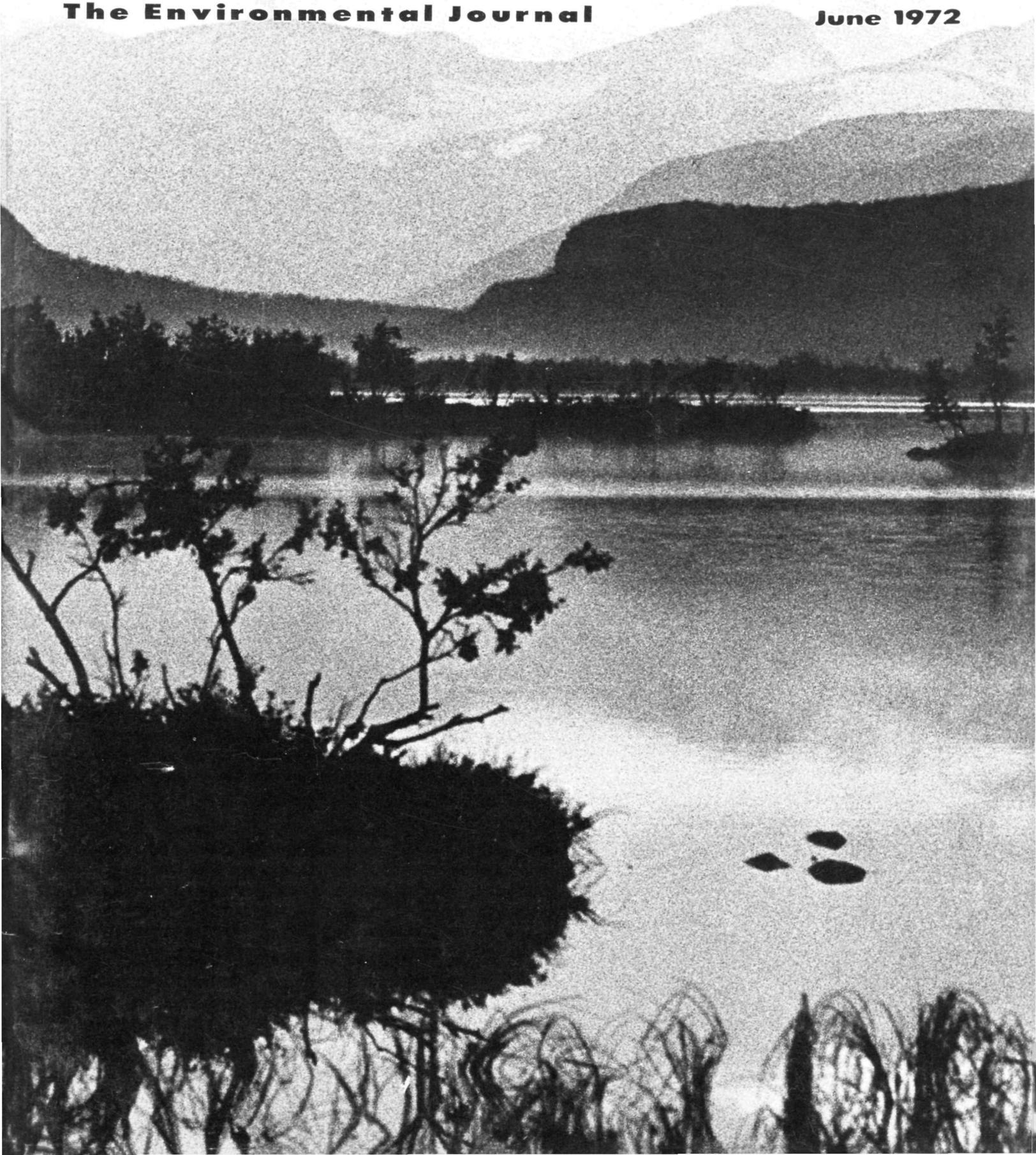


# NATIONAL PARKS & *Conservation Magazine*

**The Environmental Journal**

**June 1972**



# STOCKHOLM

**E**ARLY THIS JUNE delegates will gather from almost all the world at Stockholm, Sweden, for the long-awaited United Nations Conference on the Human Environment.

Preparatory meetings have clarified to some extent the nature of the world institutions which can be expected to emerge from the Conference.

If the resulting structure includes an Under Secretary-General for Environmental Affairs, a multinational Advisory Council, an operating staff, a sizable operating fund, and the beginnings of authority to function for environmental protection purposes, a great new flag of hope may be raised for mankind everywhere.

**T**HE NPCA HAS ADVOCATED in the past, at one time or another, that a specialized agency for environmental and population matters be established, and later that the proposal be broken into two parts, but has also supported the alternative approach of setting up administrative machinery under effective executive direction within the Secretariat.

It now seems clear, for all practical purposes, that the necessary institutions will be created within the Secretariat structure; this approach has many advantages, provided that the authority and instrumentalities created are adequate, at least for initial purposes.

**T**HE KINDS OF INSTITUTIONS which are really needed for dealing with the grave environmental problems of the planet can be seen from the Draft Convention for the Protection of the Seabeds and Marine Environment, deposited by the United States in 1970 with the UN Seabeds Committee. They include managerial, regulatory, licensing, enforcement, revenue-raising, revenue-sharing, and adjudicative functions. Present indications are that the results emerging from the Stockholm Conference will be much less definitive, but that foundations will have been laid on which later intergovernmental negotiations, conventions, and supplementations can build.

In a meeting of this kind, attended by hundreds of official delegates, the detailed work of drafting agreements and working out structural arrangements cannot be attempted. What can be done is to provide an opportunity for a full expression of views by representatives of perhaps 130 nations; for the communication of the urgency of the environmental problems to those who for the moment may be less well-informed about them; for an enlargement of understanding about the scope and authority of the world agencies which must be created; and for setting up the beginnings of working machinery which can be enlarged thereafter.

**B**ECAUSE the widest possible participation would contribute the most effectively toward the dissemination of understanding, and because full participation of the entire World Community is a long-range basic requisite for such meetings, it is highly regrettable that, as these words are written, there is doubt as to whether the Soviet Union and several of its associated nations will participate. The reasons for nonparticipation have nothing to do with the merits of the meetings, but turn around disagreements among the nations in other areas; hopefully, these disagreements can be resolved before the Conference begins, and the widest possible participation can be achieved.

**T**HE NPCA HAS SUBMITTED proposals to the United Nations on Permanent Institutions for the Protection of the Human Environment. They were lodged as of November 3, 1971, with the Under Secretary-General for Environmental Affairs, Maurice F. Strong of Canada, who has been in charge of preparations for the Stockholm Conference.

We published the document on Permanent Institutions in the January 1972 issue of our Magazine, and its contents will not be recapitulated here. One example, however, from among its 23 proposals may be singled out for present comment, as indicating the nature of the administrative structure which in

*Continued on page 35*

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**COVER** *Sarek National Park, Sweden, by Edwin Nilsson*

The spectacular Rapa Valley in wild Sarek National Park in northern Sweden is a stronghold for many wild animals, including bear, moose, and wolverine. (See page 18.)

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charles e. roe

# THE SECOND BATTLE OF GETTYSBURG

**F**ive score and eight years after the climactic military clash, Gettysburg has become the scene of a second great battle. This time the conflict is over commercialization—private development of property surrounding the Gettysburg National Military Park. When Lincoln came to Gettysburg in the fall of 1863 to dedicate the “hallowed ground” toward “a new birth of freedom,” he found a crossroads village of Pennsylvania Germans repairing the wounds of a battle that cost 51,000 casualties. Since then Gettysburg has become the crown jewel in the Department of the Interior’s collection of historical parks. The park comprises 3,700 acres of rolling fields and wooded hills beneath the low Blue Ridge mountains of southern Pennsylvania. The park includes a large portion of the battle site, the 6,000-grave National Military Cemetery and location of the Gettysburg Address, and the new Eisenhower National Historic Site. Located within 400 miles of 75 percent of the nation’s population, Gettysburg attracts nearly 4.5 million visitors annually.

Within the past decade Gettysburg commercial attractions have grown rapidly. Bordering the park are strips of motels, restaurants, snack bars, filling stations, commercial museums, souvenir shops—even a fantasyland and frontier fort. While the community of 8,000 provides the essential services of lodging and food, tourists in return leave profits, estimated by the local Travel Council at \$20 to \$25 million annually. The federally owned, tax-exempt park that virtually surrounds Gettysburg is a source of animosity among city officials foremost concerned with borough progress. Local coffers are heavily dependent on revenues from property and tourist taxes.

Critics label the commercialization of unzoned Adams County an affront to the “historyscape” and “the shame of Gettysburg.” Their opposition came to a head with the proposed construction of a 307-foot, triple-decked observation tower beside the battlefield. News in late 1970 of the plan of Thomas R. Ottenstein, wealthy Maryland businessman, to build his “Tower for One Nation” launched what is known popularly as the second battle of Gettysburg.

Ottenstein became increasingly resentful of efforts to

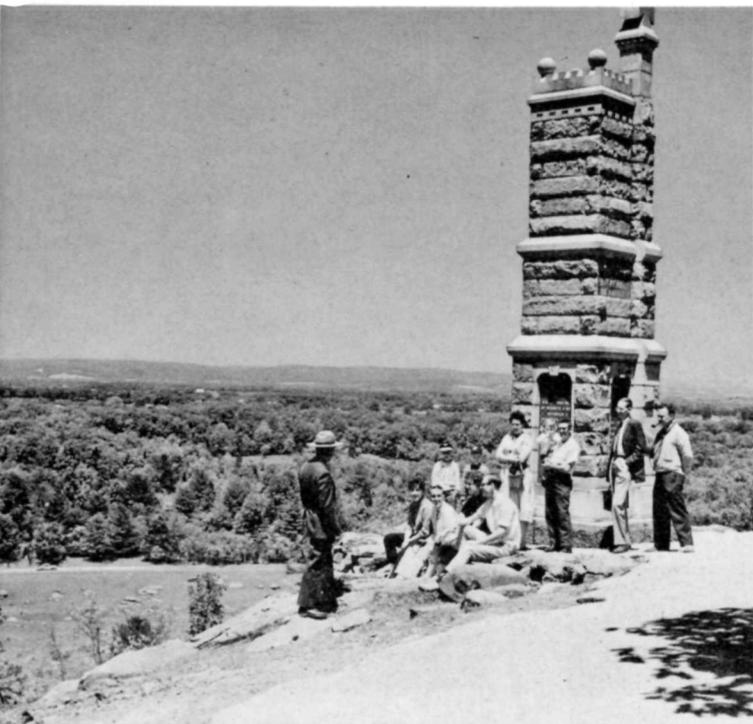
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thwart what he contended to be a legal enterprise. Bristling at National Park Service criticism of the project as an "environmental insult," the builder charged that the Park Service did not offer proper interpretation of the battle and could not provide the visitor with a comprehensive picture of the field. The tower would far outsoar the visitor center, the park observation towers of 1896 vintage, and the Little Round Top overlook. Because it pays no taxes, NPS makes no financial contribution to the services and facilities necessary for visitors; but the tower would substantially support the community with its revenues and taxes. Ottenstein contended his tower would be far less vulgar than the existing clutter in the area. Rather, as a "classroom in the sky" the tower would present a superior interpretation of the battle and its lessons for Americans. It would be only the start of Ottenstein's pledge to "revolutionize" Gettysburg by personally financing the restoration and renewal of the town as a "free Williamsburg."

The Gettysburg Borough Council, county commissioners, and many local businessmen enthusiastically supported the project. Ottenstein quickly aligned himself with the Chamber of Commerce and Travel Council and determined to proceed with his plans no matter the obstacles of costs. Local officials were disturbed by NPS purchase of 350 acres of \$505,000 assessed value within Cumberland Township during 1970-71 and its \$2,350,000 purchase of the largest Gettysburg commercial attraction, the National Museum and Electric Map. Prospects of economic gains from the tower promised to bolster the dwindling tax base.

Meanwhile NPS was developing a long-range master plan for development of the Gettysburg historic area in coordination with a pilot project, financed by the Department

*On the opposite page is a drawing of the proposed Gettysburg battle-field observation tower. The 307-foot tower would be much higher than the overlook at Little Round Top in Gettysburg National Military Park, below.*



of Housing and Urban Development, for better planning in communities adjacent to national parks. Under this federal grant the noted Wallace, McHarg, Roberts, and Todd architectural and planning firm of Philadelphia designed a comprehensive and visionary plan for Gettysburg Borough and Cumberland Township. Regional and park master planners saw no benefit from a 307-foot observation tower and cautioned that the tower could have disastrous effect on the Gettysburg tourist industry. Consultants warned local officials that failure to control commercialism would force the park to "protect itself" from further intrusions by purchasing larger parcels of nontaxable land.

