

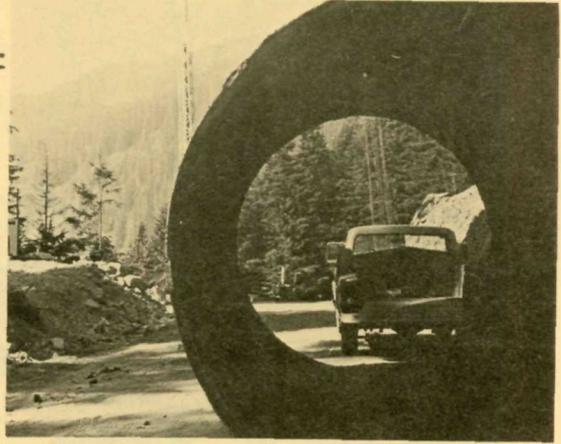
THE WILD CASCADES

August - September 1972



IN THIS ISSUE...

FINALLY, AFTER TWO YEARS, THE NINTH CIRCUIT COURT OF APPEALS HAS ORDERED A HALT OF CONSTRUCTION OF INTERSTATE -90 PRESENTLY UNDER CONSTRUCTION NEAR DENNY CREEK AND FRANKLIN FALLS. THE COURT HAS RULED THAT THE WASHINGTON STATE HIGHWAY DEPARTMENT FAILED TO MEET THE REQUIREMENTS OF THE NATIONAL ENVIRONMENTAL POLICY ACT. PP.3-8.

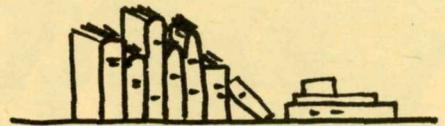


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BENNETT AND ASPINALL DEFEATED!
AND LITTLE ATTENTION HAS BEEN GIVEN TO THESE SIGNIFICANT DEVELOPMENTS WHICH REMOVE THE PREMIER OF BRITISH COLUMBIA AND THE CHAIRMAN OF THE HOUSE INTERIOR COMMITTEE. SEE PAGES 12-17.

* * * * *

SHOP NOW FOR CHRISTMAS AT THE NSC BOOKSHOP. PLENTY OF TITLES TO CHOOSE FROM, FAST SERVICE, AND MEMBERS ENJOY A 10% DISCOUNT. SEE PAGES 19-22.



I-90 FINALLY HALTED

AFTER TWO YEARS

AND \$8,779,500 WORTH OF ILLEGAL CONSTRUCTION

The proposed five-mile stretch of Interstate-90, running west from Snoqualmie Pass in the Cascade Mountain Range, has been the subject of protracted litigation for over two years.

August 1970: Conservationists filed a suit and sought an injunction to stop I-90 until the National Environmental Policy Act (NEPA) had been complied with;

September 1970: District Court (U. S. District Court, Western District of Washington at Seattle) denied the requested injunction;

April 1971: District Court dismissed the suit action on the grounds that NEPA does not apply in this case;

March 1972: Ninth Circuit Court reversed the District Court judgment and held that NEPA does apply and also instructed the District Court to issue an injunction until I-90 complies with NEPA;

May 1972: Ninth Circuit Court extended the 60 day period for compliance an additional 45 days;

August 4, 1972: District Court issued an opinion that I-90 did not comply with NEPA and directed Washington State Highway Department to show cause why I-90 should not be enjoined;

August 18, 1972: District Court conducted show cause hearing;

August 25, 1972: District Court issued Finding of Facts and Conclusions of Law and argued that "an injunction would not significantly prevent further defacing of the environment since most of the scarring of the landscape which would result from completion of the entire project has now been completed."

August 30, 1972: District Court allowed I-90 construction to continue under the 4 existing contracts but said that there may be no new contracts let until NEPA is complied with;

September 28, 1972: Ninth Circuit Court granted conservationists' motion for an injunction against further construction under the 4 existing contracts and issuance of any new contracts.



UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RICHARD J. BROOKS, a citizen,
et al. ,

Plaintiffs,

No. 9144

vs.

JOHN A. VOLPE, as Secretary
of the United States
Department of Transportation;
et al. ,

Defendants.

OPINION RE MOTION OF
DEFENDANTS FOR ORDER
OF COMPLIANCE

The highway project under consideration is a segment of I-90, part of the national system of interstate and defense highways stretching from Seattle to Boston, and funded by 90% federal funds. The project contemplates the addition of three lanes to an existing seven-lane highway through Snoqualmie Pass in the Cascade Mountain Range, about 45 miles east of Seattle. The project lies within the Snoqualmie National Forest, and will provide a major transportation route between Seattle, points on the east side of the Cascades, and several major skiing and recreational facilities near Snoqualmie Pass. Trees have already been cleared on a large part of the project, and grading has started; seven major structures are under way, \$14 million of construction is under contract, and a substantial percentage of the work has been completed.

The complaint, filed August 18, 1970, alleges that defendants failed to comply with (sections of the Federal Highway and National Environmental Policy Acts). This court held that, since the highway would not physically traverse any portion of Denny Creek Campground, there would be no "use" of that land within the meaning of (the Federal Highway Act) and that (the National Environmental Policy Act) which became effective January 1, 1970, was inapplicable to the 1967 location approval. The court of appeals reversed on both points, and remanded the case for further review. Defendants have moved for an order of compliance on the basis of two exhibits filed with the court at a hearing held June 12, 1972. The motion is denied.

There are essentially two functions served by the preparation and distribution of the impact statement: (1) to provide evidence that the decision-making process required by NEPA was in fact accomplished; and (2) to give the decision-makers who are removed from the initial decision sufficient data from which to make their own decisions. The court's only function is to see that agencies obey the Congressional command to assemble the necessary information, perceive and weigh the alternatives, and articulate in writing the reasons for the choices made.

