more concessions asked."

Minnesota might also try to work through Congress. In this regard, one action being planned by the Park Service may inadvertently

allow the DNR and others to accomplish through congressional legislation goals of deleting Black Bay from the park, opening the park to hunting and trapping, and neutralizing the authorities of the National Park Service to regulate uses on the waters in the park. The National Park Service is recommending to Congress that the 520-acre Neil Point section of the park be deleted. That area, located northwest of the main body of the park and surrounded by nonpark land, had been considered for major, large-scale development, including a 400-unit campground, some park employee housing, and large picnic grounds. Park officials say that because of proposed changes in development plans the Neil Point area, which is detached from the main body of the park, is not needed. NPS is considering a boundary change at another nearby authorized site to provide for developing an entry to this water-oriented park.

These are the only boundary changes park officials propose, but they may be enough to doom more than Black Bay. Minnesota Governor Anderson requested Representative Richard Nolan (D.-Minn.) in June 1976 to include the deletion of Black Bay as an amendment to the bill if the National Park Service requests any boundary changes from Congress.

Governor Anderson maintained in a letter to Representative Nolan that during the planning stages of Voyageurs National Park, the waters and islands of Black Bay were not to be included in the final park. However, as early as 1969, in a publication entitled "An Appraisal of the Fish and Wildlife Resources of the Proposed Voyageurs National Park," prepared by the U.S. Fish and Wildlife Service with the cooperation of the Minnesota DNR, the park boundary line is clearly shown running straight across the eastern end of Black Bay, and that boundary has remained unchanged during the past seven years.

Although the legislation authorizing Voyageurs National Park clearly reveals the no-hunting restrictions in national parks, Brooks says that the DNR is still "pushing for hunting."

"In the legislation itself, the intent of Congress is clear," Brooks explains. "The waters are integral to and inseparable from the lands, and you administer use on the waters as part of the whole park. But in discussions with the state, it soon became obvious that they had no intention for the National Park Service to have any jurisdiction over the waters. We made several attempts to discuss it, but little was resolved."

DNR Commissioner Herbst says that a judicial ruling granting the state control over the waterways of the park would not mean an onslaught of hunters. Rather, he says he favors only "primitive style hunting" with muskets and other voyageur-type weapons.

THE JURISDICTIONAL dispute stems partly from the wording in both the federal legislation establishing Voyageurs and the state act relating to this national park.

Congress said, "the park shall include the lands *and waters* [emphasis added] within the boundaries as generally depicted on the drawing entitled 'A Proposed Voyageurs National Park, Minnesota' . . . dated February 1969." And that map clearly defines the

boundary of the park as including the eastern portion of Black Bay.

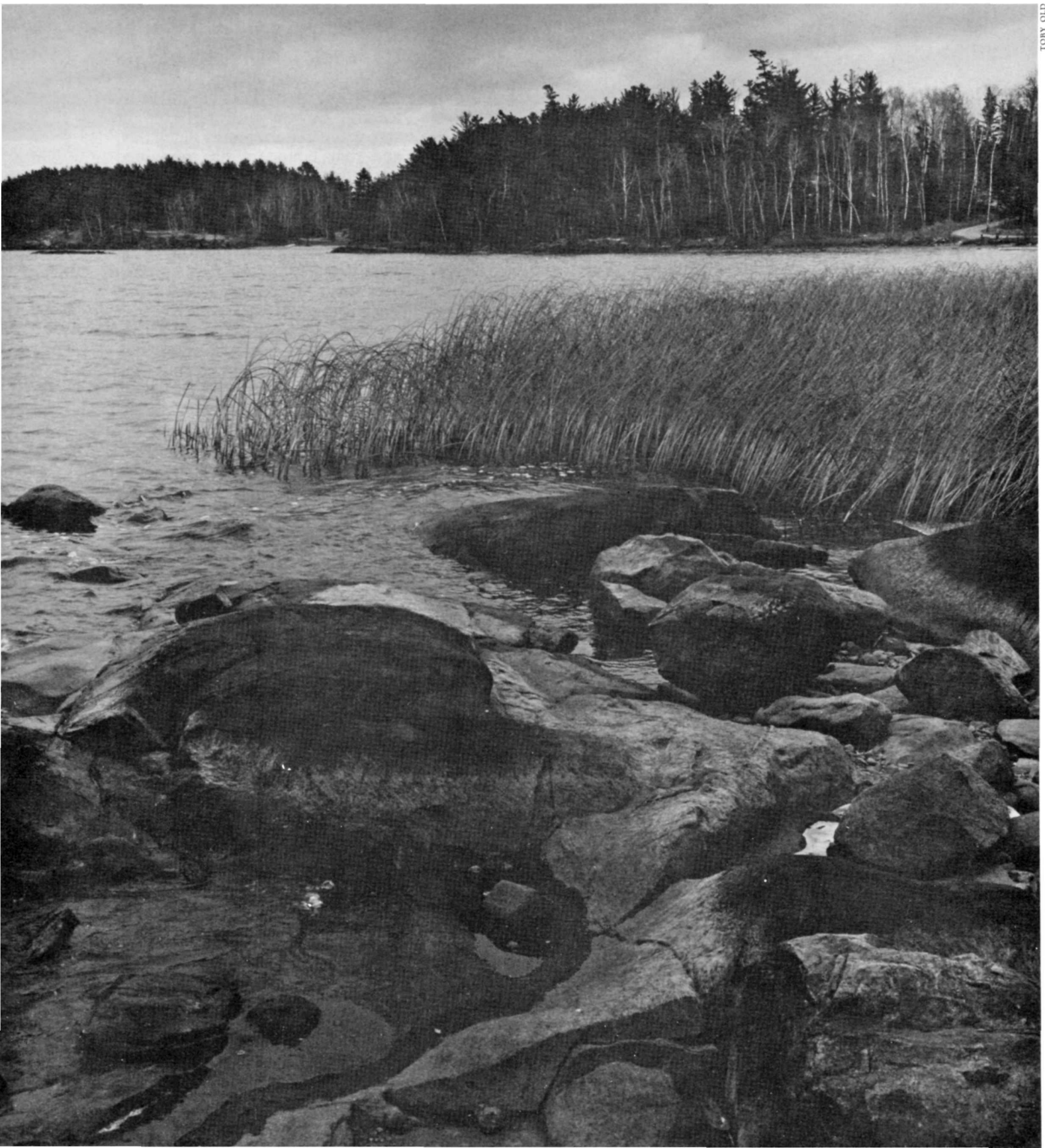
But the state act relating to the park is less clear, particularly when dealing with jurisdiction. The state legislature concurred with Congress in the stated purpose of the park including, presumably, the

control of the waters by the NPS. But most of the state act's language deals with "lands" and only briefly mentions "waters."

Nowhere does the state act spell out who will do the preserving of natural resources. The state of Minnesota maintains that it con-

tinues to own the waters and according to the state constitution cannot transfer rights of jurisdiction.

The state's contention and the recent court ruling seem to throw the whole issue into the maze of laws dealing with jurisdiction over



TOBY OLD

waters. National water laws are complicated because, in contrast to land laws, they deal with moving bodies. The states traditionally have ownership over the consumptive uses of the water—for instance, use of a river upstream from the park for water supply. However, the National Park Service through congressional act and apparently the Property Clause of the Constitution has the authority to regulate uses within the national park. In addition, PL 94-458, a new law passed by the 94th Congress, confirms and clarifies the Secretary of the Interior's authority to promulgate and enforce regulations concerning boating and other activities on or relating to waters located within areas of the National Park System.

In his November 1976 ruling, Judge Lord affirmed the right of the Park Service to prohibit hunting because hunting represents a significant interference with the normal uses of public parklands. However, noting that the state has ownership rights over the waters, Lord declined to rule on whether the Park Service can enforce all park regulations on the park's waterways. He said that federal authority extends only "to certain commercial or recreational activities which significantly interfere with use of the park." It is unclear whether this ruling means that the Park Service will be faced with the necessity of going to court repeatedly to prove what constitutes a significant interference.

A strong vein of states' rights runs through Minnesota environmental politics. Whether the DNR will drop its pursuit of control over use of park waters—in court or in Congress—may have been affected by the recent enactment of PL 94-458, Brooks said. "To have a manageable park you must have jurisdiction and be able to enforce regulations that will assist in accomplishing the purposes of Congress in authorizing the park." Brooks believes that Lord's ruling strengthened NPS authority.

PARK POLICY is also the target of some people who want increased access to the interior of the

Kabetogoma Peninsula by motorized craft. The draft master plan proposes to keep the interior region of the peninsula as much a primitive wilderness as possible. "We need places where people can go to get away from the machines of man," Superintendent Brooks emphasizes.

But, as with the ban on hunting in Black Bay, park officials are trying to adjust long-standing local traditions to the purposes of and objectives for the park. For years float plane pilots have flown hunters and fishermen into the peninsula and other areas now in the park and landed on interior lakes.

Voyageurs officials have received suggestions from the Voyageurs National Park Association (VNPA), a nonprofit citizens advisory group, to permit aircraft use only on the perimeter lakes because a wilderness experience should require effort, rather than easy access at the expense of the environment and other visitors.

The NPS proposes snowmobile use on the major lakes—a large area of the parks—and some portage routes between the major bodies of water and around some dangerous ice areas on the lakes. NPS says that snowmobiles thus could be used to transport cross-country skiers and snowshoers across the ice of the large perimeter lakes so that trips could be made more easily into the interior on skis or snowshoes.

"Again, it's a small group that's pushing for snowmobiling that could geographically divide the park into fragmented 'islands,'" Brooks says. "But winter is a time of stress when wildlife needs rest. We don't have enough information to risk the unknown impact on the interior land areas by snowmobiles. But we do know that if an area is traveled only by foot in summer—then by allowing snowmobiles there in the winter you have added a disruptive influence."

Many conservationists object to snowmobiles anywhere in the park because of their disruptive effects on the environment and wildlife and because it would be difficult for nonmotorized users to find quiet refuge in the park in winter.

Voyageurs officials also want to keep some areas free of motorcraft, because several officially endangered or relatively rare species are found in the park. The bald eagle, eastern timber wolf, Canada lynx, moose, and osprey inhabit the area. Although low in numbers, the fisher population is increasing. The pine marten is now absent, but park biologists hope to reintroduce it to the area. More abundant species include beaver and deer. Black bear inhabit the Kabetogoma Peninsula, and Superintendent Brooks foresees some potential conflict between those animals and campers. Bears would be very hard to relocate, Brooks says, because they would have to be tranquilized and transported in boats. Brooks anticipates abandon-ship drills in case the bears should regain consciousness while they are being relocated.

In light of the jurisdictional dispute, Judge Lord's ruling, and pending court action, the unanswered question is whether people will seek snowmobile and seaplane access to the park through the courts. At press time the Minnesota DNR reportedly was studying the impact of the recent rulings on these activities.