The public outcry against the tower proposal grew to national proportions as tower adversaries hurled volleys of condemnation against the growing commercialism in Gettysburg. The ranks of tower critics swelled as historical and veterans groups resolved their opposition. Ottenstein felt misunderstood and embattled as his tower plan came under nationwide fire from the news media. Yet the attacks were mostly vocal and impotent, because the tower would be built on private land and foes had little legal ground to block construction. Lack of zoning regulations seemed to leave the Interior Department, Pennsylvania Historical Commission, and preservation groups powerless to stop the tower.

Not all criticism of the tower was without conventional legal recourse. Over 150 neighboring homeowners were represented in a class action suit filed against Ottenstein on May 8, 1971, to prevent construction of the tower in their residential area, bordering the route of Pickett's Charge. But lawyers privately admitted the public nuisance suit stood little chance of success in the Pennsylvania courts.

Primary opposition to the tower came from the National Park Service. Director George B. Hartzog, Jr., denounced the tower as a potential "environmental insult" that would become "the most monstrous" commercial project in Gettysburg, perhaps "the most damaging single intrusion ever visited upon a comparable site of American history." To the public NPS exhibited a united front in total opposition to the tower, but in fact the Interior Department also was a divided community. Interior officials cautioned that the department had little legal authority to prevent construction of the tower. Ottenstein's location on private property was immune from existing controls exercised over federal lands and came under no state or municipal curbs on land use.

In this time of growing environmental awareness a portion of the legal profession has come to advocate unconventional means of litigation to defend public trusts and rights of citizens for environmental quality. However, Interior officials and their solicitors chose not to fight a test case on the fundamental issue of whether national parks, as unique resource treasures, can dictate the use of property outside their boundaries. Doubters at the Department of the Interior prevailed.

**B**y the summer of 1971 the Department of the Interior seemed publicly committed to total opposition to tower construction. But in a July 11 news release Washington officials announced an agreement with Ottenstein to move the tower site to one "preferred" by the Park Service. Interior officials gave written clearance for the tower to be

erected on the east boundary of the park, near the National Military Cemetery and 1000 yards east of the park visitor center. The NPS offered right-of-way across federal property for an access road to the tower. In return Ottenstein would contribute 5 percent of the tower's profits to a foundation for purchases and restoration in the park area.

Tower foes were astounded by the Interior consent. If this was a second battle of Gettysburg, had the Department of the Interior betrayed the public trust? There was consternation in the ranks. The front-line soldiers of NPS—the local Gettysburg park administrators—were taken by complete surprise. They reacted like their counterparts in battle under the erroneous impression that they were fighting the good fight to the bitter end. Now their generals announced an agreement with the “enemy”! Because the announcement of the settlement came as a total surprise to local park administrators, state authorities, and planning teams, the negative public reaction against the “deal” may have shocked Interior officials.

The Democratic governor of Pennsylvania, Milton J. Shapp, immediately joined the chorus of outrage and announced a belated decision by the state to enter the battle. The Commonwealth sued for permanent injunction against the tower as a violation of its newly ratified constitutional amendment protecting the rights of Pennsylvanians for a quality environment and guarding the “natural, historic and aesthetic environment of their Commonwealth.” For three August days Attorney General J. Shane Creamer sought to prove with an impressive medley of architects, state officers, historians, and theologians that the tower would intrude upon the integrity of the battlefield and would cause irreparable damage to the historic and aesthetic environment. Tower foes were becoming inured to shocks when Ottenstein enlisted Victor J. Yannacone, Jr., as his chief defense counsel. Yannacone, previously noted as a pioneer in environmental law, earlier had offered his services to both Interior and Pennsylvania officials but now capably argued in defense of the tower, in spite of conflict of interest charges.

Adams County Judge John MacPhail on October 26, 1971, rejected the Commonwealth's request for permanent injunction. Yet his ruling upheld the environmental rights amendment in its first test case as self-executing. MacPhail criticized past failures to remedy the excesses of commercialism in Gettysburg and charged, “The evidence in this case clearly shows that the historical Gettysburg has already been raped.” But, he said, the state had not proved the tower would irreparably damage the environmental scene as it now existed.

Most central to the court's dismissal of the suit was the agreement between the Park Service and Ottenstein. The decision to reach a settlement with the developer proved to defeat the very cause NPS was mandated to protect. In choosing to make the best of a bad situation, Interior officials in effect imposed their will on public and state opposition forces. The court interpreted the Interior decision as approval of the tower and ruled that the higher authority of NPS officials, mandated by law to protect the national parks for all the people, overrode state or private opinions.

It is unfortunate that the court was reluctant to question Interior's administrative decisions dealing with the public

trust. Too often courts respond to objections by asserting that protection of the public interest has been vested in some public agency and that it is not appropriate for citizens or the courts to second-guess the official indicators of public interest. Yet it is evident that no federal agency has unlimited wisdom or singleness of mind.

**T**he Pennsylvania Justice Department has filed an appeal of the MacPhail decision with the Pennsylvania Supreme Court. If the court decides to hear the case (probably during its June 1972 session), it may rule that the federal decision to approve the tower site was more one of expediency than protection of the public trust. Local Defenders of the Gettysburg National Military Park, Inc., have proclaimed plans for pursuit of other legal and equitable remedies but thus far have entrusted their cause to the Pennsylvania Justice Department. Meanwhile Ottenstein has been unable to begin construction in spite of federal clearance. He had no option or lease to build on the latest site, and the existing tenant on the site had no authority to sublease the land. When Ottenstein began clearing the area for his tower without contacting the actual property owners, the president of the owning corporation ordered him off the property and threatened to sue for trespassing and damages in the destruction of 100 trees. Furthermore, another wedge of land long developed as a nature preserve proved to separate the prospective tower site from park property and the approved road right-of-way. Yet Ottenstein undauntedly expects to acquire the necessary land and begin construction soon.

The Park Service has been the greatest loser of the second battle of Gettysburg. Interior officials had the opportunity to draw the line in protection of national treasures, to set precedent on behalf of public trust, to help shape a national land use policy, to gain public support. Instead NPS alienated some of its former allies. Important lessons are offered by the conflict between and within private and public interests, most importantly the duty of the highest trustee of the public to fully perform its mandated purpose.

In providing NPS written consent and right-of-way over federal property after secret negotiations, the agreement with the tower developer violated the spirit and intent of the National Environmental Policy Act of 1970. That landmark act regulates federal actions affecting the quality of the nation's environment. Interior's settlement was within the purview of NEPA. The Park Service did not file the required impact statement, its negotiations were secret, and no review processes were allowed before the agreement was signed.

It is easy for administrators to adopt the position that a particular project like the tower will be the last intrusion to be permitted, that no bad precedent is being set, and that the line will be drawn at the next case. But in the case of commercial developments, NPS should have drawn that line long ago. Will it not also be quite rational to approve the next small intrusion, as long as the same reservations are made about its successor? As one development after another is allowed, the cumulative effect is a gradual erosion of resource values—in this case a national shrine. The result is opposite that which the administrators presumably want to achieve. *The New York Times* expressed

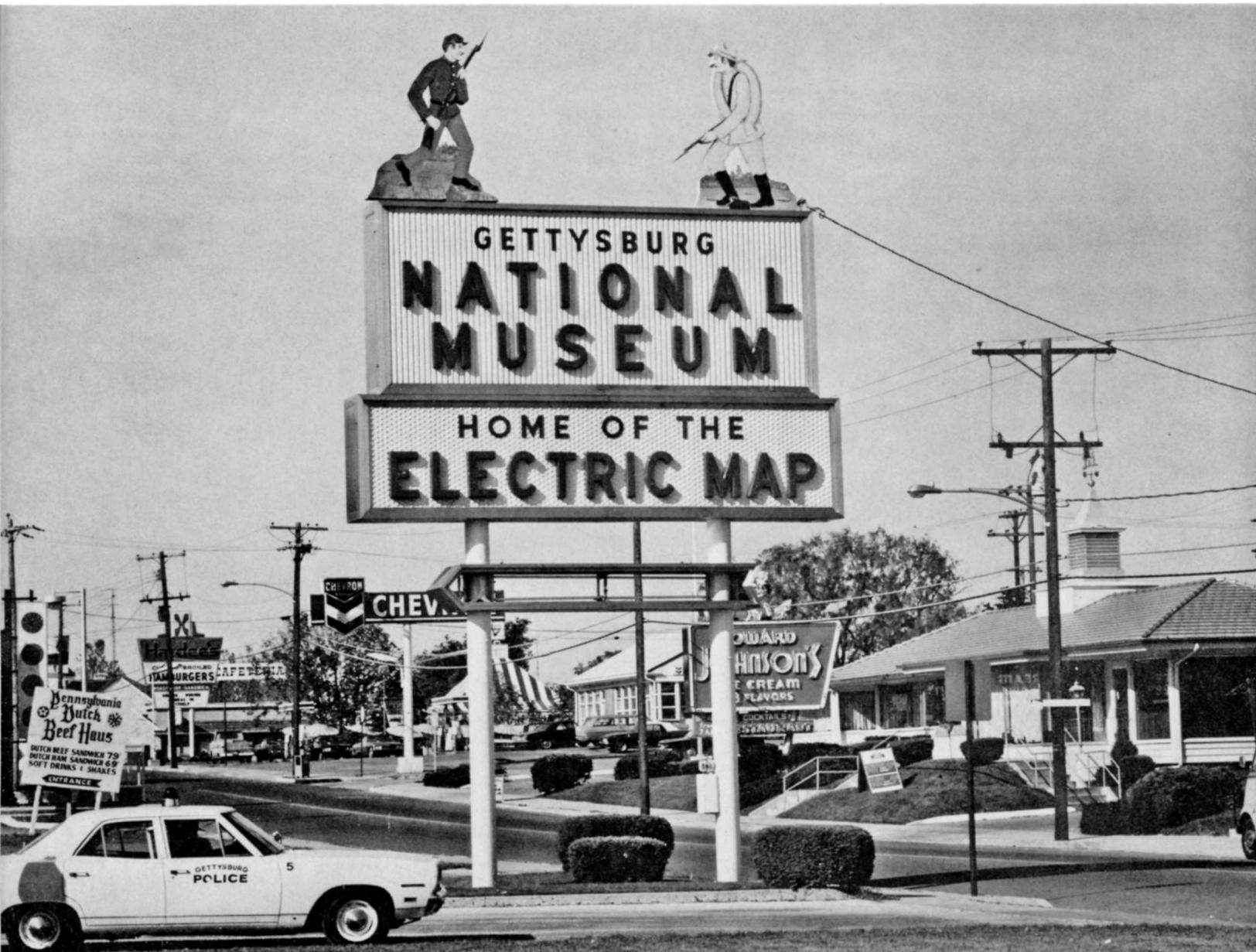
such a viewpoint in a July 31, 1971, editorial: "Gettysburg could survive this tower. . . . But in a country that at last is becoming aware of the need to safeguard both its environment and its heritage, the principle is more important than the tower. If the National Park Service succumbs to deals and pressures, as it seems to be doing at Gettysburg, the integrity of a number of other historyscapes will surely be challenged in the future."