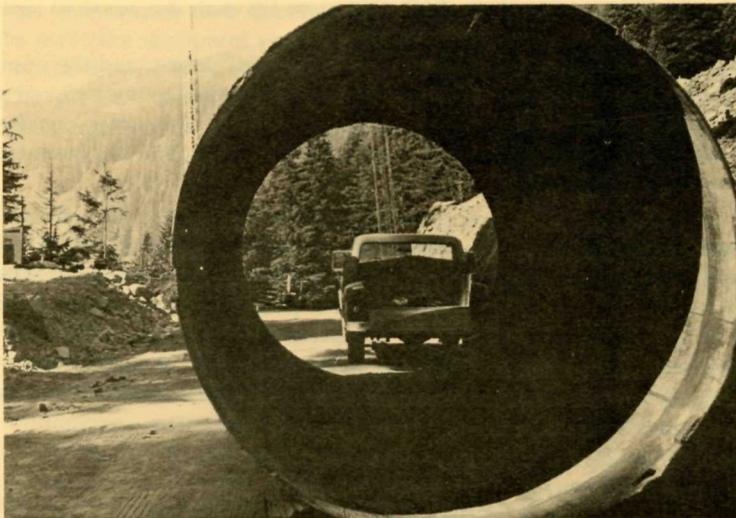
Compliance with NEPA is not established merely by the filing of an impact statement in the form and by the procedure outlined by the statute. The requirement that the statement be detailed places a heavy burden on government agencies to gather for and include in the impact statement enough information to show that compliance has been genuine, not perfunctory.

The proper rule in highway cases is threefold: (1) Environmental studies must be conducted which reasonably comply with the spirit and letter of NEPA. (2) The information thus gathered

must be analyzed and discussed in a reasonable manner in the draft impact statement. (3) The procedures for circulating, revising and processing the draft impact statement must strictly comply with the procedural requirements of NEPA.

The text of the impact statement filed in this case is forty-three pages long, of which nineteen pages address the five subjects referred to in NEPA. For the most part, the impact statement suffers from a serious lack of detail, and relies on conclusions and assumptions without reference to supporting objective data. Federal reviewers could not have made an independent decision based on the information referred to, because the sources are not disclosed.

The impact statement also suffers from a reliance on generalities and heavy-handed self-justifications. Defendants say that, "(j)ust as the old wagon road over Snoqualmie Pass was reclaimed by nature in less than 100 years, so would this project revert back to nature in time." With respect to a seven lane concrete highway this comment hardly comports with common sense, let alone objective research. Noise is said to have little effect on the area "because the rural character of the area renders it nearly free of permanent nearby human habitation." There is nothing beyond the bare conclusion thus stated to prove either its truth or its falsity; moreover, it ignores the effects of noise on non-permanent human habitation -- for example, on the campers and hikers who often use the area. Defendants continue, noting that the increased speed of traffic will decrease air pollution in the area. There are vague references to studies, but again the statement relies entirely on generalities without specifically identifying even the source material



on which it is based. Insufficient consideration was given to the effects of the highway on Denny Creek Campground and the surrounding areas, which include scenic points of interest and hiking trails. There is little discussion of the secondary effects of each alternative. The discussion of the relationship between short-term uses and long-term productivity, and of irreversible commitments of resources, is so cursory that the entire text for both paragraphs covers one page. Finally, the state's responses to comments received from circulating the impact statement seem to have been drafted without adequate thought. The state's reply to the most articulate comment it received was drafted the same day, a rubber stamp procedure previously condemned by this court.

Finally, defendants failed to give adequate public notice of the existence of the completed impact statement. This is most likely the reason for the absence of comment thereon from the general public. It is shocking that not even the plaintiffs in this lawsuit were so informed.

Congress amended section 4(f) of the Department of Transportation Act to read:

The Secretary of Transportation shall . . . not approve any program or project which requires the use of any publicly owned land . . . of national, State, or local significance . . . unless (1) there is no feasible and prudent alternative to the use of such land.

There can be no doubt that in the instant case the Secretary was required to make the necessary certification. This the Secretary did, basing his decision on information supplied to him by the State of Washington, which in large part came from the environmental impact statement reviewed supra. For the same reasons that the impact statement was deficient, however the court finds that the 4(f) statement was likewise inadequate.

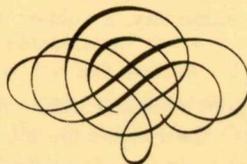
However, plaintiffs contend, and this court agrees, that the Secretary could not have determined that there are no feasible and prudent alternatives -- there were no firm cost projections given, no detailed analysis, no information about the "truly unusual factors" present, and no proof of costs of extraordinary magnitude.

Unless there are strong equities to the contrary, the general rule is that projects proceeding in violation of environmental statutes should be enjoined until the mandate of the law has been met. Imposition of the stringent requirements of NEPA, long after a project has begun, may sometimes appear to be too harsh. Yet the statute was intended not only to serve convenience of the public today, but to provide future generations with protection of their interests as well. If NEPA had been enacted ten years ago, Seattle would surely not now be scarred with I-5, the hideous concrete ditch that runs through the heart of the city.

NEPA has been the law of the land for two and a half years, and the complaint in this lawsuit was filed nearly two years ago. Yet defendants have stubbornly refused to comply with the letter and spirit of the law. From the record, this court can only conclude that they have determined to push this project through with as little research and analysis on its environmental effects as the courts will tolerate.

On the first appeal of this case, the court of appeals ordered defendants to file an impact statement and 4(f) certification, and directed this court to enjoin further construction if defendants failed to comply within sixty days of the entry of the judgment of the court of appeals. On May 8, 1972, the court of appeals extended time for compliance to June 15, 1972. The impact statement and 4(f) statement were filed as exhibits with this court June 12, 1972, the date this court took the present issues under submission. No injunction has been entered, nor have plaintiffs requested one pending decision herein.

This court is reluctant to immediately enjoin further construction of the segment of the highway involved because men and equipment are presently on the jobsite, a substantial amount of the damage to the environment appears to have already been done, much of the construction has already been completed, and the portion of the construction season remaining is short. Nevertheless, this court has been mandated by the court to which it is responsible to enjoin further construction if there has not been full compliance with NEPA. Accordingly, defendants are directed to show cause on August 18, 1972, why further construction should not be enjoined until they have complied with the directives set forth herein.



U.S. COURT OF APPEALS FOR THE NINTH CIRCUIT

FINALLY HALTS I-90 CONSTRUCTION AT

SNOQUALMIE PASS

On October 4, 1972, the Ninth Circuit Court of Appeals in San Francisco granted an injunction pending appeal in the case of Richard J. Brooks et al. v. John A. Volpe et al. The effect of this court's action is to halt construction on the new lanes of I-90 presently under construction near the Franklin Falls and Denny Creek Campground area west of Snoqualmie Pass.

The injunction halts construction pending a full hearing before the Ninth Circuit on the merits of an appeal taken from a decision of District Court Judge William T. Beeks. Irving M. Clark, Jr. and Richard Aramburu, attorneys for the conservationists, indicated that it would be at least six months before the Ninth Circuit Court could render a decision on the case.

The appeal followed several hearings before Judge Beeks on the adequacy of the environmental impact statement filed by the Washington State Highway Department.