THE DISPUTE over control of the waters in Voyageurs National Park may not be finally resolved for some time. The duck hunting area in Black Bay actually may be a minor consideration. Critics may ask for the removal of other areas, may try to open the park to hunting and trapping and the interior areas to snowmobile and float plane use, and may try to accomplish changes that in effect would leave the area a national park in name only. And future court fights may seek to weaken NPS enforcement of regulations. Either way, the American public would lose the ability to preserve this historic and pristine northern lake wilderness. ■

Free-lance writer J. Michael Norman teaches journalism at the University of Wisconsin-River Falls, where he also directs that school's annual Environmental Journalism Workshop.

Confusion at Boundary Waters Canoe Area

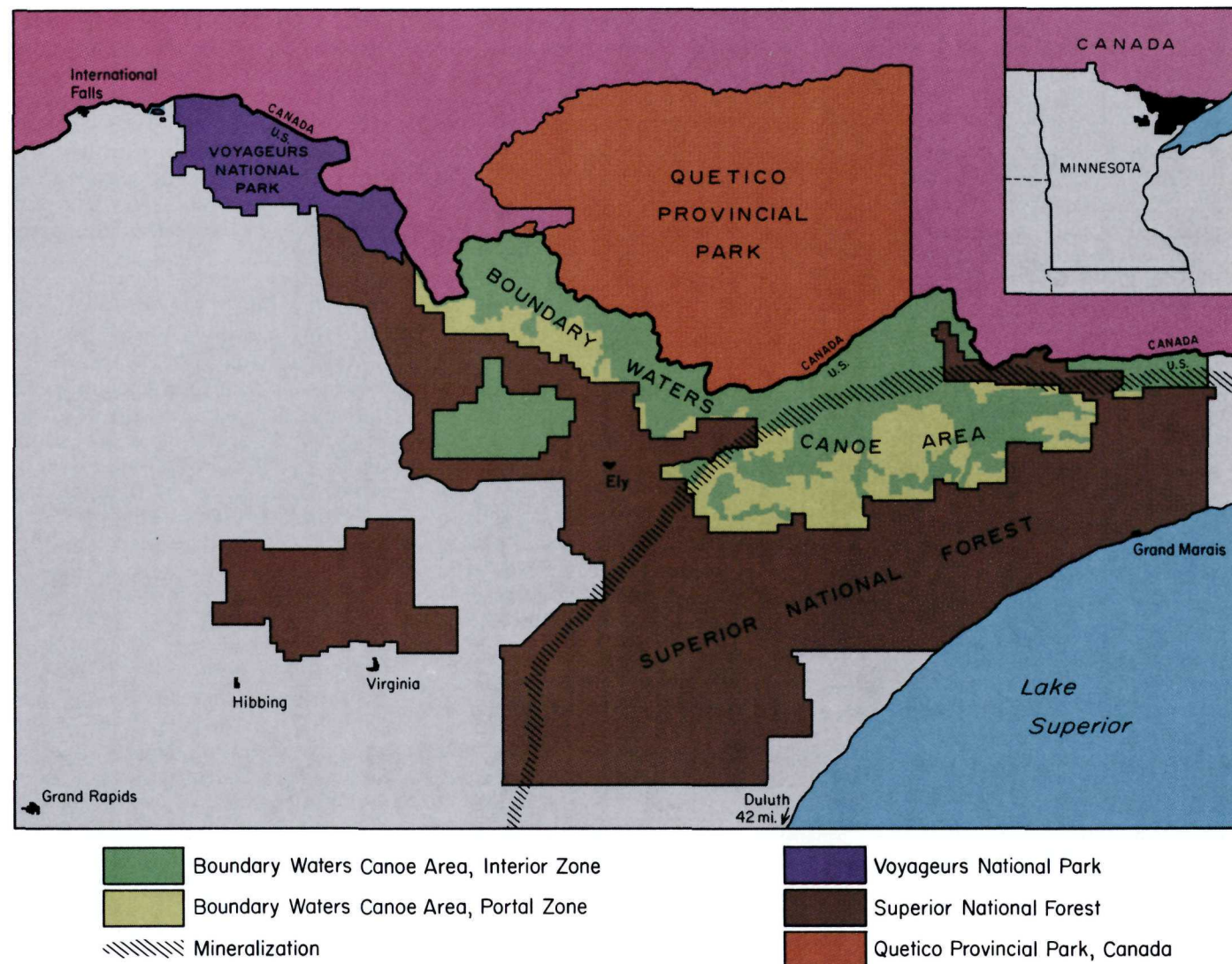
Loggers are at work this winter in the virgin forests of our only lakeland wilderness area, and miners and snowmobilers also threaten the BWCA

by DEAN REBUFFONI

When I think of water, instinctively I think of the Quetico-Superior along the international border with Canada. Is the importance of that country its timber, vast deposits of iron and copper nickel, or its other material sources of wealth and continued affluence? There is no question of their role in our economy, but when I look out upon the lake from my cabin, I know its real value lies in the realm of the intangibles, vistas of wilderness waterways, solitude, and quiet.

—Sigurd F. Olson, *Reflections from the North Country*, Alfred A. Knopf, Inc. Copyright © 1976 by Sigurd F. Olson.

QUETICO-SUPERIOR MANAGEMENT AREAS



A WATERY MAZE of clear lakes and quick streams amid a vast coniferous forest, the Boundary Waters Canoe Area, a million acres of northeastern Minnesota, has always lured visitors seeking the balm of wilderness. Even today, although burdened by an ever-increasing influx of visitors, it is a place where one can experience a vital remnant of lost, wild America.

The BWCA, with 1,200 miles of canoe routes, along 1,076 island-dotted lakes, and myriad streams, is the largest federal wilderness area east of the Rockies. It contains the biggest contiguous blocks of virgin forest remaining in the eastern part of our nation and is the last large and relatively complete example of the northern conifer ecosystem in the United States. Supporting an abundance of fish and wildlife, the BWCA is especially significant because, unlike almost all other areas of the country, it preserves complete food chains up to and including the largest predators, timber wolves and black bears. Here scientists can study plants and animals in relationships that are relatively free of man's influence. Stretching for more than a hundred miles along the Canadian border, the BWCA adjoins on the north a sister reserve, Quetico Provincial Park in Canada, where motorized vehicles have been banned from the interior lakes and logging is prohibited. The area was intended as an interna-

tional sanctuary, but over the years conservationists have had to fight time and again to protect it.

This winter loggers are at work on more than five thousand acres of virgin forest in the BWCA because of a court decision lifting a ban on logging in that forest. That decision was appealed to the U.S. Supreme Court, which refused to stay the decision. Thus the door has been reopened to logging.

IN 1964 Congress passed the Wilderness Act, which established the National Wilderness Preservation System to preserve areas "where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain . . . where the imprint of man's work is substantially unnoticeable." But the act contains a significant proviso that instructs the U.S. Secretary of Agriculture to manage the Boundary Waters Canoe Area—alone among the nation's formally designated wilderness areas—in a fashion to maintain without unnecessary restrictions on other uses, including that of timber, the primitive character of the area, particularly in the vicinity of lakes, streams and portages. . .

The Wilderness Act also permitted "any already established use of motorboats." These contradictory directives, included to placate local timber and motorboat interests, are at the heart of the confusion and controversy over management of the BWCA.

The BWCA covers about one-third of the Superior National Forest. Both areas are managed by the U.S. Forest Service—an agency within the Department of Agriculture—and that agency's management plan for the BWCA is complex.

As part of its management plan, the Forest Service has divided the BWCA into two zones. The Interior Zone, where logging is prohibited, covers 618,000 acres. Within that zone is more than 90 percent of the water area of the BWCA, where the heaviest recreational use—particularly canoeing and angling—occurs.

The Portal Zone lies between the Interior Zone and the remainder of Superior National Forest and comprises the remaining 412,000 acres of the BWCA. Logging is allowed in this zone.

The two-zone arrangement was established in 1965, in part to resolve a long-standing controversy over logging. But conservationists have never been happy with the zoning, pointing out that within the Portal Zone are 160,000 acres of the BWCA's remaining 425,000 acres of virgin forest. In short, the Forest Service erred by not banning logging on *all* the BWCA's large tracts of virgin forest. It was not enough to ban logging within the Interior Zone when those 160,000 acres of virgin forest within the Portal Zone are still open to logging. Furthermore, conservationists argue, the Forest Service's

management plan for the BWCA violates the spirit and intent of the 1964 Wilderness Act. Logging and wilderness simply are not compatible.

Two conservation groups, the Minnesota Public Interest Research Group and the Sierra Club, led the court battle to protect the BWCA's virgin forest. Late in 1972 they sued the Forest Service and soon thereafter several logging companies. Those companies, including Boise Cascade Corporation, Potlatch Corporation, and Consolidated Papers, have contracts—called "timber sales"—from the Forest Service that allow them to log in the Portal Zone.

In early 1973, U.S. District Judge Miles Lord ruled that Congress' main intention in including the special proviso in the Wilderness Act "was not to simply allow timber harvesting in the BWCA, but rather to allow the entire BWCA to be designated as a wilderness area despite the fact that some timber harvesting was going on in parts of the area."

But the Forest Service and the loggers took the case to a federal

appeals court, which on August 30, 1976, reversed Judge Lord, saying that Congress had clearly accorded "special treatment" to the BWCA and wanted the area to be managed in a manner that would maintain its primitive character without unnecessarily restricting logging. The appeals court added that "if a substantive policy change is to be made with respect to virgin timber cutting in the BWCA," then that decision "must come from Congress or the responsible executive agency, not from the courts." Besides, the appeals court said, the Forest Service has a "high regard for virgin timber" because, among other things, it had set aside at least 354,000 acres of such forest in the Interior Zone. Conservationists disagree.

The Minnesota Public Interest Research Group turned to the U.S. Supreme Court requesting a stay of the appeals court decision, but the request was denied.

In the wake of the appeals court's ruling, the Forest Service said it anticipated that there would be additional logging in the Portal Zone's virgin forest areas—that is,

on land other than the 5,000 to 10,000 acres covered by the current timber sales. But such additional contracts cannot be issued to loggers until after July 1977, because as part of its decision the appeals court ruled that the Forest Service must submit a new timber management plan and related environmental impact statement for the Superior National Forest before allowing any new timber sales. The Forest Service expects that those documents will be completed by July 1977.

Although national forest officials say that large timber sales will be unlikely because all future sales will be scrutinized very carefully, conservationists are not reassured.

Miron Heinselman, chairman of Friends of the Boundary Waters Wilderness, a coalition of twelve conservation groups, says, "the facts are that the Portal Zone's virgin forest is only 1 percent of the commercial forest in the state, and there are 4 million acres of softwoods outside the BWCA. What the industry really wants are those remaining 160,000 acres of virgin forest in the Portal Zone."

The Boundary Waters Canoe Area in Minnesota contains almost all the natural lake trout lakes of the United States outside the Great Lakes and Alaska.