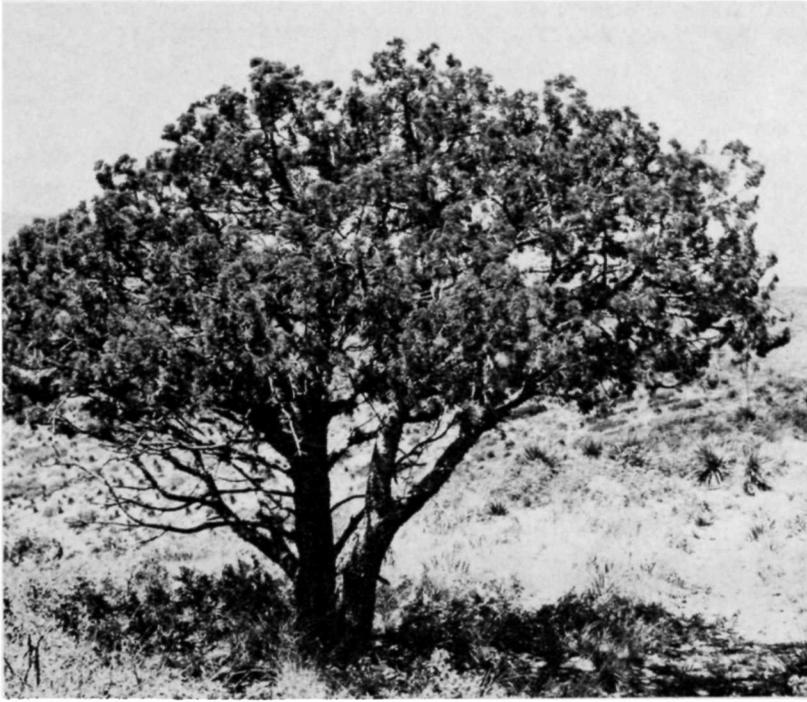
Interior officials apparently did not feel it wise to contest the tower on unconventional legal grounds and chose to reach a compromise settlement, thereby ignoring widespread public opposition to the tower. In this way the administrative process produces not the voice of the people, but the voice of the bureaucrat—the administrative perspective posing as the public interest. Ironically, viewed as an outsider by bureaucrat and sometimes even by court, the citizen is thought not to know what is in the public interest. In the Gettysburg battle the bureaucratic middlemen imposed their decision over opposition groups, even after privately offering to assist them. Bureaucrats provided

the key defense for the tower in the Commonwealth's suit for injunction. They violated the National Environmental Policy Act. They violated Gettysburg. With the public trust involved and maintenance of environmental quality and historic integrity of a national treasure in question, the Department of the Interior should have supported the voice of citizen concerns to the end and avoided bowing to expediency. ■

**Charles Roe** served as a National Park Service seasonal ranger-historian at Gettysburg National Military Park during the summers of 1969 through 1971. He recently earned a masters degree from Indiana University in United States history and environmental policies and presently is employed in the manpower development branch of the Environmental Protection Agency. This article is a condensation of Mr. Roe's detailed study "The Second Battle of Gettysburg: Conflict of Public and Private Interest in Land Use Policy," published by the Boston College Environmental Law Center in the May 1972 issue of *Environmental Affairs*.

*Commercial development near the main entrance to the national military park at Gettysburg.*





*The scaly-barked alligator juniper is common in higher elevations.*

# Carlsbad Back Country

**T**he sixteen-millionth visitor arrived at Carlsbad Caverns in New Mexico in summer of 1971. He toured the cavern; and yet, like most of the visitors before him, he went away knowing almost nothing of Carlsbad Caverns National Park. For to most visitors the cavern is the park. Seven miles of entrance road and a few acres with buildings represent the sum total of their park experience above ground.

Why is Carlsbad Caverns the park that nobody knows? The answer lies in just two words: roadless area. Although the boundaries embrace more than 46,000 acres, the only pavement is that seven-mile entrance road. This is what makes Carlsbad such a fine opportunity for the hiker. Those who want the experience the land offers must earn it.

Whatever your interest—geology, archeology, botany, zoology, or just exercise—Carlsbad's back country has it in spades. On the south a bit of the Delaware Basin is included, creosote bush country for the most part. But the majority of the park lies in the rugged Guadalupe Mountains. This massive fossil barrier reef rises 1,500 feet above the plains. It forms a great horseshoe extending from the city of Carlsbad in the north to a southern terminus at Guadalupe Peak, the highest point in Texas. Laid down by algae and other marine organisms on the edge of a shallow inland sea, the reef had its beginnings in the Guadalupian epoch of the Permian period, approximately 200 million years ago. Subsequently the reef was buried by hundreds of feet of sediment. It did not again see the light of day until raised to its present height by the Guadalupe Uplift, some 3 to 5 million years ago.

While the main reef was forming, sediments from land areas to the northwest filled in behind it as "back-reef beds." With the start of the uplift, meandering streams

began to cut trenches into both the reef and back reef, ultimately producing deep, winding canyons, some of which are seldom visited even today.

Rattlesnake, Slaughter, Yucca, Midnight, Bear—the canyon names read like a gazette of the Old West and hint at what lies in their twisting depths. Who cannot conjure up a mental picture of a place called Fawn Valley or Open Hollow Gulch? The hardest part of back country trips here is just deciding where to start, as you look at the multifaceted invitation unrolled in your quadrangle maps.

While working at the caverns, a friend and I made such a trip, to give me some idea of what the park really offered. We finally decided to start out at the mouth of Yucca Canyon, which is accessible by a rough dirt road leading out of White's City. We planned to get back into the mountains, with two days off and time to poke around. Hopping out of our truck at the canyon mouth, we slung on packs and started up the Yucca Trail. The trail probably originated as an Indian path long ago. A basketmaker type of people lived here probably for thousands of years; the Mescalero Apaches moved in between 400 and 500 years ago, remaining until the 1870s. The first settlers may have used this trail shortly after the Civil War. Use by goat herders was fairly continuous during the early part of this century. Finally the Park Service acquired the land and now keeps the trail in shape.

After only a short distance the canyon turned. We were out of sight of the valley below and heading into the first trees, large alligator junipers. One look at the cross-hatched

neal r. bullington

bark showed us how they got their name. They are beautiful to one accustomed to desert's small shrubs, but we were saddened by the fact that so many of these ancients are dead or dying. Apparently the rainfall in the area has dropped below the critical point, and only those trees that grow in the gully bottoms receive enough water to survive.

Beyond the first scattered trees my friend points out the spot where he had recently watched a mountain lion. The big cat had not paid him the slightest attention, although it must have seen him. It was almost as if it knew that here was a place where predators had nothing to fear from the superpredator man.

We hiked on. Closed in by the steep walls of rock, time seemed strangely suspended. As one bend rounded after another failed to reveal the end, I began to wonder if the canyon would go on forever. But then suddenly we topped out onto one of the few large plateaus in the area. Here the junipers are in better condition and large ponderosa pines are frequent. We passed the wildlife enclosure built by an NPS research biologist. I was surprised to see how much better the vegetation prospers when deer are fenced out for just a few years.

The plateau is not wide, and we soon reached the far side. We walked down into a small gully to investigate some ruins there. Back around the turn of the century a goat herder named Nunnley built a log corral for his flock, a rock pen for his dogs, and improved a small seep as

a water supply. It was peaceful and secluded, and we would have liked to stay. But the fallen logs and silted-in spring mutely reminded us that we, like Nunnley, were just visitors who could bask in the quiet solitude for only a little while before moving on.

Below the far edge of the plateau is Longview Spring, and we stopped there to fill our canteens. The spring, well developed by herders, now serves as a reliable source of water for wild animals. Lying there on my belly with my face in the cool water made me thankful that there are yet a few trickles in this world that water pollution has had no chance to defile.

Just as welcome as the water was the view down into the bottom of West Slaughter Canyon, hundreds of feet below. That was where we wanted to go, but there was no trail to make it easy this time. The descent looked pretty tricky, so we followed the rim until we came out on a point where the grade was not so steep. Then down we went: zigzag, hop the rocks, and keep your feet out of the lechuguilla plants clustered everywhere (lecha-getcha, my wife calls them, for the needlelike tips often break off beneath your skin so you cannot pull them out like cactus spines).

By the time we reached the graveled canyon bottom we both had wobbly knees. We flopped down with our packs for pillows and watched the clouds chase each other. A speck circling high above eventually resolved itself, not

*First used by Indians and then improved by ranchers, Longview Spring provides water for animals in the park's back country.*





*The seven-mile entrance road is the only part of the surface area that most park visitors see.*

into the vulture we expected but instead a golden eagle. Like the lion the eagle is a fugitive from poison, guns, and traps, and depends on the park as one of the few remaining sites for nesting left in the southern part of New Mexico.

When the eagle finally disappeared behind a cliff, we reshouldered our packs and started off down the canyon. Walking on gravel is hard on the feet, and I was thankful for boots well broken in. Like all good canyons, this one holds surprises. Around one turn we were startled at the sudden appearance of a small herd of mule deer. We were startled, but they were the ones who ran, bounding away up steep slopes as though they possessed some internal compensator to make the way level. We whistled. They stopped, insatiably curious, ears pricked, then ran again until out of sight.

Two miles in the canyon seemed like much more. It was just getting dark as we turned up the hillside to our night's lodging, a small rock shelter provided by the water work of centuries. The so-called Painted Grotto holds some of the best examples of Indian pictographs in the Guadalupe. After we rolled out our sleeping bags and ate a quick supper, we examined them more closely. Even in the waning light the walls glowed with whites, blacks, and reds, blended into wheels, lines, basket shapes, and other indecipherable figures. Record-keeping? Doodling? Sympathetic magic? I don't believe it matters. I just stood and

looked and enjoyed the feeling of nearness to the long-vanished Apache artists.

After the sun's last glow disappeared from the canyon, we stretched out for the night. We stayed awake for a while talking, but eventually the silences between words got longer and longer. I was almost out when I heard something on the rocks nearby. I sat up quickly, grabbing a flashlight. The beam struck out and caught a ringtail who sat regarding me with bright and curious eyes. Probably out looking for mice or similar toothsome morsels, he wasn't the least afraid. He had a striped tail much like a raccoon's. Some folks in the Southwest would call him a ringtail cat. In fact he belongs to neither the Procyonidae (raccoons) nor the Felidae (cats), having a family of his own, the Bassariscidae. I tossed a small pebble in his direction just to see his lightning takeoff. Few animals can match the incredible speed and agility of a ringtail on the run. His departure from the small circle of light was the last interesting event of the evening. Soon afterwards I was sound asleep.

The paintings were even more vivid by the morning light. We packed up our gear and set out on stiff legs along the canyon bottom. After a short while our muscles loosened and we stepped out with a bit more enthusiasm, soaking up the hot sun as we went along. The weather was beautiful, but that didn't surprise us; it usually is. Summer days average in the low nineties. The only distur-

bances are very infrequent rainstorms. Spring and fall days usually bring seventy or eighty degree weather. But it is the winters that make transplanted midwesterners like myself grateful that they left ice and snow behind. The days then are commonly in the sixties and seventies, and the light snow that does fall three or four times a season melts away within a day or two. I don't know of a better place for year-round outdoor activities.

In between songs, none of which we could seem to remember all the way through, we made side trips to inspect some of the fringe benefits of canyon walking: a red-barked madrone tree with waxy green leaves, a fallen deer antler much gnawed by rodents, a fragment of glass turned purple by the sun, and a ledge with a grinding hole. No pot hunter had preceded us to that ledge, and the mano was still in the hole, just where some Indian woman had left it. I could

picture her rotating this cylindrical grinding rock, rhythmically reducing a pouchful of pinon nuts or flower seeds to meal. Probably she didn't have the corn that one might associate with this process; the Indians in this area were hunters and gatherers rather than farmers. Windblown dirt packed around the mano suggested that it had not been disturbed since she placed it there for use at a future moment that never came. I wondered if she had been among those driven from the mountains a hundred years earlier by the U.S. Third Cavalry and other raiders. But it was too nice a day to dwell for long on such somber thoughts.