Judge Beeks determined in a decision on August 4, 1972 that the Highway Department's statement failed to meet the minimum requirements of environmental legislation (NEPA). However and in spite of the directive of the Ninth Circuit Court to halt construction if there was not full compliance with the law, Judge Beeks did not choose to do so, citing in his August 30 decision the number of people to be thrown out of work and the advanced nature of the highway construction.

As a consequence of Judge Beek's decision not to enjoin construction, the conservationists appealed to the Ninth Circuit Court seeking at the same time a stoppage of all construction until the full appeal could be heard. The Ninth Circuit Court agreed, citing its previous opinion which stated:

"The mandate of this (Circuit) Court in its March 2, 1972 opinion is clear and unequivocal: the District Court "shall enjoin further construction if there has not been full compliance with the controlling legislation..." The only permissible scope of inquiry upon remand was whether defendants had fully complied with the controlling legislation. To the extent that the District Court's Findings of Fact and Conclusions of Law and Order address questions other than compliance, they are ineffectual."

The Ninth Circuit Court's injunction prohibits all construction in furtherance of the new lanes of I-90 under the following contracts:

- #8844: construction of the Franklin Falls bridge (95% completed)
- #8916: construction of the Upper Snoqualmie River bridge (70% completed)
- #9092: clearing and grading of westbound lanes from Asahel Curtis interchange to Denny Creek plus the Asahel Interchange and Denny Creek bridge (31% completed)
- #9366: foundation exploration in Franklin Falls area (0% completed)

However the Ninth Circuit Court could not "ignore the effects that would flow from a complete cessation of all work on I-90." It found that "Since the moving force behind NEPA is the preservation of our natural environment and prevention of unnecessary destruction of its scenic beauty, the continuation of those activities under Contracts #8844, #8916, and #9092 that

are remedial in nature would promote rather than defeat the purposes of these laws. Consequently, those measures that are directly related to minimizing the existing scarring and preventing wind and water erosion along the new highway lanes and the existing I-90 lanes, such as covering rock embankments with top soil, seeding and planting vegetation, should be completed. Nor can we disregard the potentially hazardous driving conditions during the winter season that the District Court found would result from the use of a detour necessitated by the (incompleted) construction of a bridge (on the existing roadway) at the Asahel Curtis Interchange. "

"This decision of the Ninth Circuit Court indicated that the courts mean business when it comes to the failure to comply with environmental legislation," attorney Irving Clark, Jr. said. He criticized the Highway Department for its "stubborn refusal to comply with the law for over two years" and noted that "now this arrogance toward the public is catching up with the agency. "

WHERE HAVE ALL THE \$\$\$ GONE ?

WE HAVE PAID

\$ 7,500 : To halt construction of I-90 in the vicinity of Snoqualmie Pass and Franklin Falls;

In the BROOKS v VOLPE law suit; 4"

With contributions from North Cascades Conservation Council, Sierra Club, Conservation Law Society of America, Seattle Audubon Society, and individuals.

\$ 15,900 : To halt the raising of ROSS DAM by Seattle City Light;

In intervention before the FEDERAL POWER COMMISSION and testimony at public hearings;

With contributions from North Cascades Conservation Council, Sierra Club, North Cascades Foundation, and individuals.

WE STILL OWE

\$ 2,500 : Legal fees for the I-90 law suit.

FUTURE NEEDS

\$ 1,200 : Legal fees for I-90 law suit during November and December 1972.

\$ 20,000: Expenses of continuing intervention in the case of ROSS DAM project before the Federal Power Commission during 1973.

HOW YOU CAN HELP US

● THE NORTH CASCADES FOUNDATION

Is tax deductible under IRS Sec. 501 (c) (3) and is prepared to accept all donations including the larger ones.

● THE NORTH CASCADES CONSERVATION COUNCIL

Is not tax deductible and is prepared to accept all donations.

3215 Northeast 103rd Street
Seattle Washington 98125

Ross Cunningham: Seattle Times Sept. 10, 1972

Hindsight thoughts on cross-state roads

YOU can't drive across Snoqualmie Pass without being saddened by the environmental damage that has been wrought by highway building and other commercialism.

It is within memory when the western approach to the summit was a tree-shaded, three-lane, gravel roadway that wound up and around from Denny Creek and zig-zagged to the high ground for the beginning of the descent to Lake Keechelus.

Then came the carving into the southern wall of the canyon above the Snoqualmie River's South Fork for the high-speed expressway and eventually the snowshed. This was deemed to be necessary "progress" to bind the western and eastern sections of the state together economically and for recreational pursuits.

NOW THE HIGHWAY BUILDERS are hacking away once again on the north slope of the canyon, with a bridge near Franklin Falls. The ruination of the canyon nears completion.

In your sadness, perhaps, you rationalize that all of this is necessary and inevitable. The two sides of the state must be tied together better, and improved access must be had to the ski areas that have scarred the mountain slopes.

Then, maybe, you wonder if all of this was indeed inevitable. Perhaps, long ago, the mistaken course was set when hopes of putting the main Snoqualmie Pass crossing underground through a tunnel were examined and abandoned.

THE ABANDONMENT REASONS, then, were mainly economic. A tunnel through the southern wall from the Rockdale marker to Hyak would be too costly. Moreover, the summit highway crossing would have to be kept open in the winter anyway—for the convenience of skiers and heavy oil trucks serving Eastern Washington.

It was said that the oil trucks could not be permitted in the proposed tunnel—"If one caught fire it would destroy the tunnel." Besides, since the summit highway would have to be kept open anyway for skiers, snow-removal costs would not be eliminated.

In the wisdom of hindsight, though, one might ponder whether much of the natural beauty of Snoqualmie Pass might have been better preserved by building a tunnel.

CLEARLY, THE COST FACTOR for tunneling might have been a great deal less than the expenditures on the highway system in that locality over the years. Suitable access to the summit itself from the west and east could

'... upon viewing the devastation at Snoqualmie Pass, whether the same fate will befall the new North Cascades highway pass in the years ahead.'

have been managed with fewer highway lanes restricted to the south wall, which already had been marred at the time in the late 1940's when the tunnel project was examined and abandoned.

Further, the new incursions on the north slope above the South Fork and along Denny Creek could have been avoided; no bridge would span Franklin Falls, and no expressway would flank the South Fork's course.