NATURALIST

MINING as well as logging threatens the Boundary Waters Canoe Area. Extending from a point near the Canadian border through the BWCA and the remaining two-thirds of the Superior National Forest, crossing crystalline wilderness lakes and rivers with the strange yet lovely names of Kawishiwi, Gabimichigami, Little Saganaga, Eskwagama, and Bakkana, is the Duluth Gabbro Complex, a huge geologic formation of copper and nickel deposits. Although prospectors have long known of this formation, no large-scale copper-nickel mining has yet occurred there.

Conservationists won a lawsuit brought by the Izaak Walton League joined by the state of Minnesota against the Forest Service and several people who claimed mineral rights within the BWCA and intended to explore there for mineable ore. The league took the case to federal court, arguing that an "overriding public interest"

outweighs private rights of mineral exploration, which would cause irreparable harm to the BWCA's unique wilderness values and its fragile ecosystem.

The league's victory came in Minneapolis in January 1973 on a decision by the late U.S. District Judge Philip Neville, who ruled that the purpose of having such a wilderness as the BWCA "plainly and simply has to be inconsistent and antagonistic" with plans for commercial activities such as mining. Judge Neville pointed out that the reserved mineral rights in private hands are "situated right in the middle of the BWCA" and that "there can be no question but that full mineral development and mining will destroy and negate the wilderness or most of it."

Although a 1974 appeals court decision overturned the permanent injunction against prospecting and mining issued by Judge Neville, who had died three months earlier, the decision did not quite open the door to prospecting or mining in the BWCA. Rather, that court deferred a decision on the merits of Judge Neville's opinion and charged the Forest Service with the responsibility for determining whether an exploratory permit for prospecting should be granted upon proper application.

The private mineral-rights holders have not applied for such permits, however, and Judge Neville's decision still gives conservationists an important precedent to use in court if such permits are ever issued by the Forest Service.

In early 1974, however, Minnesota conservationists became increasingly concerned that several companies, most notably the International Nickel Company (INCO), were moving ahead with plans to explore for and eventually mine copper-nickel ore.

INCO holds Forest Service leases near the South Kawishiwi River, within the national forest and only a few miles upriver from the boundary of the BWCA. The company's tentative plans were to develop a huge open-pit mine—6,600 feet long, 3,200 feet wide, and 1,000 feet deep—on that tract. The



Logging roads crisscross a timber cut in the BWCA's Portal Zone. Although cutting within 400 feet of waterways is illegal, this cut is closer than that.

company stressed that those plans were only tentative and promised that if they ever became firm, the area would be mined in an environmentally sound manner.

Conservationists feared that an open-pit mine would result in noise, pollution of the nearby

South Kawishiwi—which flows into the BWCA—and construction of a smelter within Superior National Forest and near the wilderness area. Such a smelter could result in air pollution. For the next one and a half years a powerful coalition of twenty-four conserva-

tion groups waged war against the mining proposal at state and federal hearings and in the Minnesota courts and legislature.

Governor Wendell Anderson entered the controversy, stating his unequivocal opposition to the construction of a smelter within the national forest. Then the Minnesota Environmental Quality Council, the state's top environmental decisionmaking body, voted for completion of a regional environmental study before any copper-nickel mining is allowed. That study is not due to be completed until 1979.

In November 1975 INCO suspended work on its multimillion dollar project on the South Kawishiwi, blaming sweeping changes in state policy on copper-nickel development. But the company left open the possibility that it may again take up the project in the early 1980s.

In another case, involving AMAX Exploration, which sought permission to explore for copper-nickel on state-leased lands at the edge of the Superior National Forest, conservationists received a setback in their efforts to forestall copper-nickel prospecting near the BWCA. AMAX proposed to construct a 1,700-foot-deep test shaft and extensive underground workings to see whether there were mineable deposits of the minerals.

Conservationists opposed the project, contending that potentially harmful chemicals could seep from the test site and enter nearby streams flowing into the national forest and the BWCA. But Governor Anderson supported the project, and state environmental agencies approved it. They stressed that it would be only an exploratory project and would not involve actual mining. At the same time, they required the company to monitor carefully its work to ensure that it would not cause environmental harm.

Four conservation groups took the case to court, but in December 1975 the Minnesota Supreme Court upheld the state agencies. AMAX is now proceeding with its

test shaft project. Before it will be able to mine for copper and nickel, however, it must await completion of the state's regional environmental study.

THESE VARIOUS legal and administrative fights over logging, prospecting, and mining in and along the fringe of the BWCA have produced strong feelings throughout Minnesota. A sizable number of northeastern Minnesotans are dependent on taconite mining and logging operations in the region.

Many northeastern Minnesotans who use the BWCA also have become increasingly angry over what they believe to be needless bureaucratic restrictions on their freedom—including the Forest Service's maze of rules and regulations for the area. Although motorboats are allowed in the BWCA, snowmobiles are banned. Many conservation groups support the snowmobile ban because noisy off-road vehicles are incompatible with wilderness. But the snowmobile industry and a coalition of Minnesota snowmobile clubs are appealing the ban in the courts, and conservationists face yet another legal battle.

Thus no quick end to the fight over management of the BWCA is imminent. Some people are calling it the "Boundary Waters Confusion Area," and many are demanding that Congress end such confusion.

In the 94th Congress two major bills regarding the BWCA were pending. One, sponsored by Representative James Oberstar, a Minnesota Democrat whose legislative district includes the wilderness area, proposed to expand the BWCA by about 125,000 acres to 1,152,700 acres, then divide it into two different management zones—a 526,000-acre Boundary Waters National Recreation Area and a separate 626,700-acre Boundary Waters Wilderness Area. Under Oberstar's bill logging, motorboating, and snowmobiling would have been banned within the redesignated wilderness area but permitted within the new recreation area.

Mining would have been banned in both areas, which would be administered separately by the Forest Service. Oberstar's bill was supported by some logging companies and other northeastern Minnesota business interests and by many area residents and recreationists—particularly snowmobilers.

The other bill was sponsored by another Minnesota Democrat, Representative Donald Fraser of Minneapolis and was supported by conservationists led by Friends of the Boundary Waters Wilderness. Fraser's bill would have banned commercial logging throughout the BWCA—within both the Interior and Portal zones. It also would have banned the use of motorized vehicles, would have prohibited mineral exploration and mining, would have given the BWCA full wilderness status, and would have changed its name to Boundary Waters Wilderness Area.

Neither bill was acted on in the last Congress, but legislation on these issues in the BWCA is expected to be reintroduced in the 95th Congress.

In addition, another major problem faces the BWCA. The increasing numbers of hikers, canoeists, anglers, and campers who are attracted to this lovely area are taxing its fragile resources with litter and overcrowding, creating noise, and harming what should be a place of peace and solitude. The Forest Service has initiated a new BWCA entry permit and quota system in an effort to redistribute visitors away from the more popular canoe routes, portages, and campgrounds; but the system has been changed so many times that many BWCA users are confused and angry.

It would be a sad irony if conservationists succeed in protecting the Boundary Water Canoe Area from commercial exploitation only to find that its admiring visitors have loved it to death. ■

Journalist Dean Rebuffoni has been writing about Minnesota's environmental problems for the *Minneapolis Tribune* for the past four years.

A Recovery Plan for The Eastern Timber Wolf

The Eastern Timber Wolf Recovery Team recommends a management program that combines protection, habitat preservation, prey habitat improvement, regulated "taking," and reestablishment

article & photographs by L. DAVID MECH



Editor's Note: Dr. L. David Mech, a wildlife research biologist for the Endangered Wildlife Research Program of the U.S. Fish and Wildlife Service (FWS), stands in the center of a bitter controversy concerning protection of the eastern timber wolf under the Endangered Species Act. Some people in Minnesota despise wolves, mistrust the "wolfman with a Ph.D.," and advocate killing every wolf possible. At the other extreme, some people in our nation sanctify wolves without ever having seen one and mistrust Dr. Mech for recommending regulated "taking" of wolves under certain conditions. In between are many thoughtful people trying to ascertain the best way to protect the wolf—and these people disagree strongly among themselves. Some of them—like Dr. Mech—contend that the wolf is not endangered in Minnesota and that the population can withstand the killing of some individuals, especially considering wolf depredations on livestock. Others disagree with Dr. Mech and the rest of the Recovery Team of scientists appointed by the FWS to prepare a recovery plan for the eastern timber wolf. These people believe that because the U.S. wolf population now survives virtually only in Minnesota, the Secretary of the Interior, rather than acting hastily to propose regulated "taking," should use his discretionary



power under the Endangered Species Act to continue to list the wolf for full protection as an endangered species and begin to treat wolf killings as crimes. But the Minnesota Department of Natural Resources has threatened to sue for jurisdiction over the wolf unless the federal government agrees to a management plan that will allow "taking" of wolves.

However, whatever their differences, all would agree that Dr. Mech is an expert on the wolf. He has studied the wolf for eighteen years beginning with his doctoral studies at Purdue University under Dr. Durward Allen, distinguished professor of wildlife ecology and a



trustee of this Association. Mech directs a research staff out of a field laboratory near Ely and is the only scientist extensively monitoring the wolf population in Minnesota. He has written two books and numerous articles on the species, urging appreciation for the wolf and its role in nature. Therefore, NPCA asked this eminent scientist to give our readers the benefit of his views and to describe the recommendations of the Eastern Timber Wolf Recovery Team. This article represents the author's personal opinion and does not necessarily reflect the views or policies of the U.S. Fish and Wildlife Service.—E.H.C.



ONE OF THE MOST controversial members of the Department of the Interior's Endangered Species List is the eastern timber wolf (*Canis lupus lycaon*), and the aspects of the controversy are many and varied.

The eastern timber wolf once inhabited most of the United States east of the Mississippi River, except for Mississippi, Alabama, and Florida. But the controversy over this wolf now swirls primarily around Minnesota because the "Land of Ten Thousand Lakes" is the only state outside Alaska still supporting a viable population of wolves.

Although eastern Canada may harbor as many eastern timber wolves as it ever did, in the United States the race is restricted to about forty individuals on Isle Royale in Lake Superior, perhaps a dozen in Upper Michigan, and an estimated 1,000 to 1,200 in Minnesota.

One of the common misunderstandings about the eastern timber wolf's classification as an endangered species relates to its taxonomic status. This subspecies, or geographic race, is only one of thirty-two currently recognized races of the gray wolf (*Canis lupus*) in the world and twenty-four inhabiting North America. Four of the North American races are considered extinct, and the northern rocky mountain wolf and Mexican wolf are also on the endangered species list. The many thousands of wolves throughout Canada and Alaska are not considered endangered, although many people mistakenly think they are.