A little farther on as my friend crossed a ledge, he almost stepped on a rattlesnake. The rattler didn't appear the least bothered and just lay there, coiled beneath an overhang. We were lucky that it was one of the northern blacktails, a species usually rather docile. Western diamondbacks and

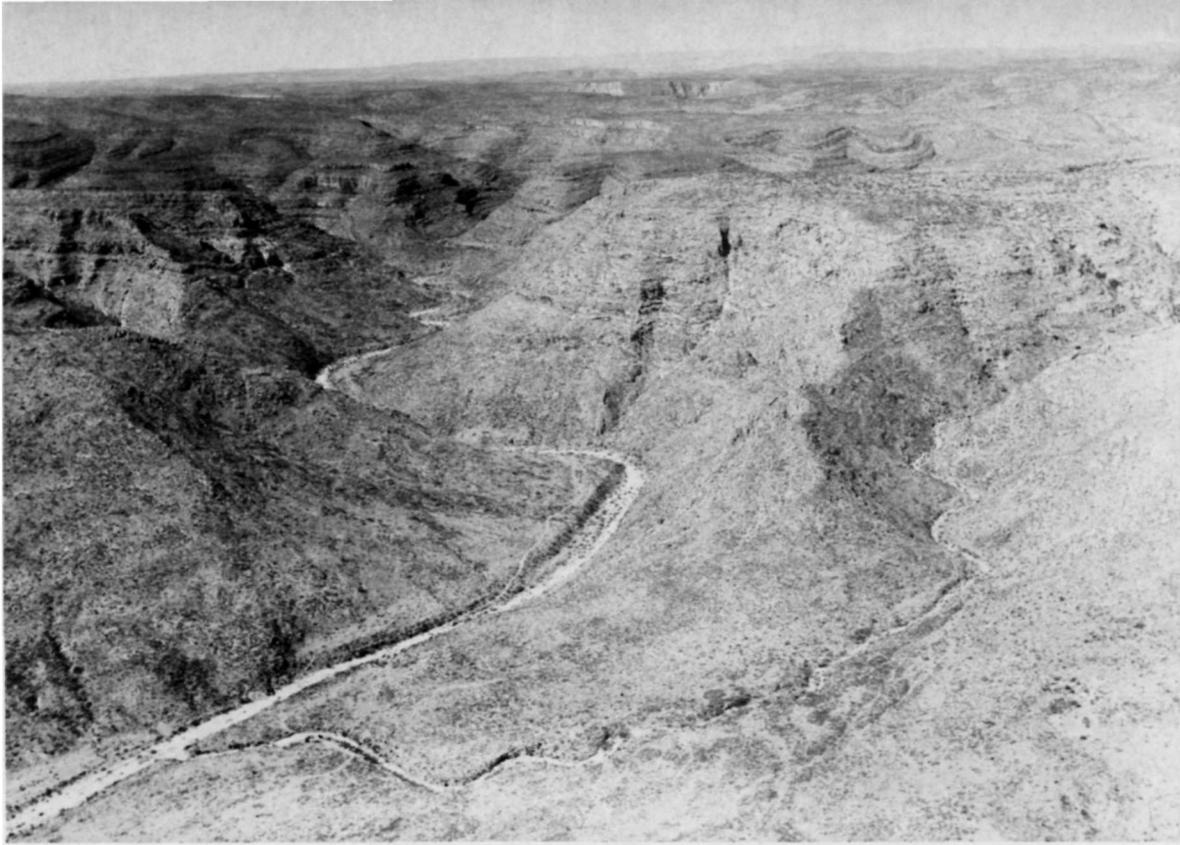


PHOTOGRAPHS COURTESY OF THE NATIONAL PARK SERVICE



*Above left, the back country of the park provides one of the few nesting areas still used by the golden eagle in southern New Mexico. Right, a painted grotto in West Slaughter Canyon is an excellent example of an Apache pictograph. Goat corrals like the one below were common in the Guadalupe Mountains in the early days.*





*An aerial view of Rattlesnake Canyon gives an idea of the rugged nature of Carlsbad's back country.*

banded rock rattlers are also common, and one of them probably would have struck. We admired the snake's rich green and black markings and tried unsuccessfully to count the rattles.

The ledge on which the snake lay was composed of marble-sized carbonate spheres known as pisolites. Looking at them, I visualized one of the many times when fluctuating sea levels had left the top of the reef exposed as an island, the pisolites forming only to be covered eventually by more marine sediments when the sea again rose. I didn't bother looking for fossils in the nearby layers, because I knew that the back-reef environment had been suitable only for certain types of algae and scattered shellfish. The reef itself was the place to look for fossils; we had seen them revealed in several locations while climbing the Yucca Trail. Brachiopods, pelecypods, scaphopods, bryozoans, fusulinids, and even an occasional trilobite were among the forms we had spotted.

By noon we reached the fork where West Slaughter joins the main canyon. From here we could get up on a bench at the side and off the gravel. We dropped our packs and had lunch. After lunch we climbed up the east slope of the canyon to the opening of Ogle Cave. Ogle is one of more than forty caves known in the park. NPS rangers are still finding previously unknown openings while on

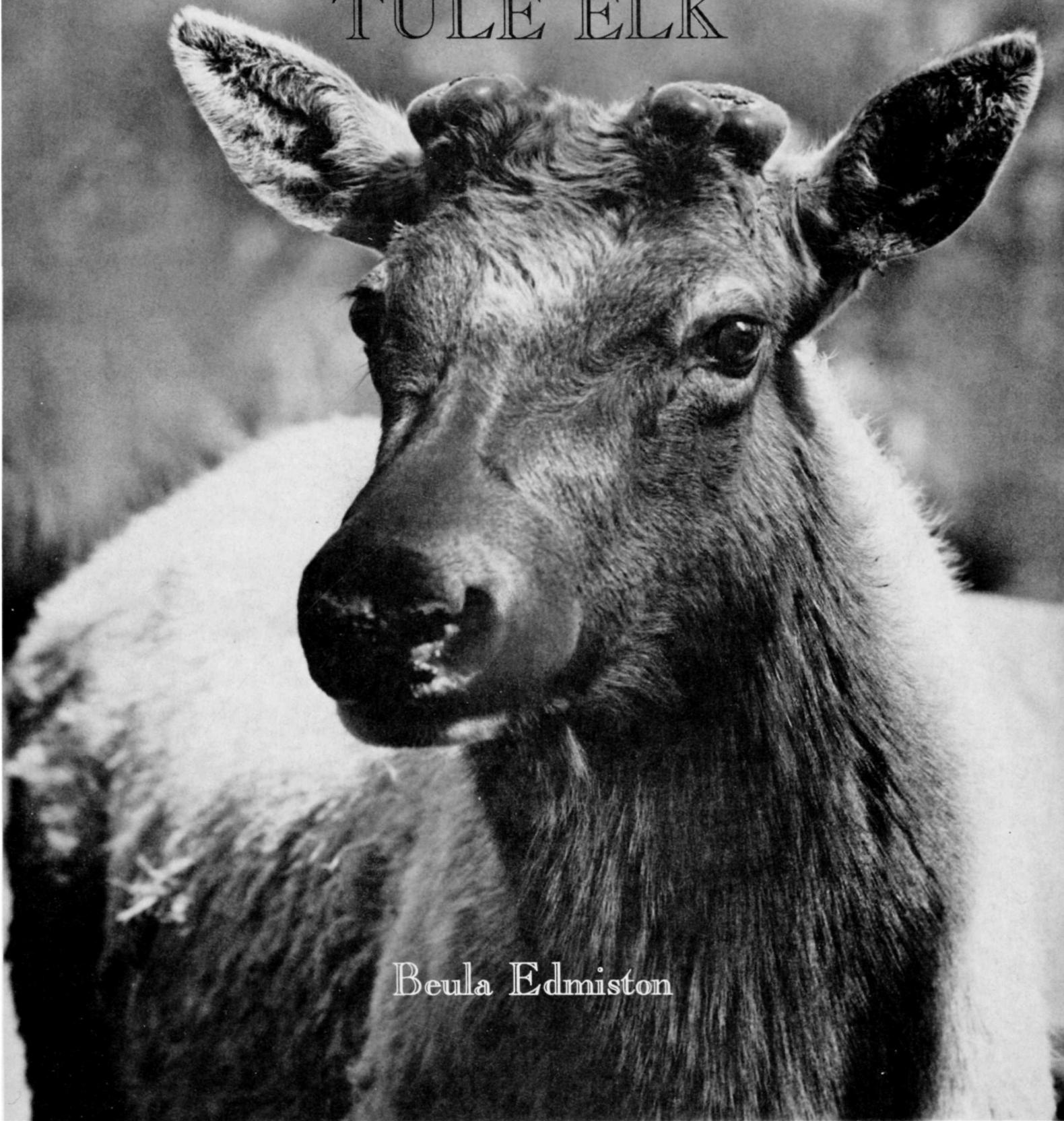
patrol. The caves vary in size from the giant halls of the Carlsbad Cavern to crawlway tunnels that barely go beyond the light of day. But all share a common origin, a slow process of rock being dissolved by slightly acid ground water prior to or during the time of the Guadalupe Uplift. The vast time span involved occupied my mind in the minutes it took to make the climb.

The yawning entrance sink was impressive, dropping out of sight to a landing point we had heard lay more than 200 feet below. At the lip we looked over the weathered debris left by bat guano miners many years ago. A gasoline hoist engine, old cable scraps, and the remains of an overhanging timber showed us how the miners had hoisted loads of the rich natural fertilizer out of the cave. We didn't have the skill or the gear to enter, and at any rate we weren't engaged in the scientific or educational investigations required by the Park Service for permission to enter its undeveloped caves. So we just reflected on the fantastic amount of work the miners had invested to make a small profit, then turned and scrambled back down the hillside.

Only a mile or so lay between us and the mouth of the canyon where we would be picked up. We experienced that ambivalence which is common at the end of such a trip. We were tired and dirty and looked forward to getting home to clean up and eat a hot meal. At the same time we were sorry that it was almost over and wondered when we could return. As we finally climbed into the waiting pickup truck, my mind turned back to that eagle we had seen circling high above. At that time I didn't know how long it would be before I could again break away from the desk work and schedule of activities at the Cavern, but I hoped he would be waiting there for me. ■

**Neal R. Bullington is park naturalist at Timpanogos Cave National Monument, where he has worked for two years. Previous NPS assignments include Carlsbad Caverns National Park, Capulin Mountain National Monument, Lake Mead National Recreation Area, and Crater Lake National Park.**

# SANCTUARY FOR THE TULE ELK



Beula Edmiston

For years now, indeed for many decades, most Americans who have taken an interest in the fortunes of endangered native animals and plants have been able to agree on one point: that there ought to be a refuge, preferably managed at the federal level, for the tule elk of California. Conservationists, environmentalists, wildlife managers, politicians, scientists, sympathetic laymen—all agree that the idea is good, the need great, the time as soon as possible. But, in spite of years of study, effort, and exhortation by many people, today there is no such refuge.

The tule elk, considered by some biologists as a subspecies of the bigger and still relatively common American elk or wapiti and by others as a species in its own right, is distinguished from the larger mammal by its bright, golden-brown apparel and its smaller size. An average male specimen of *Cervus canadensis*, the wapiti, weighs in at about 650 pounds; whereas his tule counterpart, *C. nannodes*, weighs about 425. There are certain anatomical differences between the two animals also, of interest mostly to the specialist.

The history of the tule elk is the story of an American mammal brought to the verge of extermination during the days of the California gold rush. Before the human hordes descended on California from the east the tule elk occupied the San Joaquin and Sacramento valleys of the state in numbers that one contemporary writer described as “darkening the California plains.” By 1885 pothunters catering to the burgeoning numbers of gold-seekers, adventurers, and settlers had reduced tule elk numbers to near the vanishing point. Then, said an observer of the day (as quoted in Theodore Roosevelt’s *The Deer Family*), “only one band was left, and that on the immense ranch of Miller and Lux . . . some 20 miles from Bakersfield.”

It was fortunate for the elk, and for sensitive Americans of a later day, that Henry Miller, of that “immense ranch of Miller and Lux,” took a personal interest in the unfortunate mammal. In the abrupt manner of the proud and powerful California ranchers of his time Miller created an instant elk refuge on partnership lands and spelled out a simple rule of management for the tiny herd: “We’ve no right to destroy them,” he said. “Anyone molesting these tule elk will answer to my gun.” In these two sentences Miller had not only created a refuge but probably also a popular name for the species. He had referred to the animals as “tule elk” simply because they had been discovered hiding in the tules—the bulrushes of moist California valley lands—on his vast holdings in the San Joaquin Valley. It is said, without guarantee of accuracy, that there were 28 head of elk in existence at the time of the Miller action.

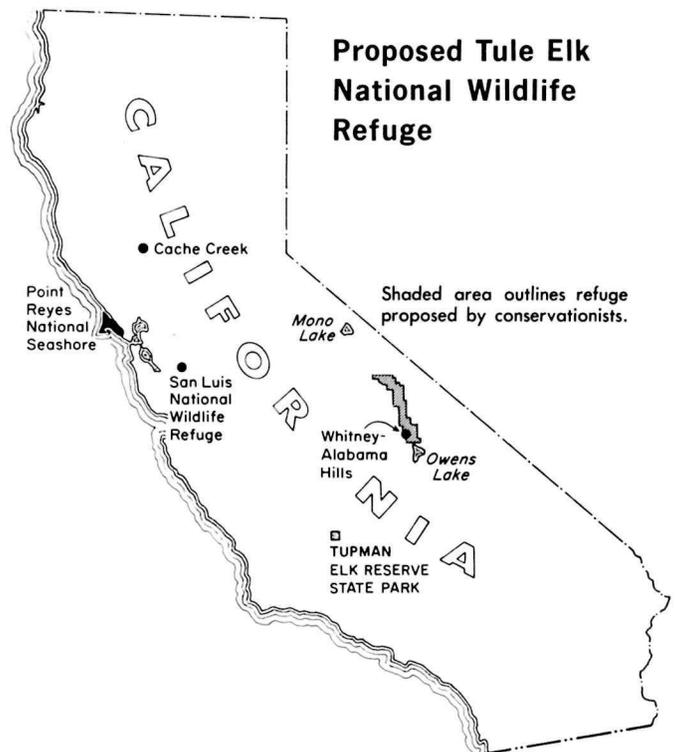
Time passed, and the tule elk recovered somewhat in numbers. Under the auspices of the old U.S. Bureau of the Biological Survey, now the U.S. Fish and Wildlife Service, at least 22 separate efforts were made to reestablish the mammal in various parts of the state. Only one of these transfers was successful, and circumstances under which it succeeded surely are worth a brief notice.