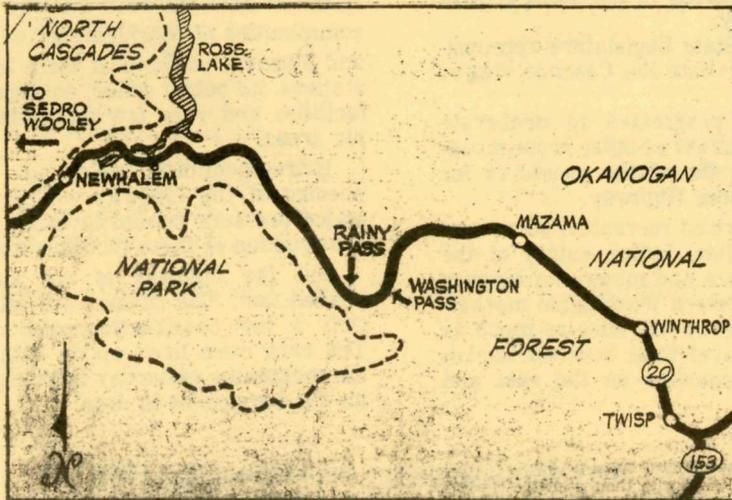
All of this comes to mind in noting the recent opening of the North Cascades cross-state highway, which itself has its seeds in commercialism. Business interests in Northern Washington, east and west of the Cascades, were the prime movers in the development of the North Cascades cross-state highway. Such a highway, they argued for years, would "open up and develop" parts of the state not accessible to the motoring public.

THE NEW NORTH CASCADES highway is a fine section of work, and this writer is not going to suggest that its building is a "mistake." Still, one must wonder, upon viewing the devastation at Snoqualmie Pass, whether the same fate will befall the North Cascades cross-state highway pass in the years ahead.

Will the demands of commercialism, exploitation of scenic and recreational areas on the route, and the insatiable urgencies of the motor-freighting business erode the environmental protections which exist tenuously in the vagaries of politics and public moods?

Maybe it is not too late to save what might be saved at Snoqualmie by building a tunnel as a substitute for the north-wall expressway. Or perhaps one must cross off Snoqualmie Pass as a lost cause insofar as environmental considerations are concerned.

In any event, though, let the alert be sounded against the calamity of Snoqualmie Pass being repeated in the North Cascades in a decade not too far distant.



MAP SHOWS ROUTE OF STATE'S NEWEST CROSS-STATE HIGHWAY

Cascade Highway Opens

BY DICK CLEVER

P-I Staff

SEDRO WOOLLEY—Washington State's newest — and perhaps, last — cross state highway was opened yesterday amid landscape so imposing it seemed to threaten swallowing the flimsy asphalt and concrete ribbon it took men 80 years to build.

There are no other feasible cross state routes available, Gov. Dan Evans told The Post-Intelligencer.

Ceremonies were held at Winthrop, on the east side of the Cascades, at Newhalem, near Ross Dam, and Sedro Woolley, on the west side of the mountains.

At the Newhalem stop there were speeches and even a prayer.

A pastor from a Sedro Woolley church asked God to "grant that the wheels of commerce and avarice of man be kept within bounds to please thee."

Gov. Evans made it clear that it would be the recreationist who benefited from the completion of the highway and not logging and mining interests.

"I can't believe that the National Park Service would allow the development of copper mining in this beautiful park," he said.

State Highway 20, as it has been named, has been on the drawing boards for decades. It began as an economic pipe dream of the citizens in the north central Okanogan Valley.

In 1893, the State Legislature appropriated \$20,000 to create the Cascade Wagon Road.

The project progressed in deliberate stages. Improvement of other cross-mountain highways relieved the pressures for the North Cascades Highway.

But the motorized recreation boom supplanted the earlier, fading outcry of the Okanogan farmers and miners for quicker access to the Western Washington market.

The new highway will slice as much as 100 miles off travel time between Chelan and Okanogan counties on the east and

Whatcom and Skagit counties on the west.

In all, 63.6 miles of highway have been constructed since 1959 from Diablo Dam on the west side of the Cascades to Mazama on the east.

The highway opens, for the first time, 70 miles of an area previously accessible only on foot or by pack animal.

When the first ribbon was snipped at 10 a.m. at the little east Cascades town of Winthrop, the traffic started to pour in.

Highway officials have yet to decide whether the state can afford to keep the new road open in future winters. They will wait to see what impact the snowy season has on the highway.

Environmentalists have not been thrilled with the North Cascades Highway. The North Cascades Wilderness is only a recent creation of Congress.

Conservationists and environmental groups lobbied strongly in Congress for some protection for this, one of the nation's most ruggedly beautiful areas. Now there is a highway slicing through it.

It remains to be seen how vulnerable the North Cascades area is to speculators in the recreation business. Environmentalists contend that the completion of the highway is the first step toward degradation.

Even so, the area has a long way to go. In the 70 miles between the tiny mountain communities of Marblemount on the west and Mazama on the east there are no gas stations, no public water, no regular toilet facilities and very few campsites or picnic areas.

Environmentalists point out that the opening of the highway will provide the added pressure needed to bring about the construction of these facilities and more.

But the highway is not an accomplished fact. The ribbons are all snipped. Only a few construction projects remain. The cars were lined up on both sides of the mountains yesterday morning, waiting for the barricades to drop.

Economic Impact of North Cascade Highway Cited

Increased travel to the North Cascades Recreation Area brought about by the opening of the new cross-state highway September 2 will result in a sizable benefit to the economies of Skagit and Okanogan Counties, Governor Dan Evans said today.

The Governor said that travel to the North Cascades region next year is expected to triple at least. The upward trend will continue through 1990, the length of a study by Northwest America, Inc. of Seattle.

Next year, Evans said, a minimum of 640,000 and a maximum of 810,000 visits will be made to the newly-developed North Cascades National Park and adjacent recreation and wilderness areas. This compares with 200,000 visits projected for this year.

Evans said traveler expenditures next year are estimated at a minimum of \$2.6 million and a maximum of \$3.3 million. The amount is expected to increase by slightly over \$1 million in 1980 and by nearly \$4 million in 1990. This year, total traveler expenditures are expected to reach \$812,000.

Most of the money generated from traveler spending, Evans said, will be reflected in Skagit County, the western terminus of the North Cascades Highway, and Okanogan County, the Eastern Terminus.

By 1980, tourist expenditures from visitors in the North Cascades could comprise five to eight percent of retail trade in the two counties, Evans said.

The rate of travel increase in the North Cascades will hinge upon public and private investment in recreational and supporting facilities in the area, Evans said. Completion of the Ruby Mountain tramway scheduled for 1975, which is expected to be a major drawing card, will be a significant factor affecting increased travel, the Governor said.