The primary cause of the demise of the eastern timber wolf throughout most of its former range in the United States is human settlement of extensive wilderness areas. This settlement had two devastating effects on the wolf. In the first place it usurped a great deal of habitat from the wolf's prey—deer, moose, beaver, and other large mammals. Second, it brought the wolf into conflict with man because of the wolf's tendency to prey on domestic animals, including dogs. Thus delib-



erate extermination of the wolf was carried out by individuals and by state and federal governments. As recently as 1965 Minnesota paid a bounty on wolves.

Many Minnesotans believe a wolf bounty is needed again—especially those people living in the 31,000 square miles of wolf range. They cite as their reasons a declining population of deer and loss of domestic livestock to wolves. The introduction in summer 1976 of a federal bill to provide \$500,000 in livestock damage pay-

ments to Minnesota farmers during a five-year period indicates the severity of the problem.

But if wolves are thriving so well in Minnesota, how can they be endangered? This question is asked not only by residents of northern Minnesota but also by officials of the Minnesota Department of Natural Resources (DNR), who claim that there are more wolves now in Minnesota than there have been in decades. (On the basis of my own extensive studies of wolf populations, I believe their claims are ac-



curate.) Thus the DNR has petitioned the U.S. Department of the Interior to declassify the eastern timber wolf in Minnesota; that is, to remove it from the endangered species list.

THIS SITUATION illustrates another aspect of the wolf controversy. From the national viewpoint, the eastern timber wolf is restricted to about 5 percent of its former range in the United States—and mostly in Minnesota. From a state perspective, the wolf

is regarded as plentiful because it inhabits more than one-third of Minnesota.

Perhaps the most objective view has come from the Eastern Timber Wolf Recovery Team. This committee of eight biologists representing the states of Michigan, Wisconsin, and Minnesota; the U.S. Forest Service; the U.S. Fish and Wildlife Service; and the National Park Service was appointed by the U.S. Fish and Wildlife Service. The team's purpose is to devise a master plan for the recovery of

the eastern timber wolf throughout as much of its former range in the United States as is biologically feasible.

The Recovery Plan, as the Team's document is called, is in draft form. It has undergone technical review by many wolf biologists and by state, federal, and academic officials and is currently being considered for approval by the Fish and Wildlife Service. At that level social, political, and economic constraints may be imposed upon the biologically based plan.

It seems significant that the Recovery Team, after lengthy deliberations, recommended by 7 to 1 that the wolf in Minnesota be left on the endangered species list but that it be reclassified as "threatened" rather than "endangered." The Endangered Species Act of 1973 defines "threatened" to mean species that in the foreseeable future could become endangered throughout all or a significant part of their ranges.

If the Department of the Interior accepts the Recovery Team's recommendation to reclassify the wolf in Minnesota, the management of the animal could be greatly simplified. This is true especially if other key recommendations of the Team are accepted. At present the Endangered Species Act of 1973 makes it illegal for anyone to kill an eastern timber wolf in the United States. But the Recovery Team believes that for the sake of successful, long-range conserva-

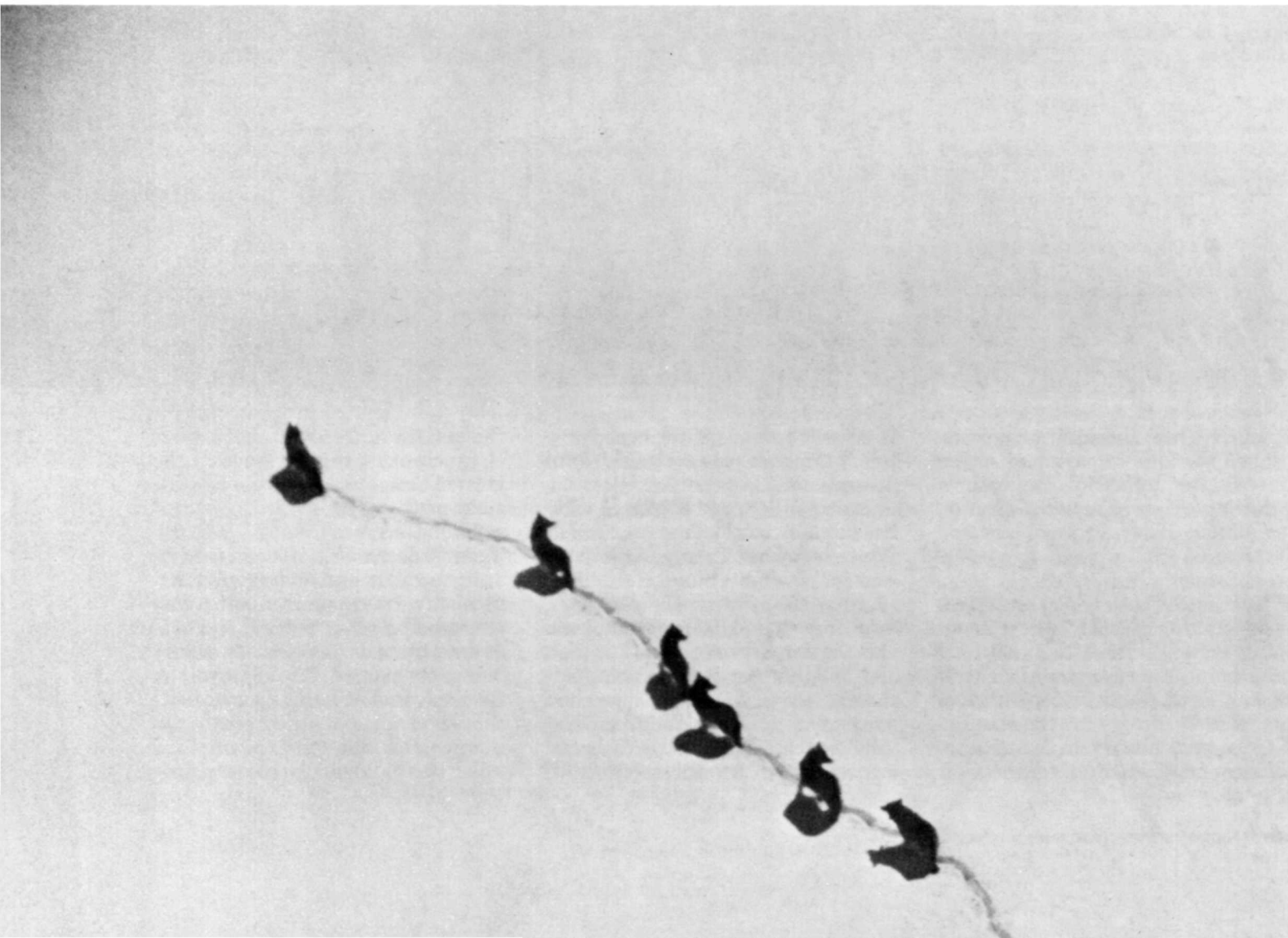
tion of the wolf in Minnesota, some individual wolves will have to be sacrificed.

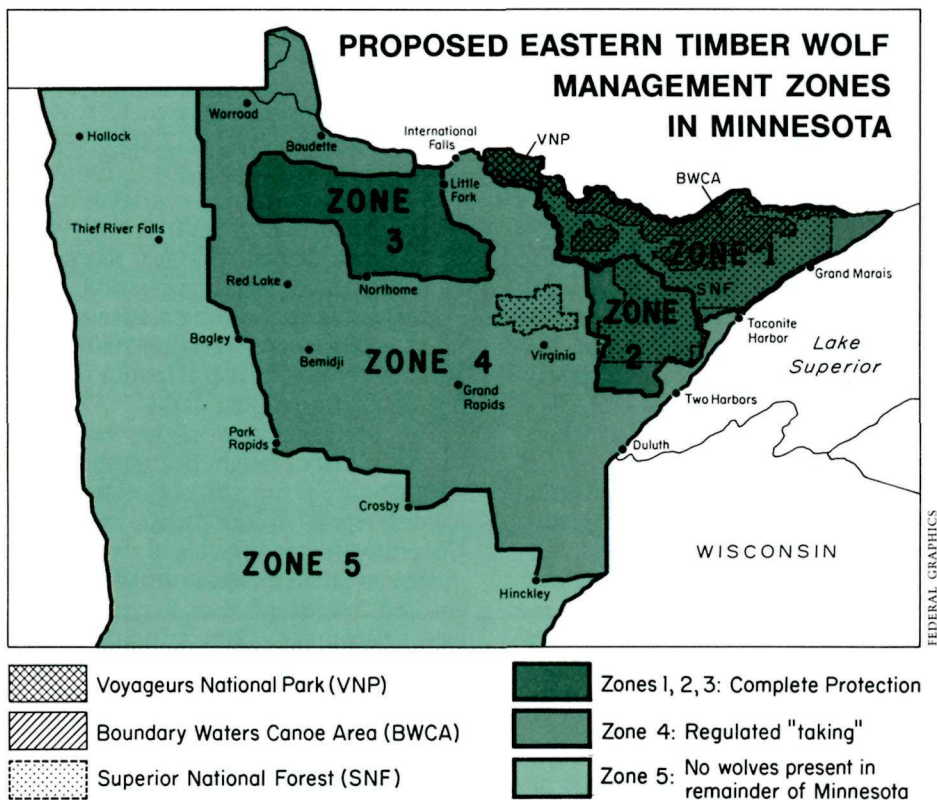
Wolf populations have the potential of more than doubling their numbers in a year. Because most of the wolf's available wilderness range in Minnesota is now supporting about as many wolves as it can, wolves are rapidly colonizing rural areas containing farms. This is where the wolf conflicts directly with humans, thus fostering in some people an outright hatred for the wolf and an open disrespect for the Endangered Species Act. Such strong feelings decrease the amount of public support for protecting the wolf in the *wilderness* where its interference with man is minimal.

Thus the Eastern Timber Wolf Recovery Team has recommended different types of management for the wolf in different regions of Minnesota. In three wilderness zones totaling about 10,000 square

miles, the Team recommends continuing protection for the wolf, which could result in an average density of one wolf per ten square miles. In the more settled Zone 4, comprising almost 21,000 square miles, the recommendation is to maintain the average wolf density at its 1975-1976 estimate of about one wolf per 50 square miles. This recommendation would require limited and careful "taking" of wolves each year in Zone 4. Zone 5, the remainder of Minnesota, is currently devoid of wolves.

THE RECOVERY TEAM believes that this custom prescription for wolf management in Minnesota, along with its other recommendations, would accomplish several goals: (1) preserve the wolf in Minnesota, (2) decrease domestic livestock loss, (3) minimize public animosity in Minnesota toward the wolf and the Endangered Species Act, and (4) increase





the base of support for the wolf to include more local citizens.

The other primary recommendations of the Recovery Team for wolf management in Minnesota include a strong public information and education program; habitat improvement by logging or burning to provide younger forest that could support an increased population of deer; consideration of reintroducing woodland caribou to provide an additional prey species; and, perhaps most important, maintenance of as much undeveloped and unsettled wilderness as possible.