In the 1920s, at the urgent request of Dr. Barton W. Evermann, a few of the remaining tule elk were taken to the Yosemite Valley in Yosemite National Park for confinement there in a paddock as an emergency hedge against total extinction.

As a crisis action to save an American wildlife species this measure was undoubtedly justified, but it could hardly be viewed as a permanent arrangement. In the first place, the tule elk never was an inhabitant of Yosemite country and thus would be an exotic animal in the national park. In the second place, the National Park Service quite properly did not propose to retain animals, wild or otherwise, in confinement on its lands. The tule elk would have to go. The question then became: where?

At this point another California rancher stepped into the picture in behalf of the beleaguered elk. G. Walter Dow, Owens Valley rancher and businessman, commenced negotiations with the Park Service on the possibility of introducing the elk into the Owens Valley of California, over the Sierra Nevadas to the southeast of Yosemite and lying between the Sierra and the White and Inyo mountains along the California-Nevada border. The rancher reasoned that the valley-dwelling mammal would find Owens Valley habitat not greatly unlike parts of its original Valley of California range. Most of the Owens Valley was, and still is, owned by the City of Los Angeles as an important watershed; it is further protected by flanking lands of the federal government. After several years of negotiations arrangements crystallized, and in 1933 the Yosemite elk were crated and trucked to a new home in the Owens Valley. They are still there today to the number of about 290 head, and they still have a problem.

The problem is that the wild elk compete with ranch cattle for forage in the valley. Commercial grazing is permitted under lease arrangement with Los Angeles—actually, with the city’s somewhat autonomous Department of Water and Power. As the elk multiply, competition with the cattle increases, and demands for reducing the elk herd





LOS ANGELES DEPARTMENT OF WATER & POWER

arise. For a number of years now tule elk numbers in the Owens Valley have been kept below 300 by hunts sanctioned by the state Fish and Game Commission whenever the count indicated a possible total of 300. The purpose and conduct of these hunts have proved vastly unpopular with conservationists. That figure of 300 does not, by any stretch of the imagination, remove the animal from a reasonable list of endangered species.

Studies of the tule elk matter have been performed in plenty. The situation has been studied by the state Fish and Game Department, by the California legislature, by specialists from the University of California, and agencies of the Department of the Interior. What the tule elk seems to need most today is not more studies but a federal refuge—perhaps several—in which it can lead a reasonably natural existence in numbers that will guarantee viability of the species into the indefinite future. The main refuge, at least, in the thinking of many conservationists, ought to be in the Owens Valley. By virtue of the fact that Los Angeles bought much land in the valley for water rights many years ago and that adjacent federal lands were *withdrawn from entry for watershed protection, this great*

area remains in a substantially natural condition. By virtue of its location between two high mountain ranges it is also, incidentally to its proposed main purpose, highly scenic.

The most recent study of the elk situation seems to be the most promising by far, and for a very simple reason. It was made personally by Congressman John Dingell, conservation-oriented chairman of a House of Representatives subcommittee on environmental matters. In the Congress, Representative Dingell has moved from study to concrete proposal.

Within a Tule Elk National Wildlife Range of some 380,000 acres in the Owens Valley—183,000 acres of City of Los Angeles lands and 197,000 acres of federal lands—priorities vis-à-vis elk and cattle would be reversed: elk first, and then cattle. Total number of the elk herd would be allowed to rise to the neighborhood of 2,000 if, in the opinion of the Secretary of the Interior, it could properly support that figure. Tule elk beyond the actual carrying capacity of the Owens Valley Refuge up to a total of at least 2,000, would be relocated into appropriate habitats in other parts of the state, instead of being “culled” by sportsmen as in the past.

This national wildlife refuge plan has received the support of a number of other Congressmen. The City Council of Los Angeles, which would be a large contributor of lands to the project, has endorsed the idea; the Los Angeles County Board of Supervisors was unanimous in a favorable opinion. The City and County of San Francisco, which actually are interested onlookers in the matter, have declared establishment of the refuge important to the people of California. Organizations from every part of the country have expressed their support for the project. The Committee for the Preservation of the Tule Elk, based in Los Angeles and long active in promoting the Owens Valley refuge idea, has pointed out that aside from its benefit to the elk the refuge would also protect a number of other species of animals that are rare, depleted, or endangered—among them the Sierra bighorn sheep, cougar, southern pine marten, desert tortoise, and Owens Valley pupfish.

Enthusiasm for the Owens Valley elk refuge on the part of federal bureaus that would be involved in its implementation has been considerably less than that of conservationists. In response to mounting pressure for tule elk

protection an interdepartmental task force was set up in 1970 to identify possible alternative refuges for the animal, preferably located within its original habitat. Involved in the effort were the U.S. Forest Service, Bureau of Sport Fisheries and Wildlife, Bureau of Land Management, and National Park Service, plus, at the state level, the California Department of Fish and Game.

The task force looked at many sites in California and even one in Arizona. Eventually these locations were boiled down to four possibilities for official recommendation. The sites, three of which are within the original range of the tule elk, were: the Point Reyes National Seashore, north of San Francisco; the San Luis National Wildlife Refuge, near Merced; Swanson Range-Cache Creek area east of Clear Lake in Lake County about forty miles north of Santa Rosa, and the Alabama Hills-Whitney region on the west side of the Owens Valley within the proposed Owens Valley refuge. (The Swanson Range-Cache Creek area presently contains a herd of some 100 elk that probably are Rocky Mountain elk—tule elk hybrids, and in addition has an extremely limited carrying capacity.)

One of the official arguments for transplanting Owens

LOS ANGELES DEPARTMENT OF WATER & POWER



Valley elk to these alternative areas is, from the biologists' point of view, very likely sound: it might be risky to keep nearly all the elk (there are also a few in a state reserve at Tupman, living under rather artificial, zoo-like conditions) in any single area because of possible total disaster by disease; scattered smaller areas for the animal would be preferable.

Environmentalists counter this argument by saying the proposal to establish the big Owens Valley refuge, which could accommodate up to 2,000 elk, includes provision to transplant excess animals to the additional areas, thus further assuring the future viability of the species. Indeed, the suggestion has been made that transplanting might not need to wait until elk numbers in Owens Valley had reached the carrying capacity of their range; that perhaps the process could commence after the Owens herd had reached a figure of, say, 1,000 animals. Such a procedure would help keep the range of the main herd in better condition and would lessen the danger of possible mass losses by disease while providing animals for other desirable populations. At the same time it would hasten the distribution process.

*The relatively unspoiled Owens Valley of east-central California is seen by American conservationists as a likely site for a refuge in which the diminutive tule elk, an endangered species, may be allowed to increase its numbers. The view looks west toward the steep eastern face of the high Sierra.*

In his case for the Owens Valley refuge Congressman Dingell summed up its importance and urgency as well as any other writer when he said, in a preamble to his proposed legislation, that "the protection and maintenance of tule elk in a free and wild state is of educational, scientific, and esthetic value to the people of the United States, and its struggle to survive epitomizes the worldwide threat to the larger browse and graze mammals whose environments are shrinking and are being depleted as a result of civilization's incursions. . . ."

Conservationists and environmentalists all over the country think that an Owens Valley tule elk refuge would be the first long step toward that long-awaited "protection and maintenance of tule elk in a free and wild state." ■

**Beula Edmiston is secretary of the Committee for the Preservation of the Tule Elk, headquarters of which are in Los Angeles. The committee, composed of many distinguished American and foreign environmentalists, has for many years advocated establishment of a refuge for the endangered tule elk in the Owens Valley of east-central California.**

GERHARD BAKKER



# SWEDEN'S NATIONAL PARKS

Lars-Erik Esping

THE CENTENNIAL of Yellowstone National Park is being celebrated this year all over the world. The occasion gives us cause to draw attention to the importance of that national park, the first in the world, and what it has meant to worldwide efforts at nature conservancy.

Inspired by the Yellowstone project, Sweden was the first European country to establish a number of national parks. The formal action did not come until 1909. However, as early as 1880 A. E. Nordenskjöld, a Swedish explorer famous for his discovery of the Northeast Passage, proposed the establishment of national parks in Nordic countries in order to "provide future generations with a real image of their native country as it was in days of old. . . ."

With an area of 174,000 square miles, Sweden ranks fourth in size among the countries of Europe. With 8 million inhabitants, Sweden's population density is not more than forty-seven persons per square mile. Most people live in the south, where the density is 130 per square mile; in the sparsely settled north the density is only 2 to 3 per square mile. Stretching nearly one thousand miles from south to north, Sweden presents a wide variety of landscapes, from urban development in the south to wilderness in the north, where arcticlike vegetation, high mountains, and glaciers characterize the scenery. Wide divergences in climate also exist. The province of Lapland in the far north has a winter of seven months and a summer of two months, whereas southern Sweden has a two-month winter and a four-month summer.

The low density of population in the north and the low economic value of this land—its only revenue-generating uses are mining, hydroelectric power stations, reservoirs, and reindeer grazing—have made it possible to set aside large national parks such as Sarek and Padjelanta national parks, which together cover about 2,500 square miles of wild land—a real wilderness—and to plan new parks and reserves such as Tärna-Graddis and Sjaunja, together about 5,000 square miles.

In 1909 the first nature protection law was enacted in Sweden. The law provided for the preservation of both national parks and natural monuments. That year six parks of the sixteen that now exist were set aside: Abisko, Stora, Sjöfallet, Sarek, Sonfjället, Garphyttan, and Ängsö.

The 1909 statute was followed by a new nature protection

law in 1952, which in turn has been replaced by the Nature Conservation Law of 1964. This latest law and the governmental conservation body Statens Naturvårdsverk—the National Environmental Protection Board (NEPB), which was set up in 1967—are implementing systematic establishment of parks and reserves for scientific as well as for recreational purposes.

Under the Ministry of Agriculture, NEPB is responsible for central management of matters pertaining to environmental protection, especially water and air protection, as well as nature conservancy—including parks, reserves, landscape management, open air activities, and wildlife management. The board also conducts and promotes research.