The State Department of Highways has estimated that 600,000 vehicles will travel over the North Cascades Highway (SR20) by 1975. Of this number 450,000 will be recreation-oriented.

Evans said that the largest group of visitors to the North Cascades recreation areas is expected to come from King County, followed by other in-state points and the Vancouver, B. C. region.

Considerable assistance was given in the preparation of the North Cascades study by Professor William B. Beyers of the University of Washington, whose 1968 survey of the volume and behavior of visitors to the Olympic and Mt. Rainier National Parks formed the basis for the projections.

WEATHER
Sunny and warmer today.
Sunny Friday. Canada's
high - low Wednesday:
Dauphin, Man., 94; Res-
olute, NWT, 22.

THE PROVINCE

FINAL HOME

12

VANCOUVER, B.C., THURSDAY, AUGUST 31, 1972

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15 CENTS

★★★

IT'S NDP 38, SOCREDS 9



Old guard wiped out

By PETER McNELLY

The New Democratic Party under the leadership of David Barrett swept to power in British Columbia Wednesday, ending 20 years of Social Credit government.

Premier W. A. C. Bennett was re-elected, but most of his cabinet ministers were overrun in the NDP victory.



W. A. C. BENNETT
... conceding

New Democratic Party leader Dave Barrett, premier-elect of B.C., smiles over crowd in Coquitlam Wednesday night. At extreme left is his wife Shirley.

—David Donnelly photo

THE WILD CASCADES

SOCRED OUT...

NDP IN

BRITISH COLUMBIA ADVANCES TOWARD POLITICAL MATURITY

by Ken Farquharson

(Reprinted by permission from NOT MAN APART, published by Friends of the Earth)

There was cheering in the streets of Vancouver last August 30 as results of the provincial election became clear. Among environmentalists the cups were running over far into the night. Twenty years of criminal misgovernment had abruptly come to an end. Now we could get to work cleaning up the mess.

Since 1952 British Columbia had been governed by the Social Credit (SOCRED) party with W.A.C. Bennett as premier. Nowadays few people know or care about "social credit," a fundamentalist financial doctrine that enjoyed some favor in Alberta and New Zealand in the 1930s. No matter, because the theories are irrelevant to what happened in British Columbia. In 1952 Bennett was an ambitious politician running for leadership of the provincial Conservative party. Defeated, he immediately caused the collapse of the reigning Conservative government by leaving the party, forming the Social Credit party with several followers, and sitting with the opposition in the legislature.

For the ensuing election he put together a motley slate of candidates, and because the old Conservative party had become corrupt and discredited, he was able to capture the conservative vote and secure a narrow majority. He remained in power by holding the support of rural and small-town folk.

Bennett, a man of vision and remarkably little scruple, realized at once that prosperity in B. C. was linked to rapid development of natural resources. His early years were devoted to provision of an adequate road network -- on a highly selective basis: as every community learned, the rule was vote SOCRED and get a road, vote against and you won't!

The expansionist phase was successful, prosperity came as never before, and at the next election his majority increased. But now the first signs of rot appeared. In 1955 Gordon Gibson stood up in the legislature and stated flatly that "Money talks in the B. C. Forest Service!" Bennett ducked and weaved but eventually, in 1957, was forced to allow his Minister of Forests to stand trial for accepting bribes for the award of tree farm licenses covering Crown timber.

Basically the public, or Crown forests of the southern part of B. C. were put on the auction block -- so much bid over the table and so much hid under the table. The Minister was convicted but no company ever was tried for offering bribes. We are still living with the results of this corruption. From 1955 to 1958 vast areas were allocated to timber harvest with no study of the recreation or wildlife resources. Much of our most difficult work now has to do with wresting back key areas for recreation, especially on Vancouver Island.

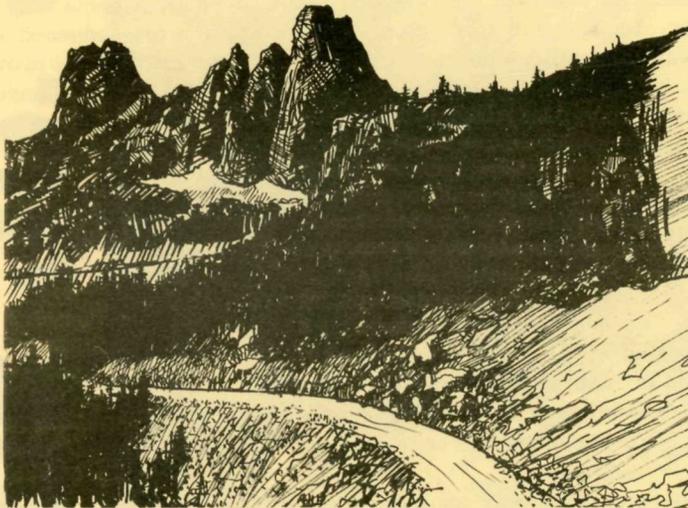
Nor was this the worst. Despite early protestations to the contrary by Bennett, he and his crowd were opening provincial parks to logging and mining. We now have Western Mines operating at the head of beautiful Buttle Lake in Strathcona Park. The Great Circle of Lakes,

he most scenic area of Tweedsmuir Park, was flooded to provide power for an aluminum plant -- and the trees were not even cut, but flooded where they stood. Humber Park was eliminated entirely to cater to dams on the Columbia. Loggers moved into Wells Gray Park. Whatever industry wanted from the public domain, in parks or out, industry got.

In the late 1950s Bennett switched his emphasis to power. He first tried to persuade the B. C. Electric Company to exploit the power potential of the Peace River in the northern part of the province. The company was unwilling, the distance from population centers being so great. Nothing daunted, Bennett made a deal with the notorious Axel Wenner-Gren which would have given that international freebooter vast areas of the north to do with as he pleased in return for developing the Peace. The people rumbled so Bennett called off the deal and despite direct election promises to the contrary, he took over B. C. Electric.

The Peace River project then began, and without any consideration of downstream effects. Tremendous damage resulted in the Lake Athabasca area, where enormous wildlife ranges are dependent on a delicate balance of water levels regulated by the summer flood of the Peace. And again, no clearing was done in the reservoir, the entire 650 square miles of forest was drowned..

The Columbia was next, Bennett needling the federal government until it wet along with his plans. Tremendous amounts of land were committed to flooding, with we the people kept in almost ignorance. Merely \$15,000 was set aside to study the areas to be drowned by the Duncan, Mica, and Arrow Lakes Dams in B. C. and the Libby Dam in the U. S. The order of the day was: get it built; hang the consequences.