It is clear that wherever man and the wolf occur together in high densities, the wolf will continue to be harassed, despite any laws requiring the contrary. It is almost impossible to enforce a law protecting wolves when people who disrespect that law will just shoot a wolf and let it lie or will employ other methods to kill wolves but never "possess" or "transport" them.

Therefore the long-range survival of the wolf depends on the preservation of extensive areas

where wolf-human conflict will not be possible. Minnesota still has some 10,000 square miles of such area in Zones 1, 2, and 3; and the Recovery Team recommends preserving as much of these areas as possible.

HOLDING THE LINE in Minnesota through a combination of the above measures is probably the most important aspect of the Recovery Plan for the eastern timber wolf. However, it is also necessary to try to restore viable numbers of wolves to Upper Michigan, where a small population has continued to exist. This may be difficult, because the human density in Upper Michigan is much higher than in northern Minnesota, and no extensive blocs of wilderness remain there. In addition, a bounty on coyotes, for which wolves can easily be mistaken in the field, accounts for one or two dead wolves each year.

An experimental restocking in 1974 of four wolves from Minnesota to help bolster the Michigan population ended abruptly when all four were killed by humans

within nine months after release. Perhaps when the anachronistic coyote bounty in Michigan is removed and shooting or trapping coyotes is prohibited during deer-hunting season, another restocking attempt can be made.

The Recovery Team recommended another such attempt in Michigan and in adjacent Wisconsin (which supports few, if any, resident wolves). In addition, the Team indicated that a few eastern wilderness areas should also be considered for reestablishing wolves. A number of biological, social, legal, political, economic, and practical factors must first be considered, however. When they are, perhaps the problems involved in wolf reestablishment in the eastern regions—where wolves were exterminated many decades ago—will be too great. Nevertheless, the Recovery Team felt that the possibility of reestablishment in these areas should at least be examined thoroughly.

DESPITE the various recommendations of the Recovery Team, it could well turn out that fifty years from now the eastern timber wolf will survive only in Isle Royale National Park, Voyageurs National Park, and the Superior National Forest of Minnesota. All the remaining present wolf range may be mined, farmed, flooded, pastured, or otherwise developed.

Nevertheless, the Eastern Timber Wolf Recovery Team believes that before the American people decide about future uses of land in present wolf range, they should be made aware of the extreme importance of the area for providing habitat for the wolf. For much too long intangible values such as this have been neglected when land-use decisions are made. The result is that in region after region the wolf has been squeezed into smaller and smaller parcels of land and finally exterminated. It is hoped that an ecologically aware public will prevent this scenario from being played out again in Minnesota. Otherwise, we will all be the losers. ■

NPCA at work

GRIZZLY BEAR

Critical Habitat

In November 1976 the Fish and Wildlife Service (FWS) proposed approximately 20,000 square miles in the West for protection as "critical habitat" for the grizzly bear—a beleaguered species—in accordance with the Endangered Species Act of 1973. NPCA supports this crucial plan but believes that it omits some important areas.

Section 7 of the Act requires federal agencies to ensure that none of their actions jeopardizes the existence of endangered or threatened species or results in destruction or adverse modification of critical habitat. Private and state activities that are not federally funded or authorized would not be affected by the determination. The areas proposed as critical habitat by FWS represent 2 percent of the species' original range, which extended from Canada to Mexico and from the Great Plains to the Pacific.

Although the grizzly is listed as a threatened species under the Endangered Species Act, activities resulting in destruction of grizzly habitat are not directly covered by the Act until the Interior Department designates the critical habitat. The designation is particularly important in the case of the grizzly, whose habitat has been threatened by oil and gas leasing proposals, plans for ski developments, tourist roads, livestock grazing, strip mining proposals, and other developments.

The areas are: (1) The region where Wyoming, Montana, and Idaho come together, in Yellowstone National Park and adjacent areas, including parts of Custer, Shoshone, Teton, Beaverhead, and Gallatin national forests, and part of Grand Teton National Park; (2) northwestern Montana, in Glacier National Park, the Bob Marshall Wilderness Area, most of the Flathead National Forest, and adjacent areas, including parts of the Lewis and Clark, Helena, and Lolo national forests, and small parts of the Blackfoot and Flathead Indian reservations; (3) extreme northwestern Montana and northern Idaho, in the Cabinet Mountains,

mostly in the Kootenai, Kaniksu, and Lolo national forests; and (4) extreme northern Idaho and northeastern Washington, mostly in the Kaniksu National Forest. For a more precise, state-by-state description, see the *Federal Register*, Vol. 41, No. 215, Friday, November 5, 1976, pages 48757-59.

NPCA urged inclusion of additional areas that are critical to the species' survival. Each of the areas proposed could easily be enlarged by extending its boundaries farther into the surrounding national forests and wilderness areas. Additional portions of the Blackfoot and Flathead Indian reservations and the Helena and Lolo national forests would extend the area around Glacier, and addition of most of the Kootenai National Forest in northwestern Montana could adjoin the latter three areas cited in the notice into one contiguous system. Additional lands in the Gallatin, Custer, and Shoshone national forests would enlarge the Yellowstone section.

Several important areas are not covered at all in the proposal. These areas are the Selway-Bitterroot area and Bitterroot National Forest in east-central Idaho and western Montana, and an area south of Yellowstone in the Bridger and Shoshone national forests to the west of the Wind River Indian Reservation. NPCA urged that current government studies of these areas be expedited and that the areas be included in the final determination of critical habitat.

The success of critical habitat in protecting grizzlies will be determined by the regulation of use and activities to be allowed in these areas. No such guidelines were proposed in the *Federal Register* notice. NPCA advocates promulgation of such guidelines and their publication at the time of the final determination so that proper regulation of activities can begin immediately upon final designation of these lands.

Comments on the proposed determination may be submitted until February 9, 1977. The proposal has met opposition. Your support for critical

habitat designation and the previously mentioned improvements in the plan are urgently needed. Write to: Director, U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036.

CONCESSIONS

NPS Gets Assertive

The National Park Service recently proposed major modification of its standard concession contract language in an effort to reassert its statutory controls over private concession operations in national parks.

This decision came in the wake of congressional oversight hearings in the 94th Congress and the publication of a joint report by the Committee on Government Operations and the Committee on Small Business in the House entitled, "National Park Service Policies Discourage Competition, Give Concessioners Too Great a Voice in Concession Management."

In commenting on this proposal, NPCA commended the Park Service for its first serious effort to bring concession practices into compliance with the Concession Policy Act of 1965 (PL 89-249). NPCA asserted that adoption of the proposed language—with certain modifications—would help ensure that concessions will occur only where necessary in the public interest and in the interest of protecting park resources. NPCA charged that "for too long the existing concession operators have held sweetheart contracts which have given them an inordinate amount of control over NPS administrators and have allowed them to virtually dictate to the NPS how the park will be run."

In the past, changes in the concession contracts had to be mutually agreed upon, and the Secretary of the Interior had no right under law to make final determinations. The proposed new language gives the Secretary this right, which NPCA fully supports. However, it seems that the new language will not be applied retroactively, and that new contracts will not be negotiated with existing concessioners to utilize the new contract language. Most major concessioners have many years—in some cases as many as twenty—remaining on existing contracts. Therefore, NPCA urged the Park Service to find a way to renegotiate existing concession contracts in

Continued on page 24

Quetico-Superior Acid Test?

If your reactions are right, you don't consume Quetico; it absorbs you. The oldest rocks on the continent are here: you can lay eyes on stone that saw the sun 1.7 billion years ago, before the great apes turned the evolutionary corner that led to man. You can see the twisted upheavals of rock and boulders strewn by the glaciers, the lakes dug deep by them when they rolled down from the Arctic and receded again 10,000 years ago, before Babylon, before Moses, before the Pyramids. You can see white pine 300 and 400 years old, young when Jamestown was founded, when the first settlers came. And the mark of the Indians painted on rock. And you can cross the same portages that the voyageurs crossed, and Indians, for generations before them. Mostly apart from historic things, you can lift up your eyes in any direction and see green trees, and rolling rock, and clear blue water.

—Charles Ericksen, Voyageur Wilderness Programme



The crystal waters, pristine air, and stately pine forests that have made Canada's Quetico Park famous are now threatened by a proposed 800,000-kilowatt coal-burning powerplant that would be located just 11 miles north of the park near Atikokan, Ontario, at Marmion Lake. In addition, Minnesota officials worry that the Canadian generating station would pollute waters and forests in Minnesota—including parts of Voyageurs National Park and Superior National Forest—with acid rain.

The powerplant is just one of the latest threats to the Quetico-Superior wilderness. Ontario Hydro, a crown corporation, has proposed a huge plant some twenty stories high. Even though the plant reportedly would burn approximately 400 tons of coal per hour, Ontario Hydro does not plan to install any scrubbers to control the pollution. Up to 210 tons of sulphur dioxide (and additional air pollutants) could spew daily from the plant's 650-foot stack, with pollution spreading into the nearby Canadian "primitive wilderness" park and the U.S. national park and national forest. The latter includes the Boundary Waters Canoe Area, an area of the National Wilderness Preservation System.

Chemical reaction of the sulphur oxides with water in the atmosphere results in a phenomenon generally called acid rain. Acid rain would cause acidification of a significant number of lakes in the Quetico area. The softwater lakes of the region do not have buffering capacity to absorb sulphates, and fish populations would suffer. Furthermore, effects on wildlife would include elimination of migratory bird habitat at the plant. Researchers should ascertain whether the pollution would affect Minnesota's only peregrine falcon range and a bald eagle nesting area.

Scientific studies in other regions indicate that lichen, moss, and pine are particularly vulnerable to acid rain; and these flora play a critical role in the environment of the Quetico-Superior. Lichen and moss make up much of the ground cover and are essential building blocks in the creation of mineral soils that have taken thousands of years to develop on the rock surfaces. Over the long term the effects of the acid rain would include a loss of nutrients to the forest.

NPCA has pointed out to the Ontario Ministry of Energy, which must approve the powerplant, that these facts render the proposed plant even less desirable than it would be at other locations. NPCA expressed shock at the lack of plans for scrubbers. The U.S. Clean Air Act would require these devices on a similar plant in this nation. The Minnesota Pollution Control Agency also is especially concerned about the lack of scrubbers, and air quality specialists are examining Ontario Hydro's proposal. One official at the agency said that Voyageurs National Park would be in serious jeopardy. Several Canadian groups are opposing the powerplant.

Hydroprobe, a citizens group that has led the opposition to the plant, says that Ontario Hydro has offered public meetings that turn out to be no more than public relations displays and has withheld information from citizens. Hydroprobe points out that an environmental assessment act passed after Ontario Hydro proposed the plant now requires more thorough environmental studies on projects of this kind. This citizens group has reviewed an impact report prepared for Ontario Hydro by the Acres Consulting Services of Niagara Falls.