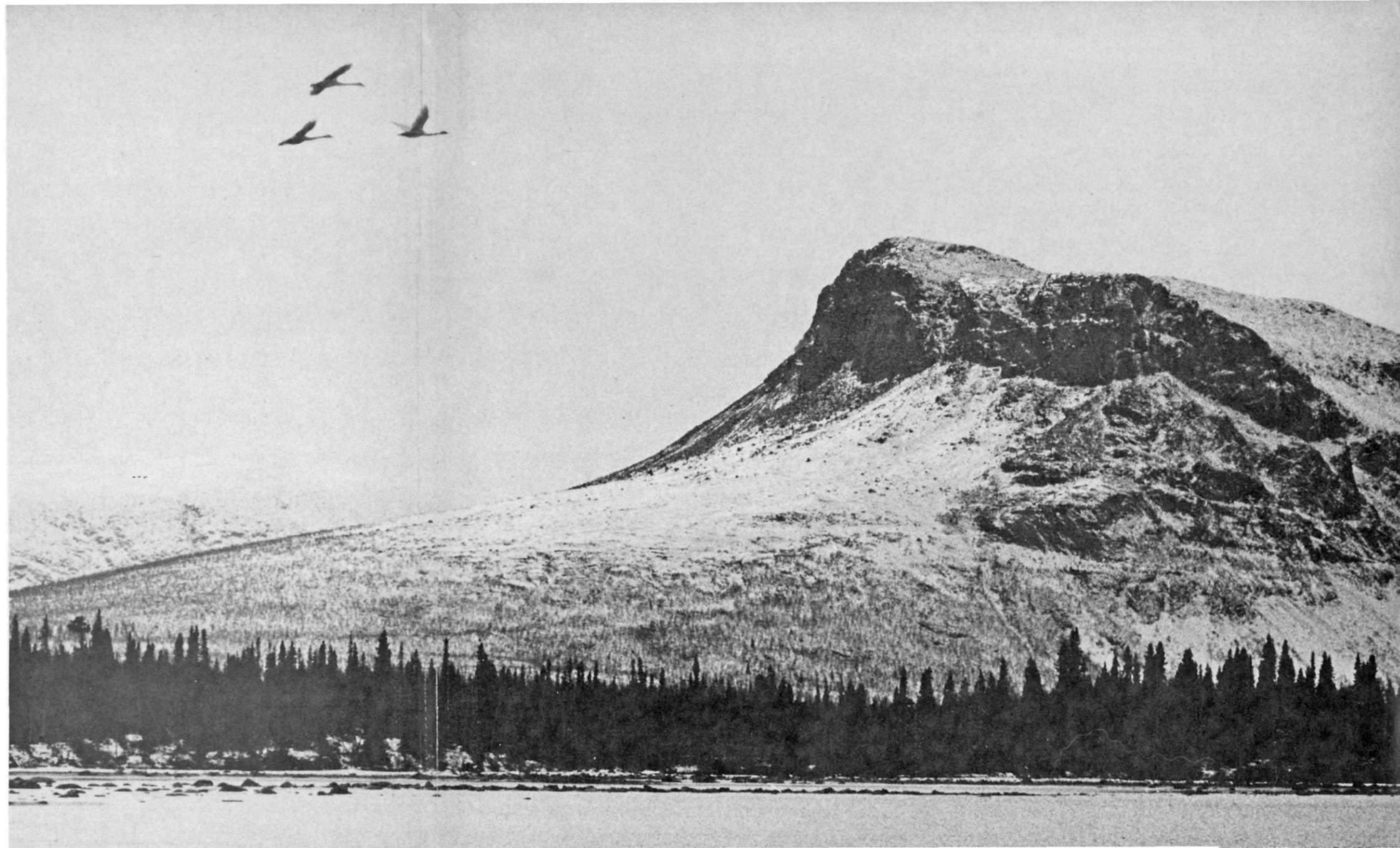
All measures to protect areas like national parks and

nature reserves in Sweden must be considered against the background of *allemansrätten*—"every man's right"—a common law principle long accepted in Sweden, Finland, and Norway, according to which everyone may wander freely in the country—even on private land—to pick berries and mushrooms, to pitch a tent for the night, and to make a campfire. On the other hand, hunting and fishing rights belong to the landowner.

National parks in Sweden are defined as extensive representative areas that are to be preserved either in a natural state or, if their significance depends on historical or cultural characteristics, in an essentially unchanged man-made state. The parks belong to the state and are administered by Domänverket—the State Forestry Service—in consultation with NEPB.

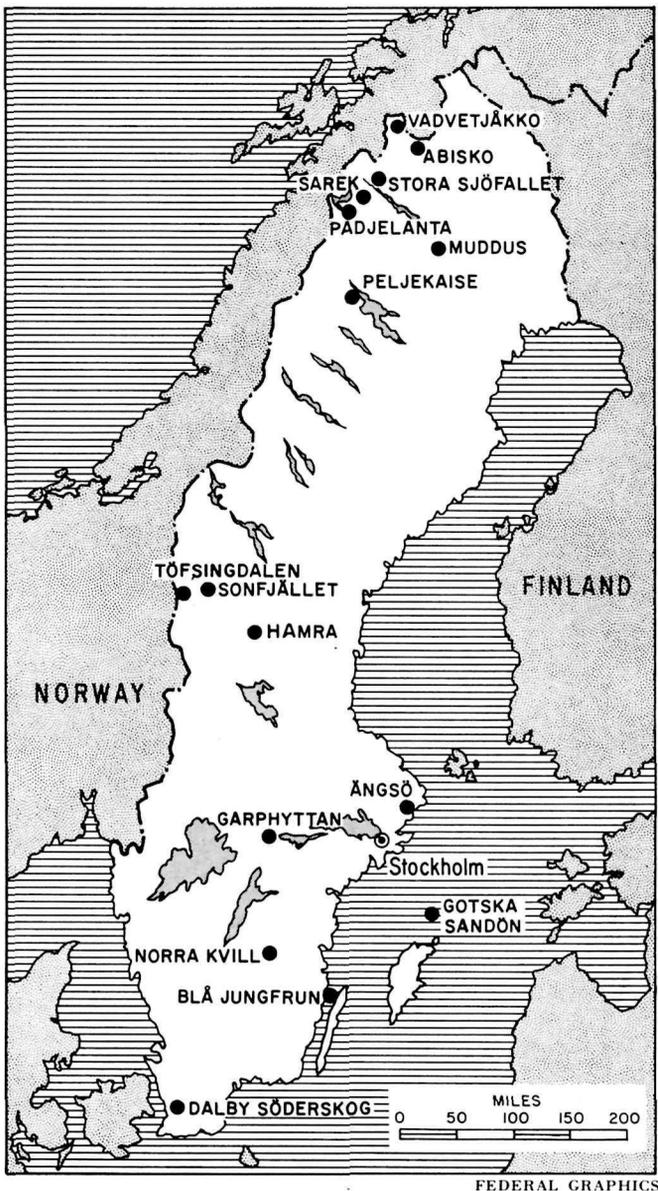
Private rights already existing may not be curtailed, especially the rights accorded to the nomadic Lapps for lodging, fishing and hunting, pasture for reindeer herds, and free ranging in the national parks. Scientific research work and investigations can be arranged by NEPB. Consequently the parks can be used as valuable ecological research areas.

Areas can also be preserved under the title of "nature reserve." Nature reserves can be set aside on private land as well as on state land. Today there are in Sweden about 500 nature reserves totaling more than 680 square miles. This designation can be made by the provincial governments if the landscape is noteworthy, if it is important for scientific purposes, or if the area is essential for outdoor life. Legal restrictions for each reserve must be stated—for



Swans in early spring at Sarek National Park.

EDVIN NILSSON



*Sweden's 16 national parks*

Vadvetjåkko (6,050 acres)—Appropriated in 1920 in order to preserve a region of arctic country.

Abisko (18,530 acres)—Appropriated in 1909; famous for its rich and varied vegetation. Abisko Natural Science field station is located in the park.

Stora Sjöfallet (340,000 acres)—Appropriated in 1909; consists of an extensive mountain region around some large lakes that have been used as reservoirs for power stations. The park is partly badly damaged by the regulation of the lakes.

Sarek (480,000 acres)—Established in 1909; a wild, untouched mountain country north of the Arctic Circle; jagged peaks, deep valleys, wide plateaus, and extensive glaciers.

Padjelanta (503,900 acres)—Appropriated in 1962; a wide mountain plain around two large lakes; one of the most valuable botanical regions in arctic Sweden.

Muddus (121,500 acres)—Established in 1942; an area with virgin forests and large mires with rich animal and bird life.

Peljekaise (36,060 acres)—Appropriated in 1909; a region with mountain birch forests.

Sonfjället (6,670 acres)—Appropriated in 1909; a mountain area well known for its brown bears.

Töfsingdalen (3,372 acres)—Established in 1930; virgin coniferous forest on dead-ice boulder clay; some of the wildest and most inaccessible country in Sweden.

Hamra (67 acres)—Established in 1909; a remarkable virgin forest region.

Garphyttan (267 acres)—Appropriated in 1909; former farmlands; old hayfields, copses, small gardens, former common grazing lands and charcoal woods, now mainly cultivated.

Ångsö (185 acres)—Established in 1909; idyllic scenery; farmland with meadows among leafy trees represents a former way of life.

Gotska Sandön (9,000 acres)—Established in 1910 and expanded in 1963; an isolated island in the Baltic Sea consisting of sand dunes, pine woods, and scattered copses of deciduous trees.

Norra Kvill (67 acres)—Appropriated in 1927; primeval coniferous forest in southern Sweden.

Blå Jungfrun (163 acres)—Established in 1926; small red granite island—mostly bare rock—with interesting mosses and lichens.

Dalby Söderskog (89 acres)—Appropriated in 1918; a patch of south Swedish deciduous forest with big oak trees and a rich flora: carpeted in the spring with wildflowers.

example, prohibition of building projects, fences, quarrying activities, land cultivation, timbering, hunting, and fishing. The landowner is entitled to compensation by the government for losses he thereby sustains.

**S**WEDEN'S SIXTEEN NATIONAL PARKS have a total area of about 3,700 square miles. Although they are located all over the country, the largest are high in the north. Following is a somewhat more detailed account of examples of the two main types of parks: wilderness parks and historical, manmade landscape parks.

Sarek National Park, 1,209 square miles and established in 1909, and Padjelanta National Park, 1,246 square miles and established in 1962, are together western Europe's largest protected wilderness. This national park area, north of the Arctic Circle and near the boundary of Norway, has direct contact in the east with the large coniferous forest belts of northern Fennoscandia and, farther on, with the taiga of Russia and Siberia. To the west the Atlantic Ocean and the influence of the Gulf Stream are not far

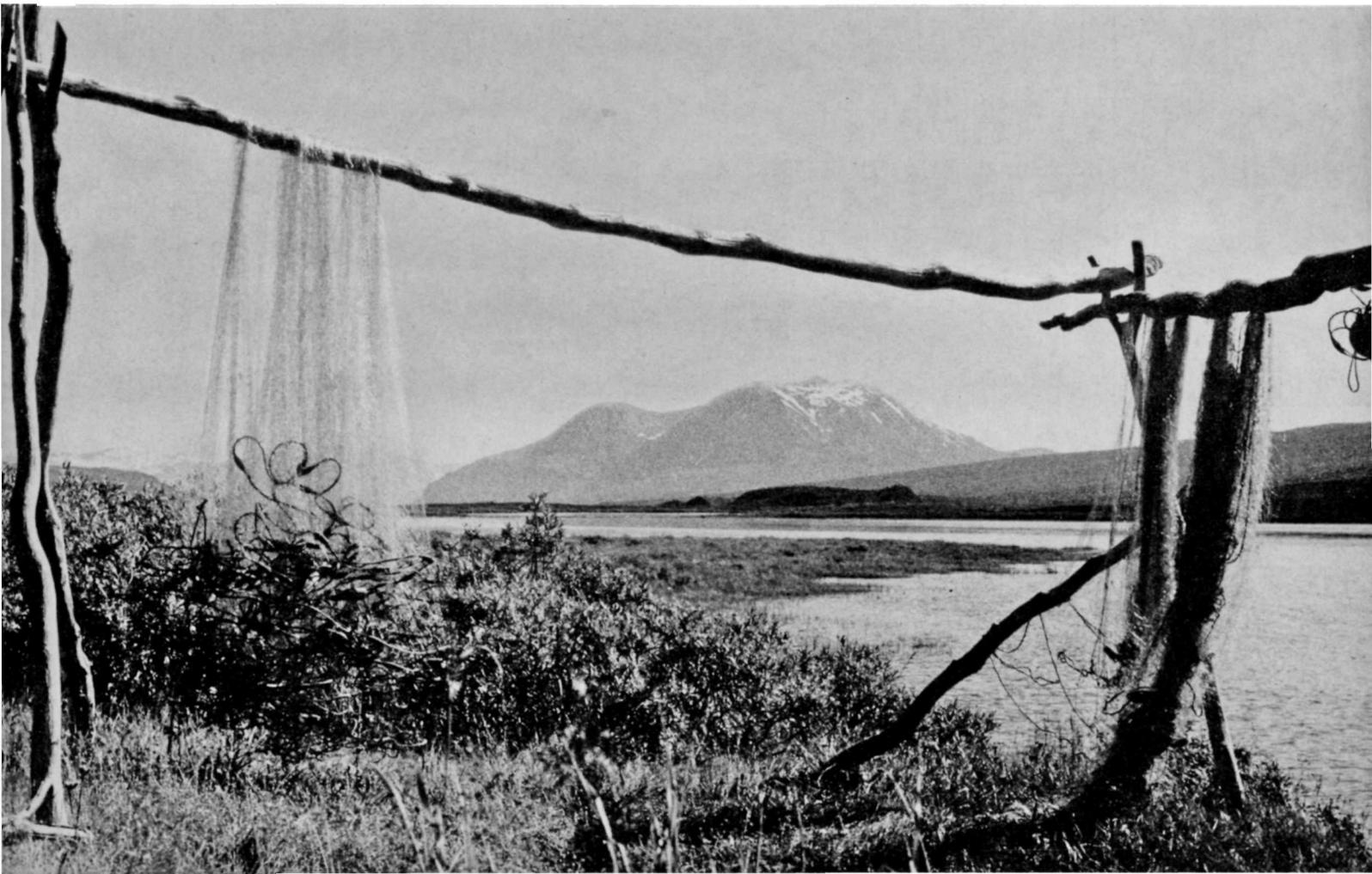
away. Most of Sarek consists of rough and wild mountain land with high peaks and glaciers, wide plateaus, and tundralike heaths above the timberline. But in the valleys of Sarek the wanderer will meet with dense thickets of willow and mountain birch as well as wide marshes, streams, and river deltas. Especially in these lower parts one will find a rich flora and interesting fauna. The area is unsettled except for a few dwellings used by nomadic Lapps.