NORTH CASCADES HIGHWAY EAST OF WASHINGTON PASS. ELIZA ANDERSON

A CORRECTION

In the April - May 1972 WILD CASCADES (page 3) we erred in not listing all of the witnesses attending Senator Frank Church's hearings on Wildernesses in National Parks and Forests. The Washington D. C. representatives of Friends of the Earth and the Wilderness Society were present. However, Senator Church requested that both file their statements instead of taking time to present them orally in order to allow time for the out-of-town witnesses to be adequately heard.

Government attitudes were illustrated by its approach to wildlife management. Under Bennett's regime, the general account annually received more revenue from sale of hunting and fishing licenses than was spent to study wildlife, control exploitation, and preserve habitats. In Bennett's B. C. everything was for sale. Even the birds and beasts.

Scandals began to be uncovered as Bennett became more autocratic and some of his ministers, who for the most part were of atrocious quality, took advantage of the situation. Phil Gaglardi, a fundamentalist preacher from Kamloops, had the government acquire a Lear jet -- and was finally caught using it to fly his relatives to Texas for a holiday. Gaglardi was Minister of Highways; his sons specialized in buying up land adjacent to new highways.

There was much more of the same. To summarize, B. C. was governed in the same way as Louisiana under Huey Long. In 1969 the official opposition, the New Democratic Party (NDP) was led by a brilliant intellectual, Tom Berger, and hopes of change were high. Bennett ran a scare campaign based on "the red tide of communism threatening hard-won prosperity" and won decisively to eliminate Berger and take 38 out of 55 seats in the legislature. This was Bennett's peak, but soon after his troubles began.

To finance the Peace and Columbia dams Bennett was forced to strip all he could from general revenue. All social services were cut back, schools were crippled, medical services reduced. Bennett tried to pillory individual groups, first the teachers as greedy consumers of taxes, then the doctors as selfish and arrogant. But with these he showed he'd lost his touch, the effect being to unite the dissident groups and provide a source of money and energy that would eventually be able to combat the enormous funds industry provides for the SOCREDS.

The end result was the brilliant victory of August 30. Bennett, obviously past his prime at 72 and with no stamina for campaigning, depended on the usual expensive SOCRED use of the media. The NDP ran a very low-key campaign. The voters returned 38 NDP members, 10 SOCREDS, 5 Liberals, and 2 Conservatives, a complete reversal of 1969. To make the decision even more dramatic, 8 of 10 cabinet ministers were defeated.

B. C. was jubilant, but Vancouver most of all because the election definitively ended an era. Most of Bennett's opposition centered in the province's largest city, so he refused to redistribute seats in the legislature; the growing urban population was grossly under-represented while Bennett kept control with his dwindling rural voters. Obviously the new government will redistribute, making impossible a return to the past.

The New Democratic Party is a combination of labour, academics, and thinking people in the mould of the socialist parties of Europe and it will be interesting to watch its effect on the North American political scene. The party has had its previous successes in the poorer prairie provinces; this is the first time in Canada that a wealthy province has voted socialist.

If the NDP keeps its promises we can expect a much more open and accessible government, an appraisal of the return to the community of the development of Crown resources such as land, forest, minerals, and wildlife. The tone of the government will change from purely economic to a realization of a broad range of human needs and aspirations. (And a very immediate benefit, the NDP victory means Seattle City Light will not be able to raise Ross Dam, flooding the valley of the Canadian portion of the Skagit River.)

The victory of the NDP holds much promise not only for us in British Columbia but for other Canadians and for Americans as well. Attitudes may be influenced everywhere by the NDP core belief that the land is beyond all else for living.

August 30, 1972, will be remembered as the day the people of B. C. felt confident enough of the future to think, to undertake experiment, rather than continue to run scared by the specter of socialism. Politically we have matured.

ASPINALL OUT!

ANOTHER DEFEAT FOR THE DIRTY DOZEN

BY DALE JONES

NORTHWEST COORDINATOR, FRIENDS OF THE EARTH

The almost-unnoticed defeat of Rep. Wayne Norviel Aspinall by Alan Merson in the recent Colorado primaries is one of the major victories for conservationists in recent years. Born in 1896, Aspinall is a true 19th century man.

Using his position as chairman of the House Interior Committee, Aspinall has probably done more to destroy the lands of America than any single man in recent history. (He surely would have done incalculably more damage had he not been counterbalanced by Senator Henry M. Jackson, chairman of the Senate Interior Committee.)

Aspinall is expected to continue to push for the passage of his public lands bill H. R. 7211. This legislation would permit disposal of public lands in the name of "greater benefit for the public" and would allow an administrator to decide that the public would be better served by selling of land to miners, loggers, developers, or other economic users who could make high profits through private exploitation. The bill even contains language that would permit public lands to be sold to private interests at less than market value.

Aspinall's defeat became possible when his district was changed to include, for the first time, urban population centers in eastern Colorado. This chance was quickly seen by Colorado conservationists, who began to work long, hard hours for Merson.

A key element in the victory was the Washington, D. C.- based League of Conservation Voters, headed by Reed College graduate Marion Edey. The League put Aspinall at the top of its list of the "Dirty Dozen" in Congress and in a tremendous effort raised \$15,000 from conservationists throughout the country to fill the empty coffers of Merson's campaign.

Merson's opponent in the general election will be Republican liberal Jim Johnson, who has a better-than-average conservation record.

Replacing Aspinall as chairman of the Committee on Interior and Insular Affairs will be Florida conservative James Haley, who before being elected to Congress in 1952 was president of Ringling Brothers Barnum and Bailey Circus. Although an anti-conservationist, Haley is expected to be a great improvement in one important respect: he will probably allow subcommittee chairmen to run their committees without interference, a practice unheard of during the reign of Aspinall, who kept subcommittees under such dictatorial control the conservation-minded members had virtually no opportunity to exert influence.

Other good winds are blowing over the Interior Committee. Two powerful subcommittee chairmen who have opposed conservationists in the past will not return. Walter Baring from Nevada was defeated in his primary and Ed Edmondson of Oklahoma is running for the Senate. This will leave three subcommittee chairmanships open to a group of young liberals headed by Morris Udall.

Unlucky 13: Wayne Aspinall's loss is environment's gain

The Seattle Times Sunday, September 17, 1972

By PETER J. BERNSTEIN
Newhouse News Service

DENVER — The mighty Wayne Aspinall has fallen.

After riding roughshod over conservationists for more than a decade as chairman of the House Interior and Insular Affairs Committee, the crusty and acerbic Democratic congressman from Western Colorado came crashing down in defeat last week.