The Acres document reportedly reveals serious environmental impacts from the plant. Ontario Hydro, however, has released its own environmental analysis. A biologist with the provincial Ministry of Natural Resources says this Hydro report is "sadly lacking" in terms of studies on existing background air quality, on water quality in area lakes and the probable effect of plant emissions on aquatic ecosystems, and on meteorological phenomena in the region—especially the nature and frequency of inversions.

NPCA recently urged the International Joint Commission, which includes representatives from both the U.S. and Canadian governments and deals with cases of transboundary air pollution, to investigate the proposed Atikokan powerplant. NPCA contended that the choice of a location for this powerplant and the lack of scrubbers seem most unfortunate considering that back in 1909 the governments of the two nations established Quetico park and Superior forest simultaneously in order to create an international sanctuary.

Furthermore, in 1973 the government of Ontario recognized the outstanding nature of Quetico by agreeing that the park does not fit any of the usual classifications for provincial parks and declared it a "primitive wilderness." It would be ironic if the same government were to approve a project that would harm the wilderness qualities of Quetico.

Contending that more research into the probable environmental impacts of the powerplant is essential, NPCA urged the IJC to become involved in the project now at the planning stage. Delay would be unwise considering the tremendous resources at stake. The location of Atikokan Generating Station so close to the international border makes its effects on the relatively new Voyageurs National Park and on the BWCA of special concern to NPCA. If pure air and water are not preserved in areas such as Quetico and Voyageurs parks and the boundary waters wilderness of Superior National Forest, where will they be preserved? NPCA believes that *no* deterioration in air quality should be allowed in national parks and wilderness areas. We must ensure that the voyageurs of the future will still be able to drink the pure water of lakes in the Quetico-Superior, to sit under a midnight sky full of stars with a clear view of northern lights.

Memo to Members

Dear Friends:

In this column my colleagues have described to you our programs, our magazine, our membership department, and the approach we take to achieve the fundamental purpose of NPCA—park protection. Now it is my pleasure to tell you about some of the work we are doing in the Business Office.

One important function of this office is the handling of bequests; and because of increasing inquiries on this subject, I thought you would be interested in knowing more. As Business Manager, I am usually the first to receive the notice of a legacy. The news may come to us in a short letter from a lawyer or by way of a formal will.

Although it is always sad to learn of the loss of a valued member, it is gratifying and encouraging to know that our work has been valued and that we have been remembered in the member's will. Whether the amount of a bequest is large or small, it is deeply appreciated. It constitutes a legacy for the future and helps guarantee funds for NPCA to continue with its programs to help preserve the natural environment.

Another activity of the Business Office is making the budget balance. And while we have succeeded in reducing expenses extensively, we continually search for new ways to combat the never-ending problem of rising costs. In the many letters that come to me from members, I am frequently asked, "Where does the money go? How is it spent?"

Inevitably one major expense item appears in my answers—the high cost of looking for new members. A way has been found to help get this cost down—the "Get-A-Member" campaign launched in this column in April 1976. And slowly but surely it is working. At the date of this writing, the middle of November, our members have brought in 382 new members.

We are offering a special award in the



form of the "NPCA Wilderness Portfolio" to members who get a new member. It is a portfolio of nine magnificent photographs from the covers of the magazine—four color and five black and white. The photos are the work of some of the best nature photographers in the world and are suitable for framing or perfect for table display. If you enlist a second or third new member, you will receive three additional prints of park scenes plus a beautiful color print of our nation's symbol—the bald eagle—which appeared on the cover of our July 1976 Bicentennial issue.

As the New Year begins why not plan ahead for those important personal dates you wish to remember with a present? Would not a gift membership in NPCA be an ideal remembrance for someone you know?

As we prepare a new budget for 1977, we are relying on our members to help balance it. Getting a new member for NPCA will help.

Thank you and best wishes for a healthy and happy New Year.

Cordially,
Crenell Mulkey
Business Manager

order to incorporate the new language within two to three years of the language's final adoption.

Changes are proposed in both the broader policy statements of the preamble and in the more substantive provisions of the contracts themselves. For example, the preamble of existing contracts contains the statement, "that facilities and services are *necessary* for the park visitor" (emphasis added). This phrase is eliminated from the new contract language. In supporting the elimination of this phrase, NPCA pointed out that facilities and services provided by most concessioners, especially in the larger national parks, are not necessities but luxuries.

NPCA believes that all new construction or building improvements should be carried out by the National Park Service with funds appropriated by Congress, which would bring such decisions under public and congressional scrutiny. Therefore, NPCA strongly opposes retaining present requirements in concession contracts that the concessioner must invest money in construction and in building improvement programs within the park and thereby is granted a possessory interest for the money invested in such development.

NPCA expressed support for the new contract language provision that asserts the Park Service's right to determine and control the type and quality of merchandise and services provided by the concessioner. NPCA recommended that the Park Service establish a concession evaluation system as an aid to reestablishing the Park Service's jurisdiction over concession activities.

One of the most significant provisions of the new contracts will be that existing concessioners will be granted only a "right of first refusal" to provide additional services in the parks. In the past, concessioners have operated with the belief that they had a monopoly or a right to all additional or new services that the NPS deemed necessary for the park. The new contract language clarifies the Concession Policy Act in this regard and has NPCA's support.

NPCA also supports a new requirement that the concessioner prepare an annual operating report for submission to the Park Service. However, NPCA insisted that these reports be made

available to the public. Such reports would provide another tool for evaluating a concessioner's performance and judgment and for understanding daily park operations. The Park Service has refused to disclose financial reports of concessioners that are required under their existing contracts.

The new contract language provides a major change in the method for negotiating the franchise fee charged concessioners by the Park Service for use of public facilities and lands. A new provision provides that the Secretary of the Interior may adjust the monthly use fee annually at his discretion. Previously, the concessioner's agreement was necessary before the franchise fee could be raised.

The new contract language also makes it clear that the Secretary of the Interior may terminate a concession contract at the convenience of the government. In the past, contracts could be terminated only for unsatisfactory performance; and, because mutual agreement was necessary, dispute settlements required compromise. The new contract language makes it clear that the director of the National Park Service will decide unsettled disputes and provides for appeal to the Secretary. The Secretary's decision is final.

NPCA believes that interpretation of park resources is best done in the traditional manner by Park Service employees, at no charge to the visitor. Therefore, NPCA supports new language that would prohibit concessioners from providing interpretive services. Park Service employees are trained specifically for this function, and the government should not depend upon concessioners for assistance in this field. Sufficient numbers of personnel should be allocated to field positions to provide adequate interpretation for all park visitors.

In sharp contrast to NPCA's strong support for the new proposed contract language, the Conference of National Park Concessioners, the trade association representing many park concessioners, has vigorously protested the NPS proposal. The conference states that the new language would "destroy the concession system" and that "key factors of possessory interests, long-term contracts, preferential rights of renewal, and to serve new functions are each adversely affected."

Apparently the concessioners' protest has had some effect on the Park Service, because NPS recently indicated that it will modify the original proposal, republish it in the *Federal Register*, and ask for additional comments before determining what the final language will be for new concession contracts. In addition, it seems likely that the House Interior Committee and perhaps the Senate Interior Committee as well will hold oversight hearings on the new concession language and on concession operations early in the 95th Congress.

GRAND CANYON River Tour Contracts

The Park Service recently decided to extend concession contracts for river tour operators on the Colorado River in Grand Canyon National Park for an



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additional three years—in spite of recent reports for scientific research teams that the river is being damaged from overuse.

The Park Service's river management plan for the Colorado River will be released in 1977 and is expected to contain recommendations regarding the controlled reduction of use of the river, particularly by motor-powered boat trips, which cause the most damage to both water quality and land along the banks of the river. Therefore, NPCA has recommended that concession permits be extended for a maximum of one year or until completion of the river management plan.

Although an environmental assessment was prepared on the proposal to extend the concession contracts for three years, NPCA charged that this assessment ignored the findings of the river research team, or at least that those who prepared the assessment failed to consult with the research team members. As a result, NPCA said, "the potential adverse impacts resulting from three years of continued river use under present conditions have not been given sufficient weight in the Park Service's decision."

Although the new contract will make it clear that termination of the contracts before the end of the three-year period is possible, this decision serves more to assure the concessioners of the continuity of their operations than to reassure conservationists that the best interests of the park's resources have been taken into account. NPCA believes that the Park Service must act swiftly to reduce overuse of the Colorado River and that

inclusion of the river itself within the boundaries of the proposed wilderness designation in Grand Canyon National Park and prohibition of motor-powered trips along the river are the best means of accomplishing this goal.

WHALES

Plea to Whaling Nations

In November 1976, NPCA, joined by a number of other conservation organizations and wildlife groups, urged ambassadors of several whaling nations that are not members of the International Whaling Commission (IWC), to cease whaling operations or at least to adhere to the IWC quotas and regulations by joining the commission. This request was made of Portugal, Chile, Korea, Somalia, Peru, Spain, and mainland China.

The IWC, with a membership of both whaling and nonwhaling nations, sets yearly quotas on the number of whales that member nations can kill. Both Japan and the USSR, the major IWC whaling nations, have been forced to take a consistently decreasing number of whales each year under the restrictions of these quotas. However, the take of nonmember nations is not included in the IWC quotas, enabling member nations to operate ships under the flags of other countries. For instance, a Japanese company operates a whaling station in Peru. Such a situation allows member nations to continue to exploit the whales while seeming to comply with IWC quotas.

Unfortunately, even the take allowed by the IWC quotas may be too high to provide for adequate recovery of whale populations. In June 1976,

STATEMENT OF OWNERSHIP, MANAGEMENT, AND CIRCULATION

Required by the Act of August 12, 1970: Section 3685, Title 39, United States Code

Title of Publication: *National Parks & Conservation Magazine: The Environmental Journal*
Date of filing: November 11, 1976 Frequency of issue: Monthly Annual Subscription Price: \$6.50
Location of known office of publication: 1701 Eighteenth Street, NW, Washington, D.C. 20009
Location of the headquarters of general business offices of the publishers (not printers): 1701 Eighteenth Street, NW, Washington, D.C. 20009
Publisher: National Parks & Conservation Association, 1701 Eighteenth Street, NW, Washington, D.C. 20009
Editor: Eugenia Horstman Connolly, 1701 Eighteenth Street, NW, Washington, D.C. 20009
Managing Editor: Same as above
Owner: National Parks & Conservation Association, 1701 Eighteenth Street, NW, Washington, D.C. 20009
Known bondholders, mortgagees, and other security holders owning or holding 1 percent or more of total amount of bonds, mortgages, or other securities: None
For completion by nonprofit organizations authorized to mail at special rates: The purpose, function, and nonprofit status of this organization and the exempt status for federal income tax purposes have not changed during preceding twelve months.