Sarek has been called the most inaccessible spot in western Europe. It takes a day's march to get into the park; and a stay there demands mountaineering skill and very good equipment, including tent, sleeping bag, and provisions for at least a week.

With arctic tundralike heaths around its two big lakes, Virihaure and Vastenjaure, Padjelanta is especially interesting and valuable from the point of view of botanists. Since time immemorial Padjelanta has been used as summer pasture for reindeer, and Lapps have their summer quarters in several places in the park. On Padjelanta's open



*Above, a reindeer in July in Sarek National Park. Below, nets drying in Padjelanta, with the mountain Akka in the distance.*



heaths are marked trails and rather comfortable cottages, but even so it is necessary to be well equipped.

In both parks it is still possible to meet brown bear, lynx, wolverine, and arctic fox. In particular, the Rapa Valley in Sarek is a stronghold for bear and magnificent moose, and the most rocky parks support the strongest wolverine population in Scandinavia.

No national park is free of conservation problems. In Sarek-Padjelanta the most serious problem rests in the competition between the nomadic Lapps and their reindeer on one side and the demands made by the small remaining populations of brown bear, lynx, and wolverine on the other side. The Lapps are permitted to graze their reindeer in the parks and to fish and hunt animals except bears, lynx, moose, and eagles. The wolverine also is temporarily protected. However, the Lapps have a right to kill any animal attacking their reindeer. Recently the Lapps began using snowmobiles in winter, a practice that is increasing the hunting pressure even in park areas.

Some lakes and valleys have been used as reservoirs for hydroelectric power stations, including one in the southeast corner of Sarek. However, no new areas inside Sarek and Padjelanta national parks are in danger of this kind of exploitation.

The public has free admission to the national parks, but visitors present no real management problem because very few people come to these parks each year (about 5,000). Most visitors use the marked paths and the huts and cottages in Padjelanta National Park. Fishing and hunting are prohibited in Sarek. In Padjelanta fishing is permitted in some waters, but a fishing license is needed, and no fish may be taken out of the park.

Airplanes may land at one place on Lake Virihaure in Padjelanta park, but no other kind of motor vehicle, including snowmobiles and motorboats, may be used in the parks, except by Lapps to manage their reindeer. Tourists may use dogs for draught only during the first four months of the year; otherwise, they may not bring dogs in the parks.

Quite a different kind of nature is preserved in Ängsö National Park in the archipelago near Stockholm in southern Sweden. Ängsö, less than half a square mile in area,

is one of the first group of Swedish national parks established in 1909. The area is made up of woodland with pine forest, wooded slopes and pastures, open grass fields, and old pasture land. An old tenant farm, complete with sheds and storehouses and some cultivated grounds, is being preserved to show how people lived in the archipelago in former days.

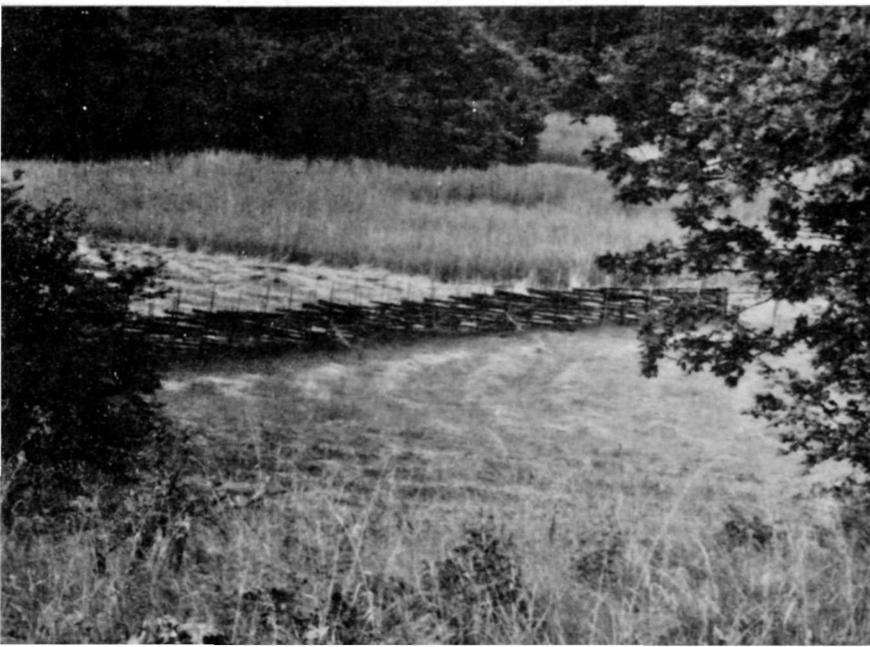
Ängsö provides an idyllic setting for a manmade cultivated landscape abounding in flowers in spring and summer. Predominating are cowslip, lily of the valley, and wood anemone, together with several species of orchids. Sea eagle and osprey occasionally breed in the woods. Ängsö can be reached only by boat.

The main problem in this park, from the point of view of management, is keeping old pasture land open. Young cows are brought from the mainland to stay the summer for this purpose.

Other national parks in Sweden are notable for their own distinctive characteristics. Vadvetjälkä is the most northerly national park in Sweden. Hamra and Muddus are Sweden's most remarkable virgin forest regions. Norra Kville is a primeval forest in southern Sweden. Gotska Sandön is a practically inaccessible, ecologically fragile sand dune island. There are some more, and for their varied significances all are highly prized by the Swedish people. As former chief administrator of Sweden's national park system, then-Director-General Erik W. Höjer of the Swedish Forest Service has written about these protected lands: "The national parks must for all time provide scientists of all nations with material for the study of Sweden's and Northern Europe's formation and natural development, and of the traditions from ancient times. The untouched land must be protected for the sake of those who come after us, for, once spoiled, it can never again be the stimulating testimony to our original countryside that it is intended to be." ■

**Lars-Erik Esping is head of the Nature Conservation Division of Sweden's National Environment Protection Board. From 1953 to 1963 he was director of the Swedish Society for Nature Protection. He represents the Swedish government in the Council of Europe's "European Committee for the Conservation of Nature and Natural Resources."**

*Left, cultivated manmade landscape at Ängsö. Right, sand dunes and dead trees at Gotska Sandön National Park.*



PHOTOGRAPHS BY RUNE BOLLVIK

# COUGAR LAKES DO-IT-YOURSELF WILDERNESS

Isabelle Lynn

U. S. FOREST SERVICE



Hikers pass by Lower Crag Lake in Cougar Lakes area.

IF I HAD TO NAME one quality that is useful in attempting to establish a wilderness area on a do-it-yourself basis, I would say that quality is hopeless naïvete. That was the outstanding characteristic the original backers of Cougar Lakes Wilderness Area brought to the project. Of course, we were a number of years younger and very much less wise. Indeed, we were positively ingenuous.

Perhaps such artlessness, leavened with a touch of arrogance and a good dollop of self-confidence (which all the originators had in good measure), proved to be not such a bad combination: in March 1971 Representative John P. Saylor of Pennsylvania introduced an omnibus wilderness bill that included Cougar Lakes; his legislation was cosponsored by Washington's Julia Butler Hansen. Now Senator Henry M. Jackson has introduced a bill to establish the Cougar Lakes area, and Mike McCormack, Washington's Fourth District congressman, has a companion House measure. In 1917 Mary Roberts Rinehart made her proposal for a North Cascades National Park. It took half a century, until 1968, for that bill to be signed into law.

In the late 1950s most people were not impelled to move against "progress" unless they were directly affected. A high rise going up in front of their picture-window view of bay or mountains was an immediate and recognizable outrage—and they reacted. We got our own "high rise"—with attendant outrage—in the form of a timber sale in country where we thought, if we thought at all, no timber sale ever should or ever would be made. Why we felt that way is lost in the mists of many later battles.

At that time our small guest ranch had been running along happily, if modestly, in some of the most beautiful country in the United States. We had miles of trails throughout some 150,000 acres of the Snoqualmie and

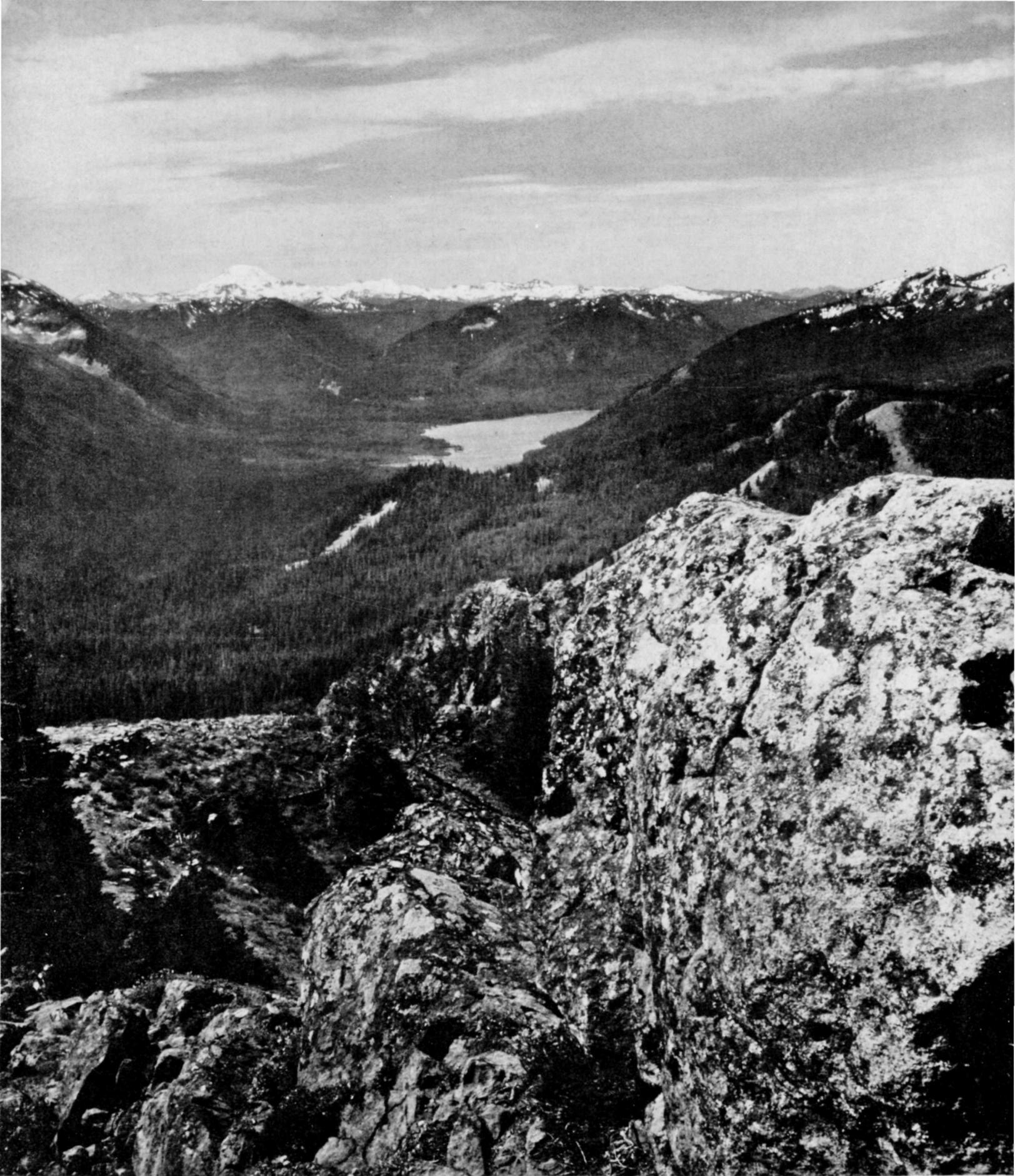
Gifford Pinchot national forests immediately available to riders and hikers. The area was (and remains) roadless except for a U.S. Forest Service dirt road in the narrow valley corridor that penetrates, but does not halve, the country between Chinook and White passes in Washington's Cascades. The proposed wilderness area shares a common boundary on the west with Mt. Rainier National Park, where the Crest Trail divides park wilderness and national forest wilderness, and the huge snowcapped volcano dominates the scene.