Seeking a 13th term, Aspinall lost in a primary election to a young law-school professor who campaigned primarily on environmental issues.

The upshot is that lame-duck Aspinall stands virtually no chance of getting Congress to approve his controversial bill that would open the door to logging and grazing within national parks and wildlife preserves.

And with Aspinall no longer around next year to block environmental legislation, the prospects are brighter now for mining reforms. Almost singlehandedly, he has kept the Mining Law of 1872 on the books, despite contentions that it is outmoded and environmentally destructive.

LIKEWISE, the controversial oil shale development program might require a tougher look, since it's hard to exaggerate the power and influence Aspinall wielded in obtaining administration funding.

All of Colorado's oil shale is in his district. The first two tracts of publicly owned land are scheduled to be leased for prototype oil production starting early next year, despite concern by environmental groups over resulting air and water pollution.

Within the next three



Rep. Wayne Aspinall

months, however, Interior Secretary Rogers Morton must issue an environmental-impact statement geared to a projected million-barrel-a-day production by the mid-1980s. He could decide now to prevent such production as too damaging on the environment.

ASPINALL, who believes in exploiting public land for natural resources, received at least \$5,000 in campaign funds from individuals "directly or indirectly" related to oil and mining firms, according to a survey done by Common Cause in Washington, D. C. The group is a national citizen's organization which is monitoring campaign funds to make sure candidates comply with federal campaign laws.

Aspinall's conqueror, Alan Merson, a 38-year-old law professor at the University of Denver, obtained \$15,000 for his campaign from the League of Conservation Voters, a bipartisan group which supports proenvironmental candidates in certain key elections.

"This was by far the biggest effort made by environmentalist in a political campaign," said Marion Edey, coordinator of the league.

TWO YEARS AGO, the league helped defeat another powerful House committee chairman who had taken what it considered bad positions on environmental issues. The target then was former Representative George Fallon, Maryland Democrat, chairman of the Public Works Committee, a pro-highway stronghold.

In his campaign against Merson, Aspinall, spoke often of "environmental extremists" and protested that they oppose him because he wants to make commercial use of the vast 775 million acres of land owned by the United States government instead of preserving it for recreational and scenic uses.

Even in Western Colorado, which is heavily dependent on mining, logging and ranching, Aspinall's controversial land-use bill became a campaign issue.

In condemning it, Merson said the measure was the "greatest threat" to the nation's public lands in the past 100 years. The bill, is opposed by the Nixon administration but supported by the National Association of Manufacturers, would require all federal agencies engaged in managing public lands, including the National Park Service, to determine what part of their land could be sold to private interests.

ASPINALL has called for constructing a dam that would have backed water into Grand Canyon National Park. He was against a big redwoods national park, and environmentalists blame him for the clause in the Wilderness Act which allows strip

mining until 1984.

"Mother Nature is actually one of the worst environmentalists," Aspinall has said.

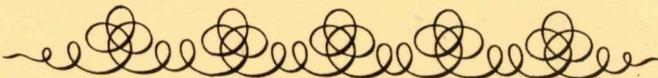
So far he has steered through Congress a staggering total of more than \$5 billion and Army Corps of Engineers — enough to keep the Bureau of Reclamation and Army Corps of Engineers busy for 20 years.

One of Aspinall's proudest boasts was that he hadn't lost an election in 50 years, ever since he was elected to the school board back in Palisade, Colo., where he still maintains his legal voting residence. Nor has he ever had a bill he sponsored defeated on the House floor.

WITH A strong environmental and anti-war campaign, Merson captured young voters in two state universities, Colorado State at Fort Collins and the University of Northern Colorado at Greeley.

Merson also scored heavily in the Denver outskirts and in ski-resort towns on the west slope of the Continental Divide. In Pitkin County, where the town of Aspen is located, he won by 1,158 to 99.

Yet the election was decided by less than 2,000 votes. Despite the campaign emphasis on environmental issues, most observers agree that Merson would not have won if the Republican-run Legislature had not taken away about half of Aspinall's old rancher constituency through redistricting.



some comments on the WILDERNESS PERMIT SYSTEM

by PATRICK D. GOLDSWORTHY

When the Wilderness Permit Procedure was first proposed by the U. S. Forest Service it appeared to be an effective means of protecting some of the most fragile areas from some of the most damaging impacts to which they were being exposed. However, as this Procedure began to be put into effect, certain harmful consequences became apparent, particularly with regard to the conservationists' objective of protecting many of the de facto wilderness areas before it became too late.

The Permits were found hard to obtain. In many places they were issued only from a District Rangers's office during the hours of the Ranger's working day. The Wilderness Permit Procedure thus has the potential of reinforcing claims that "Wildernesses are full of restrictions, places where only a few can go, and those who are favored are the middle class people who can afford to plan and do think ahead." There is the distinct threat that among those who now support the Wilderness Preservation System there will be many who will become disillusioned and some even angered with an insensitive, cumbersome, bureaucratic procedure for administering Wildernesses. Consequently, the protection of any additional de facto wilderness will become politically unpalatable to many who otherwise would be Wilderness proponents.

The basic issue is how to protect the wilderness resource from degradation by man's influence and overuse. While some form of management is essential to the attainment of this protection, a Wilderness Permit Procedure is not necessarily the one of choice. Since each area has its own characteristics, no one management system will necessarily function effectively in all Wildernesses nor in the varied subdivisions of a single Wilderness. The management system selected for a specific area at a given time should be flexible enough to be applied, modified, and even removed as the need fluctuates from season to season and year to year.

While there are areas where a Wilderness Permit Procedure can be currently justified there are many other areas where application of other less restrictive measures can attain the same objective of reducing human impact. Among these measures can be listed: immediate expansion of the National Wilderness Preservation System; relocation of selected road-ends at greater distances from Wilderness boundaries; relocation of certain Wilderness entrance portals to less sensitive locations; retention of a trail system that minimizes resultant damage to the land and relocation of trails in fragile areas; minimize publicity of over used Wildernesses and encourage visitation of less used Wildernesses as well as at times other than those of peak use; place limits on the length of visitation to heavily used sites and over used Wildernesses during peak seasons as well as on the total number of people visiting the area; prohibit, in highly impacted areas, any further wood burning fires, pack animals and overnight camping; rest and rotate damaged Wildernesses to allow them to recover.

A non-restrictive Wilderness entry permit should be used for educational, information gathering, and research purposes. Before visitor restrictions are imposed in a physically undamaged Wilderness merely for the sake of ensuring solitude, consideration should be given to the fact that solitude can be found by leaving the trails and main cross country routes even in some of the most heavily used Wildernesses.