	Average no. copies each issue during preceding 12 months	Single issue nearest to filing date
Extent and nature of circulation		
A. Total no. copies printed (Net Press Run)	42,172	41,000
B. Paid circulation		
1. Sales through dealers and carriers, street vendors, and counter sales	None	None
2. Mail subscriptions	40,327	38,721
C. Total paid circulation	40,327	38,721
D. Free distribution by mail, carrier, or other means		
Samples, complimentary, and other free copies	116	116
E. Total distribution (sum of C and D)	40,443	38,837
F. Copies not distributed		
1. Office use, left-over, unaccounted, spoiled after printing	1,739	2,163
2. Returns from news agents	None	None
G. Total (Sum of E & F—equals net press run shown in A)	42,172	41,000

I certify that the statements made by me above are correct and complete: Crenell Mulkey, Business Manager

despite moves by commissioners from Japan and the Soviet Union that almost resulted in *no* sperm whale quota, the IWC voted to allow the killing of 26,000 whales of various species worldwide in the coming year. This number reflects a decrease in allowable kills by 6,000 from the previous year. However, NPCA maintains that lack of knowledge of the size and dynamics of whale populations makes it impossible to ascertain the effects of any level of kills, and advocates a 10-year moratorium on the killing of whales as the only certain way to guarantee the survival of these animals. In the absence of such an agreement, however, the addition of nonmember nations to the IWC and their adherence to IWC quotas are imperative to enable more comprehensive management of whaling operations and more complete protection of the whale.

NPCA also continues to endorse economic sanctions, including boycotts of Japanese and Soviet goods, as a means of ending these nations' exploitation of whales and covert encouragement of the slaughter of whales.

DINOSAUR

Unsavory Dam

NPCA has joined the U.S. Fish and Wildlife Service (FWS) in opposing the Bureau of Reclamation's Savery-Pot Hook Irrigation Project near Dinosaur National Monument. In addition, the National Park Service (NPS) has expressed serious doubts about the validity of the project.

The Savery-Pot Hook Project involves construction of two earthfill dams—one on Savery Creek in Wyoming and one on Slater Creek in Colorado—and several miles of canals and ditches to transport reservoir water to fields. Savery and Slater creeks flow into the Little Snake River about 11 miles east and 14 miles southeast of Baggs, Wyoming, respectively. The Little Snake meets the Yampa River just east of Dinosaur National Monument in Colorado.

Responding to a draft environmental impact statement (DEIS) on the project, NPCA cited the potential serious effects on water quality and endangered species of fish. This Association also criticized discussion in the DEIS of the project's possible impacts on

wildlife habitat and the failure of the Bureau to fully consider the potential for, and the effects of, earthquake activity in the area.

In its comments on the DEIS, this organization concurred with FWS that the project may jeopardize the continued existence of two endangered species of fish, the Colorado River squawfish and the humpback chub, which inhabit the lower Yampa River in the Yampa Canyon-Dinosaur National Monument area. The water quality requirements for the whole life cycle of these species are not known, and any change in their environment could be enough to make the river uninhabitable for the fish. NPS stated in a memorandum to the Bureau: "We believe that every possible effort should be taken to ensure the perpetuation of these two species in their natural environments within and adjacent to Dinosaur National Monument."

NPCA pointed out in its comments that the impact statement did not adequately discuss the project's possible impacts on water quality, and the NPS was concerned that "modifications of the Yampa, however small and subtle, diminish the inherent values for which the monument was established. The same is true of the impact on possible designation of the Yampa as a 'wild river' under the [National] Wild and Scenic Rivers Act."

NPCA also agreed with the FWS that the project would significantly harm elk, antelope, mule deer, and sage grouse populations.

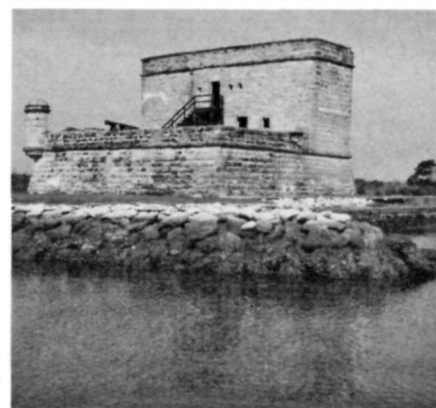
The DEIS did not provide enough information on the likelihood and potential effects of earthquake activity in the area. The Savery-Pot Hook region is geologically similar to Craig, Colorado, where earthquakes can be caused by water being forced into the ground. No investigations have been made to determine whether water from project reservoirs could cause such induced seismicity.

ENDANGERED SPECIES

Indigo Snake

NPCA has recommended to Georgia's Department of Natural Resources that the eastern indigo snake, *Drymarchon corais couperi* (Holbrook), be protected under Georgia's Endangered Wildlife Act of 1973. The association has also

Continued on page 28



NATIONAL PARKS SAMPLER

Fort Matanzas

GETTING THERE: Twenty-two kilometers (14 miles) south of St. Augustine via Fla. A1A on Anastasia Island, where visitor center and museum are located. The fort, located on Rattlesnake Island, is accessible only by boat. Landing docks for small crafts on both islands. Ferry service between islands. Nearby related NPS areas: Castillo de San Marcos National Monument in St. Augustine (via Fla. A1A or U.S. 1) and Fort Caroline National Memorial in Jacksonville, 61 kilometers (38 miles) north, via U.S. 1.

GETTING IN: Free

WHERE TO STAY: Lodging and food available in St. Augustine. Camping at nearby Anastasia State Park and private campgrounds.

WHAT TO DO: Visit fort, museum, and visitor center. Bathing beach, water activities.

MORE TIPS: Superintendent, Fort Matanzas NM, 1 Castillo Drive, St. Augustine, Fla. 32084.

Florida is not only a land of palm trees and luxury hotels; it is also a state rich in history, the scene of territorial rivalries between France and Spain in the 1500s and Britain and Spain in the 1700s. During most of this 200-year period, Matanzas was a typical military outpost, strategically important for the defense of the south entrance to St. Augustine, the capital of Spanish colonial Florida. At Fort Matanzas National Monument, near St. Augustine, the visitor can capture the flavor of this creative, romantic, and turbulent era of Spanish galleons and piratical forays. The name of the fort itself, which means "slaughters," conjures up ghosts of the past—the darker side of this period of intense national rivalries. For on the sands in this area some Spanish massacred almost 300 French Huguenots in 1565. Today you can swim and relax on a fine bathing beach at Fort Matanzas. A visit to the thick-walled stone fort will bring to life an era of adventure, expansion, and exploration.



Weathering a Snowstorm

CHARLES T. OTT

news notes

FOREST SERVICE

Public Participation Plan

The U.S. Forest Service recently released an outline for public participation in planning for implementation of the Forest and Rangeland Renewable Resource Planning Act. This act applies to 155 national forests and 19 national grasslands, comprising 187 million acres in forty-one states.

Under this act the Forest Service (FS) must prepare a renewable resource assessment every ten years to analyze the present and anticipated uses, demand, and supply of renewable resources of forest, range, and other associated lands. The assessment includes an inventory of present and potential renewable resources and opportunities for improving the yield of tangible and intangible goods and services.

In addition to the assessment, which is published in document form for public scrutiny and comment, the Forest Service must also prepare a renewable resource program for the national forests every five years. This program and assessment would cover not only the timber and forage yield of national forests and grasslands but other equally important elements such as outdoor recreation, wilderness, wildlife, and water resources.

Although the next program-related assessment will not be completed until

1980, preparation of the necessary data and documentation as well as the solicitation of public involvement on the national and regional levels has already begun. On the national level, each element of the program development will have an advisory council that may be comprised of both government employees and representatives of private organizations. Councils will be formed on wildlife and fish resources, outdoor recreation and wilderness, range, timber, and water. In addition, each FS region will have a public advisory committee to provide information and commentary on the FS program assessment alternatives.

NPCA members who want to participate in this public involvement process should contact the following Forest Service regional offices: FS Region 1 (Northern), Federal Bldg., Missoula, MT 59801; FS Region 2 (Rocky Mt.), Federal Center, Bldg. 85, Denver, CO 80225; FS Region 3 (Southwestern), 517 Gold Ave., S.W., Albuquerque, NM 87101; FS Region 4 (Intermountain), 324 25th St., Ogden, UT 84401; FS Region 5 (California), 630 Sansome St., San Francisco, CA 94111; FS Region 6 (Pacific Northwest), 319 S.W. Pine St. (P.O. Box 3623), Portland, OR 97208; FS Region 8 (Southern), 1720 Peachtree Rd., N.W., Atlanta, GA 30309; FS Region 9 (Eastern), 633 W. Wisconsin Ave., Milwaukee, WI 53203; FS Region 10 (Alaska), Federal Office Bldg. (P.O. Box 1628), Juneau, AK 99801.

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urged the U.S. Fish and Wildlife Service Office of Endangered Species to consider this snake for listing under the Endangered Species Act to provide federal protection for the species.

The eastern indigo snake, also called the blue gopher snake, is identified by its smooth scales, shiny, dark-blue back, and reddish head markings. The adult eastern indigo averages three to six feet in length. The species is found in southeastern Georgia and peninsular Florida and may have populations in southern Alabama and Mississippi.

In recent years the range of this snake's distribution has decreased and population levels have sharply declined. Habitat destruction from development and recreation, commercial exploitation, and incidental killing from gassing rattlesnakes are all causes of the depletion of this species.

The snake is currently protected under Florida state law, so Georgia's listing would provide consistent treatment and management throughout its known habitat. Under Georgia's law the Department of Natural Resources would be able to prohibit commercial trade and taking or killing of the snake and also to protect its habitat on public lands. Federal listing would provide additional protection and would expand protection to possible populations in Alabama and Mississippi.

SAN FRANCISCO BAY REFUGE

Land Acquisition Supported

NPCA has come out in support of land acquisition plans that have been proposed in the Draft Environmental Impact Statement on Acquisition of the San Francisco Bay National Wildlife Refuge. At the same time, NPCA recommended the inclusion of additional lands and a stronger easement policy regarding existing salt ponds. This refuge, authorized by Congress in 1972, will encompass at least 23,000 acres of baylands south of the San Mateo Bridge—one of the nation's major estuaries. It will protect numerous species of wildlife including the endangered least tern, clapper rail, and red-bellied salt marsh harvest mouse.

Preservation of open space and protection of wildlife in these baylands is essential due to increasing pressures on habitat from a dense and expanding population. Interest and concern for

the future of the bay led to the 1972 law calling for establishment of the refuge by June 30, 1977. (See "New Hope for Bay Area Wildlife," July 1974.) In addition to providing educational, recreational, and scientific opportunities, it is hoped that the refuge will serve as a catalyst for improvement of water quality in the South Bay, allowing restoration of the natural aquatic ecosystem.

In reviewing the statement, NPCA has not only supported the acquisition of lands proposed in the body of the report, but has advocated inclusion of additional lands, particularly Bair Island. The least tern and the clapper rail, both endangered, and the only colonies of great blue herons, black-crowned night herons, and snowy egrets in the South Bay area all are located on Bair. Although a small strip of the northern edge of Bair Island is included in the proposed boundaries, NPCA feels that additional land adjacent to this strip must be protected to ensure that these populations are not disturbed. These supplemental lands, of which Bair is only a small but crucial part, would bring the total refuge size to 29,100 acres. Expansion would require minor amendment of the legislation, which currently authorizes acquisition of only 23,000 acres.