We strongly urge the U. S. Forest Service to take a flexible approach to preserving the Wilderness resource through management of use. We recommend an experimental program employing a variety of methods, including those we have suggested. Whatever the restrictions of a management system turn out to be they should be administered in a way which is as compatible as possible with the freedom that characterizes the wilderness experience.

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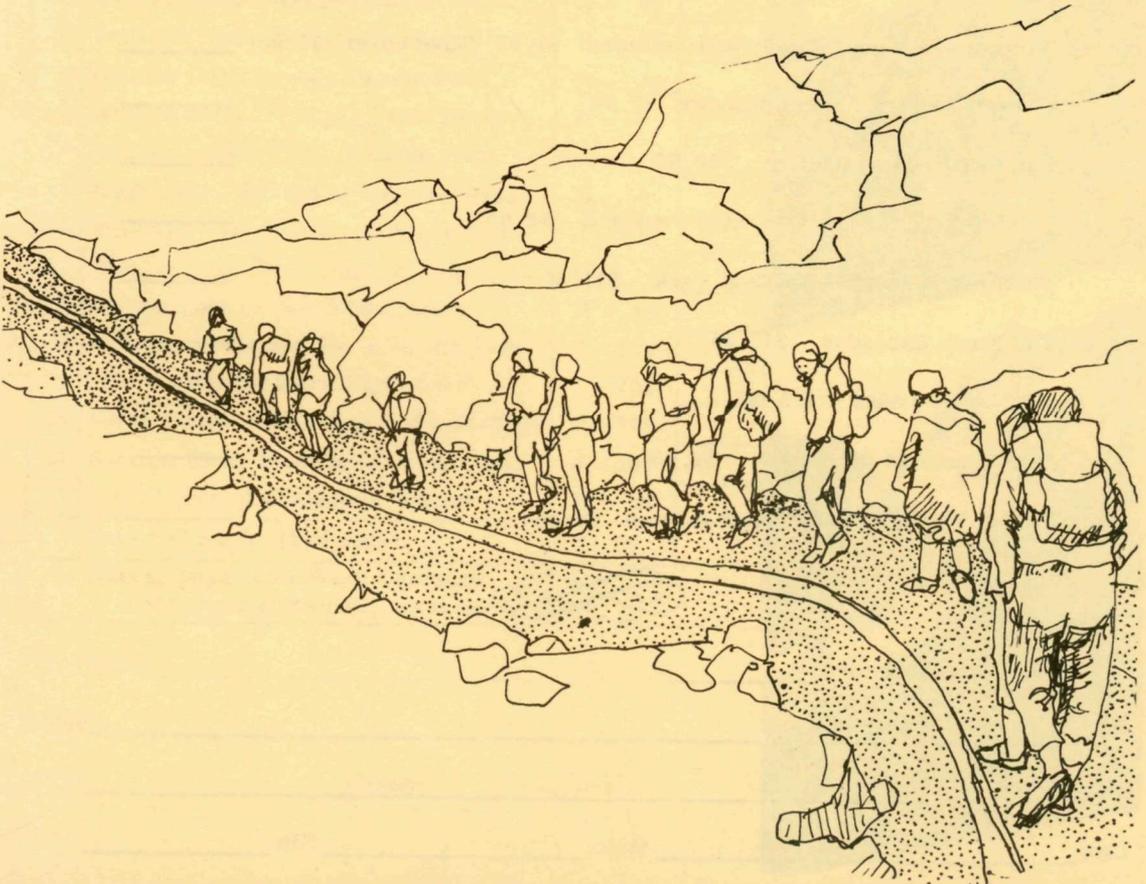
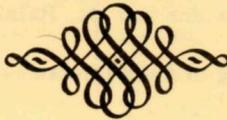
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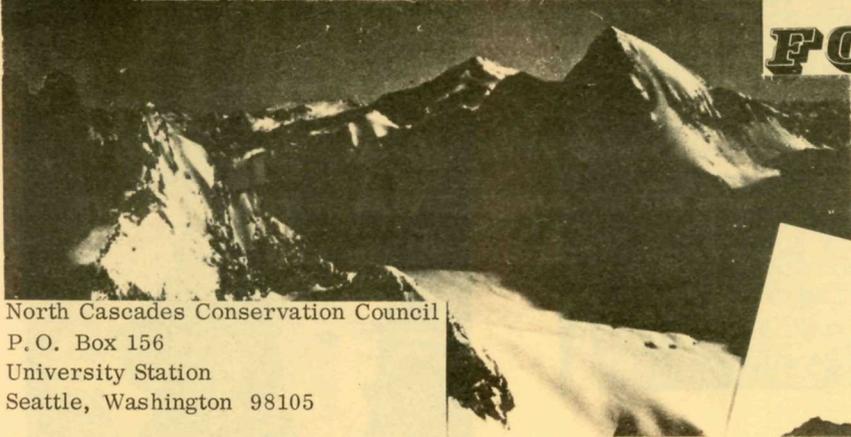
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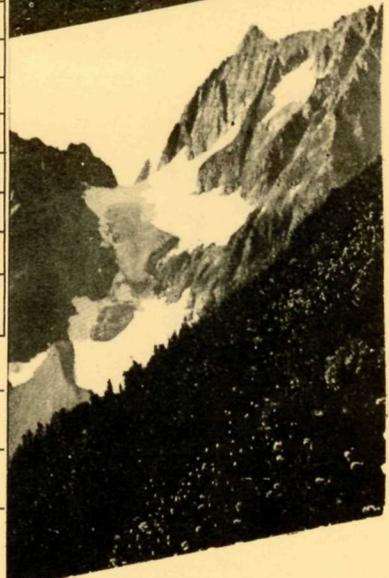
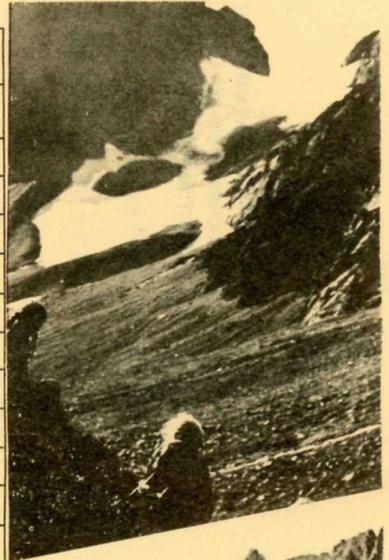
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