Approximately 12,690 acres of the area proposed for acquisition represent concentrator salt ponds managed by the Leslie Salt Company. The Fish and Wildlife Service does not consider Leslie's operations to be incompatible with the refuge proposal and recommends that Leslie continue salt production under the terms of a reserved easement that would grant the company restricted operating rights.

Although returning the salt ponds to their natural condition would create additional wildlife habitat, the cost of acquiring Leslie's lands is too high and social and economic impacts on the surrounding community that would result from the company's removal are too severe to justify cessation of its operations. Consequently, NPCA has called for a stronger easement policy than the one proposed in the impact statement, urging determination of safe salinity levels within the salt ponds and inclusion of provisions for the refuge manager to take emergency actions necessary for wildlife survival.

conservation docket

The following bills that passed in the last days of the 94th Congress and were signed into law by the President will interest many NPCA members:

Public Lands: PL 94-579 consolidates many existing laws. It sets forth policy guidelines for public lands issues such as public ownership, multiple-use sustained yield, law enforcement power, federal right to fair market value for resources, Bureau of Land Management (BLM) management authority, and federal compensation in lieu of taxes to states and localities. Congress will review the status of tracts of public land of more than 5,000 acres every 20 years after they are withdrawn from uses such as grazing and mining to determine whether the lands should remain withdrawn or whether they should be opened for multiple use. Grazing advisory boards composed of ranchers will advise on grazing policy. The law freezes grazing fees at present rates until BLM and the Department of Agriculture agree on a fee assessment system. In addition, provisions of the law allow mechanized roundup and transport of wild horses and burros, and granting of rights-of-way outside wilderness areas in compliance with state air and water quality standards.

Park Administration: PL 94-458 updates and clarifies the Park Service's authority in a number of areas, including law enforcement, and simplifies some cumbersome administrative procedures. Under this act the Secretary of the Interior must recommend at the

beginning of each fiscal year at least twelve potential new park areas in order of their priority.

NPS Boundaries: PL 94-578 affects the appropriation ceilings and boundaries of the following national park units: 640 acres, \$3.5 million for acquisition of land, and \$500,000 for development are authorized for *Mono-cacy* National Battlefield, \$3.8 million is authorized to acquire 1,525 acres for the *George Washington Birthplace* National Monument. A strip of land around Lake Ozette will be included within the park boundaries at an acquisition cost of \$13 million in *Olympic* National Park, and in two years Congress must approve plans for excluding 2,168 acres from the park around Lake Quinalt. \$2.7 million is authorized for emergency repairs and studies to protect *San Juan* National Historic Site. Nine hundred acres will be added to *Cuyahoga Valley* National Recreation Area at \$6.6 million. Sections of the act establishing *Assateague Island* National Seashore are amended to ensure protection of the natural resources there and to preclude the building of a road through the seashore as originally mandated. \$1.3 million is authorized to acquire 1,500 acres of land for the *Appomattox Court House* National Historical Park. 7,310 acres will be acquired for *Bandelier* National Monument by donation, exchange, or with the \$1.4 million authorized for acquisition. A total of \$9.3 million is authorized for all acquisition of the *Buffalo* National River. \$75,000 for acquisition and \$1.7 million for development are authorized for the *Edison* National Historic Site. The *Fort Smith* National Historic Site is limited

Winter in Voyageurs National Park, Minnesota



NATIONAL PARK SERVICE

to a total of 75 acres, and \$1.7 million is authorized for acquisition, \$4.5 million for development. \$920,000 is authorized to complete acquisition of land in *Haleakala* National Park. The *John F. Kennedy Center* is authorized \$4 million for fiscal year (FY) 1978 and \$4.3 million for FY 1979. *Morristown* National Historical Park's authorized acreage is increased to 600 acres. The authorization for land acquisition in *Oregon Dunes* National Recreation Area is \$5.7 million. *Pecos* National Monument will receive 24 acres by donation. An increase in the acreage of *Zion* National Park is authorized by donation only. \$88,500 is authorized for final payment for acquisition of a parcel of land at *Canyonlands* National Park. Two hundred and seventy-four acres will be acquired with an authorized \$350,000 for visitor access at *Padre Island* National Seashore in Texas. The development ceilings are increased at *Channel Islands* National Monument by \$2.5 million and at *Nez Perce* National Historic Park by \$2.7 million.

Solid Waste: PL 94-580 is a comprehensive law to meet the needs of the

country with regard to solid waste management. The Office of Solid Waste under EPA will be responsible for administering the program, which establishes a hazardous waste permit program to be administered by states that meet EPA guidelines. Violators will be subject to civil penalties of up to \$25,000 per day, criminal penalties of up to \$50,000 per day, and two years in prison. The law promotes accelerated research, development, and demonstration programs for extraction of reusable materials and energy from waste. States are required to develop solid waste management plans that meet EPA guidelines in order to receive grants. Grant money will total \$70 million for FY 1978-79.

Payments in Lieu: PL 94-565 provides minimum payments to counties and local governments in compensation for untaxable federal lands and facilities within their jurisdictions. The payments in lieu of taxes will be determined by a formula based on the number of acres and the population of the area. In addition, for the next five years the federal government will pay local governments 1 percent of the

market value of any land taken off the tax rolls since 1971. These payments are intended to repay local governments for services provided to the federal lands or for increased financial burdens caused by establishment of a federal area.

The following bill died in the last days of the past session:

Water Pollution: HR 9560 would have redefined and severely limited the role of the U.S. Army Corps of Engineers in protecting wetlands under Section 404 of the Federal Water Pollution Control Act of 1972 through an amendment introduced by Rep. Jim Wright (D-Tex.). It would also have extended the authorizations for EPA clean water programs. A related Senate bill, S 2710, extended the authorizations but did not contain the section limiting the power of the Corps. Instead it divided the protective role between the Corps and EPA. The two houses also differed over whether the states or the federal government should have authority over sewage plant construction grants and over the level of funding for such grants. The bills died in conference.

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Continued from page 2

portant to good outdoor recreation and the maintenance of a lifegiving contact with nature.

And as we follow the rivers down through the estuaries, the bays, the harbors, we come to the sea.

FOR WELL OVER six years now, the NPCA has been supporting and participating in the efforts of the United States to conclude a planetwide treaty on the Law of the Sea. I have served as a member of the Advisory Committee to the Secretary of State and of the United States Delegation to the Conference. In my judgment the deadlock which has developed around the manganese nodules on the deep sea floor can and must be broken, and a comprehensive treaty can and must be enacted. There will have to be some compromise by both the industrial and the nonindustrial countries on the mining issue. We may have to look at price and production agreements for manganese, copper, nickel, and cobalt. We need a much stronger treaty than has been agreed to thus far on the oceanic fisheries, on pollution, and on adjudication and enforcement. We need to work with our natural allies among the less-developed countries, as you have suggested in other connections, if we are to achieve these ends.

For a long time now, many of the great ocean mammals, and particularly the big whales, have hovered on the edges of extinction. The International Whaling Commission has been powerless to enact adequate conservation measures because Japan and the Soviet Union refuse to cooperate. This issue needs to be elevated to a top-level State Department operation: the protection of the ocean mammals. This is a great issue which ought to be settled by a strong President.

Land use planning will be coming up again. This is a question of a good federal-state system for the protection of farmlands, wetlands, critical areas, coastal zones, woodlands, and rural communities against a destructive urban sprawl across the countryside. You should have strong support from farm and

environmental organizations in pressing for vigorous action on this front.

W E WOULD URGE you to adhere to your courageous position in support of solar, wind, and geothermal energy as contrasted with nuclear fission, and indeed nuclear fusion. In the long run, granted vigorous conservation and a stabilized population, these natural energy sources can serve all the needs of society.

The nuclear problem is one of life or death; no adequate plans exist, nor is it likely that they can be developed, for the safe storage of long-lived high-level radioactive wastes. Sabotage, hijacking, and international blackmail become increasingly possible. The heavily vested interests already entrenched in nuclear power will do hard battle with you on this question, but the issue must be joined. The survival of life on this planet is at stake.

As conservationists, environmentalists, survivalists, we also have a stake in the reduction and the elimination of nuclear weapons. Not that they are the only instruments of mass destruction. There must be no more ecocide of the kind that occurred in Vietnam. The ecocide and genocide of an atomic catastrophe must not be allowed to happen. We must work toward armaments reduction all over the planet, while maintaining our own genuine military security. We have a high faith in your determination to cope with these problems.

THERE ARE some other major issues on which we can also offer our support. The American transportation system needs reorganization. Highway and air transportation have been expanded unduly; let's get back to the railroads.

The super-cities are dying; not only economically, but ecologically as well. The rundown neighborhoods must not be abandoned, but rehabilitated, demolished and rebuilt where necessary, and provided with abundant open space by clearance so that all city people

may renew a vital contact with nature.

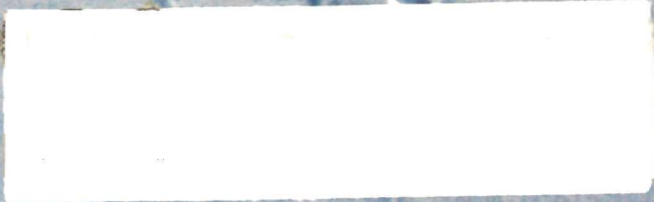
The mortgage guarantee programs of HUD should be revamped in their administration to focus assistance entirely on the rundown neighborhoods of the big cities and away from suburban buildup and the scattering of destructive subdivisions and second home projects across the countryside. The programs of the Federal Housing Administration, among others, should be reorganized for this purpose.

YOUR HIGH EMPLOYMENT policies will require a look at the problem of stable employment in relation to environmental protection. The public antipollution programs for water and air have already provided greatly expanded employment in the pollution control equipment industries. All American citizens regardless of where they work are affected seriously by environmental deterioration. The transition from polluting to nonpolluting plants in the older industries can be eased by encouraging cooperation between labor and environmental organizations, and by a well-conceived program of public expenditures to stimulate industry and agriculture.

Many of our economic problems and most of our ecological problems will prove to be insoluble in the long run unless we can stabilize our population. Our young people have reached a wise decision for small families. But this decision will be fruitless unless the illegal immigration of perhaps 800,000 persons a year can be stopped. Labor and the conservationists should be working with you on this issue.

THE LIST of dangers and opportunities is almost endless. Your burdens in these, as in so many other matters, will be heavy. But you will have much good support in Congress, which now has a seasoned environmental leadership. And you will have the enthusiastic backing of the survival movement, the strength of which is growing day by day, month by month, year by year.

—Anthony Wayne Smith



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