For such a relatively small area there is a tremendous variety of terrain and scenery. "It is unbelievable to me that so small an area can pack such a wallop of experiences," commented the late Harvey Broome, then president of the Wilderness Society, following a pack trip survey. Other knowledgeable conservationists have described it as "instant wilderness," an area so spectacular, so intact, so often proposed, that it is truly "ready made."

The country varies from high mountain meadows ringed with alpine fir to rugged, glaciated terrain. A marvelous variety of wildflowers blooms throughout the summer following the receding snow. Rushing streams cut the mountainsides, and lakes dot the high-country meadows. Wildlife is abundant; on one attentive day you may see anything from elk, deer, mountain goat, bear, or coyote to a pika "making hay." Birds are everywhere; you may see a golden eagle or a pileated woodpecker. When flowers are in bloom in the high country, you will surely spot a calliope or rufous hummer.

I am benumbed to recall that we took it all for granted.

In the latter part of the fifties the Naches Ranger District made a timber sale on American Ridge—and wiped out a beautiful "early" trail, the first one to open up in spring.



*Bumping Lake in Cougar Lakes area from American Ridge with Mt. Adams on the horizon.*

DOUBLE K RANCH

That trail followed the contours of the ridge to the top, rising from about 2,500 feet to 6,500 feet in five or six miles, traversing lovely open grassy slopes through a vast stand of ponderosa pine. In late May or June the lupine and paintbrush bloomed right to the base of these giants. To say I have never known why this sale was made would be to confess to a lingering innocence. Now I know that these trees, this mountainside, were within the sacred "cutting circle" of the Forest Service. There was a huge stand of virgin ponderosa the like of which will not be seen again: such stands are nearly gone from the east slopes of the Cascades.

At about the time of the actual logging operation (and this one was so badly executed that even the Forest Service has admitted to "shame" about it) we read an article by the late Karl Onthank describing the "limited areas" of the Pacific Northwest. Among others, he described our own country, the Cougar Lakes Limited Area. That such a designation even existed was news to us. Limited areas were outstandingly beautiful places the Forest Service set aside in a happier era, when it seemed that the national forests could serve the purposes of the lumber interests forever while still preserving a few spots of outstanding beauty, *sous cloche* as it were, for the sufficiently rugged to enjoy. These areas were designated back in the 1940s, and the only "protection" they enjoyed was at the whim of the Forest Service's regional forester.

We wrote Dr. Onthank, who advised us to form an organization (as he had done for the Three Sisters area in Oregon) or at least to get together a nucleus of like-minded people who would urge the Forest Service to preserve the Cougar Lakes area by formally dedicating it as wilderness. While our organization was in formative stages, we met Howard Zahniser when he came to Yakima on a speaking engagement. He suggested we draft a proposal and send it to the regional forester in Portland. Justice William O. Douglas, whose conservation activities are as natural to him as breathing, was and continues to be adviser, helper, and staunch friend of the project. He knows the area at first hand, having hiked and ridden all of it for most of his life.

All the spadework took time, but by early 1961 our "organization," a loose affiliation of aroused friends from the state of Washington to Washington, D.C., had drafted the proposal, drawn up a map with suggested boundaries, and sent the whole thing off to J. Herbert Stone, then regional forester, smugly, with assurance, and with an unfortunately large sense of accomplishment. As far as we were concerned the Cougar Lakes Wilderness Area was a *fait accompli*.

Time passed, and when no congratulations for our foresight were issued from the regional office, our spirits were dampened; but we were not really daunted. We were wrong on two counts: we had believed that the Forest Service was interested in saving magnificent areas; and we had believed that as civil servants Forest Service personnel would be responsive to a citizen petition, if only to the extent of acknowledging its existence. We began to suspect that this might take a few months, and we started inquiries. Had the regional office received our petition? Back came a laconic "yes," hedged about with governmentese.

It dawned on us that what we had taken on was not



a simple matter of ladies and gentlemen sitting down to iron out a few little differences of opinion, but a major conflict. We looked around to see what others were doing. In our innocence we were surprised to learn that similar groups, and much larger and better organized groups, were working to save bits and pieces as well as large chunks of other wilderness. Although we were by nature and inclination nonjoiners, we nevertheless joined many conservation groups, local and national, and started at the bottom to learn the facts of conservation life. One of the major facts in the early 1960s was the Wilderness Act, then pending in Congress, and we united with those fighting for its passage.

In the meantime, and shortly after we had made the original proposal, the North Cascades Conservation Council, working ceaselessly and seemingly tirelessly for a wilderness bill and a North Cascades park, took over our modest proposal for a 125,000-acre wilderness area and made it their own—our own, for we had by then become members of that organization.

This move helped take the onus off us vis-à-vis the Forest Service. We heard many rumors emanating from both the regional office and Snoqualmie National Forest to the effect that we were simply being selfish in not wanting this country logged; that we considered this part of the Snoqualmie a personal fief. So all right, we could have been called selfish, and I hope that everyone who knows of even a few hundred salvageable acres of pristine America will be equally selfish.

Sponsorship by the North Cascades Conservation Council lined up additional and important conservation support for Cougar Lakes Wilderness Area. Suddenly we had all kinds of friends we had never heard of. The Forest Service response, however, was still negative; and it continued to include portions of the proposed wilderness in its cutting circle. That Forest Service personnel could have been so insensitive to the conservation wave that was about to crest over them is almost unbelievable. They too were naïve, lulled by so many years of companionship with timber company vice presidents and quite unaccustomed to the concept of an aroused and highly verbal citizenry. Not even the passage of the Wilderness Act crystallized the situation for them. Indeed, there are still a few forest supervisors who continue to muffle their ears to the winds of change. A notable example of the old forestry philosophy is the Gifford Pinchot Forest, mangled, close-shaven or scalped,

desolate, and eroded—a stunning and highly visible argument against clearcutting.

Right up to the time of the publication of the Interior-Agriculture *North Cascades Study Team Report* in October 1965, when a quiet moratorium was placed on cutting in “sensitive” areas, we were fighting rearguard actions against the Forest Service—over the Copper City timber sale, for one example. This involved a blowdown, largely of hemlock, resulting from the famous 1962 Columbus Day storm that leveled trees all over the Pacific Northwest. No one would buy on the first offering. Who wants hemlock down two years under Cascade winters? Despite strenuous efforts by Justice Douglas, Senator Jackson, and Senator Morse, who took the request for a stop order on this sale right up to then-Secretary of Agriculture Orville Freeman, the sale finally was made, sweetened by half a million board feet of standing white pine, not to mention a contract for the road extension to within a mile and a half of the crest of the Cascades. That one we lost.

And there was a sale planned (indeed, the trees to be cut still bear slashes of blue paint) on the North Fork of the Rattlesnake River that conservationists, with formidable help from Justice Douglas and Senator Jackson, opposed. We won that one.

The North Cascades Study Team’s mission was to scrutinize all federal land between the Canadian border on the north and White Pass on the south. The proposed Cougar Lakes Wilderness Area lay within the purview of the team. When the report was released, we were disappointed but hardly surprised. Living here, we were well aware that the team had not even visited the Cougar Lakes area, at least on the ground. It had simply accepted Forest Service recommendations for the area, which added up to a trifling 40,000-acre Mt. Aix Wild Area, which, naturally, had no commercial timber. The balance was to be put back into the hopper for “multiple-use” management, that great wastebasket designation that means everything, consequently nothing. But that the Forest Service had recommended even 40,000 acres of what had been called “wilderness on the rocks” was at least a shred of evidence that someone in the Forest Service must have turned up his hearing aid.

When hearings were held on the report in 1966, it was evident that conservationists had helped turn up the hearing aids a little higher. Dr. Edward P. Crafts, chairman of the study team, speaking at the biennial wilderness conference in Seattle, admitted his surprise that hundreds of letters and petitions from all over the United States had been received in protest of the proposed declassification of Cougar Lakes Limited Area. And Cougar Lakes had been, apparently, just a by-the-way part of the study. We were developing the kind of clout that makes bureaucrats uncomfortable. In fairness, I have to add that by that time the Forest Service itself was taking another look at some of its policies. Well, at least a casual glance.

But we were still five years, many frustrations, and several timber-sale incursions away from the legislative scene. The Tieton District of the Snoqualmie Forest nibbled away on the White Pass boundary with a sale on Russell Ridge; the Packwood District of Gifford Pinchot made a sale that penetrated the proposed wilderness on Cortright Creek. In August 1967 a lightning-caused fire damaged

half a section of timber on Summit and Pony Creeks in the Gifford Pinchot Forest. The fire was instantly taken as a sign from on high that a road should be built into the area to salvage the standing, damaged trees. Conservationists protested in vain, but they did extract a commitment from the supervisor that all care would be taken in removing the timber (how absurd to have to get a promise to do that!) and that the logging roads would be “put to bed” and seeding immediately done. In his report of the logging plans for this fire-damaged area, George Selke, in a special report to the Secretary of Agriculture, said:

“There are so many advantages to the attendant regeneration program. Instead of waiting for the slow and uncertain recovery that frequently takes a half century for the snags to drop and that permits rapid water runoff and soil erosion to take place, the improvement plans that accompany the logging contract will aid nature to transform the burned over area as rapidly as possible into a green and growing area. . . .”

Very idyllic. Last September we saw this area where nature has been “aided.” Coming down the steep trail from Fryingpan Lake to Jug Lake, we saw Mt. St. Helens, resplendent with fresh snow on the horizon, set off by Carlton Ridge, the scene of the fire—naked, eroded, with not so much as a tinge of green. Having seen this fulfillment of the contract obligations (or was it nature who was being naughty and uncooperative?) I seriously doubt whether the road has been scarified. The supervisor of Gifford Pinchot National Forest has said that he will continue to log in that area.

Even after Rep. John Saylor had introduced his omnibus wilderness bill last year, Gifford Pinchot Forest was advertising another sale in this area, the Yellow Jacket, which was quashed. The story from the Packwood Ranger District was that they had decided the soils were too fragile for that proposed logging operation. At 5,000 feet, yes, certainly they are; but regrettably Gifford Pinchot managers did not make the decision; it was made for them.

While so little has changed in the kingdom of Gifford Pinchot National Forest, there is a refreshing new look in Snoqualmie. That is to say that not everything now is valued in terms of board feet alone. Except for the acreage that lies within Gifford Pinchot Forest, the Cougar Lakes area is presently being managed as wilderness, with all motorized travel excluded from its trails. Indeed, even the trail crews no longer use chain saws for maintenance.

Senator Jackson’s bill, S. 2997, introduced on December 11, 1971, calls for a Cougar Lakes national recreation area of 267,000 acres, or roughly the entire area between Chinook and White passes, except for Mt. Rainier National Park, already protected of course. In addition, 37,000 acres are north of the Chinook Pass highway in the area that includes spectacular Fife’s Rocks. The bill also provides for a two-year study of 152,000 acres—a wilderness core within the national recreation area, with a view to designating it as a part of the wilderness preservation system by another act of Congress at the end of the study period.

Of course, to call for an intensive study now is virtually to deny that one has ever been made. The North Cascades study team made a supposedly exhaustive study in 1963–65. That their conclusions were wrong and based

on outmoded concepts is beside the point here. The fact is that the Forest Service knows, down to the last two feet, the board feet of commercial timber in the area; mining and geological surveys have already demonstrated the paucity of minerals in commercial quantities. The tremendous value of the area as watershed is self evident, and everyone who has been in the area is a true believer about saving it.

The two-year period may give the timber industry an opportunity to succeed in demanding a share of the commercial timber in the area. This must not happen. And it should not be up to private citizens with all-too-easily exhausted resources to save areas of wilderness, even those with commercially valuable timber, from the chain saws. That is the duty and responsibility of the Forest Service. However, it does no harm to keep reminding these gentlemen of their priorities, and the fact is that private citizens will have to keep on saving areas of potential wilderness.

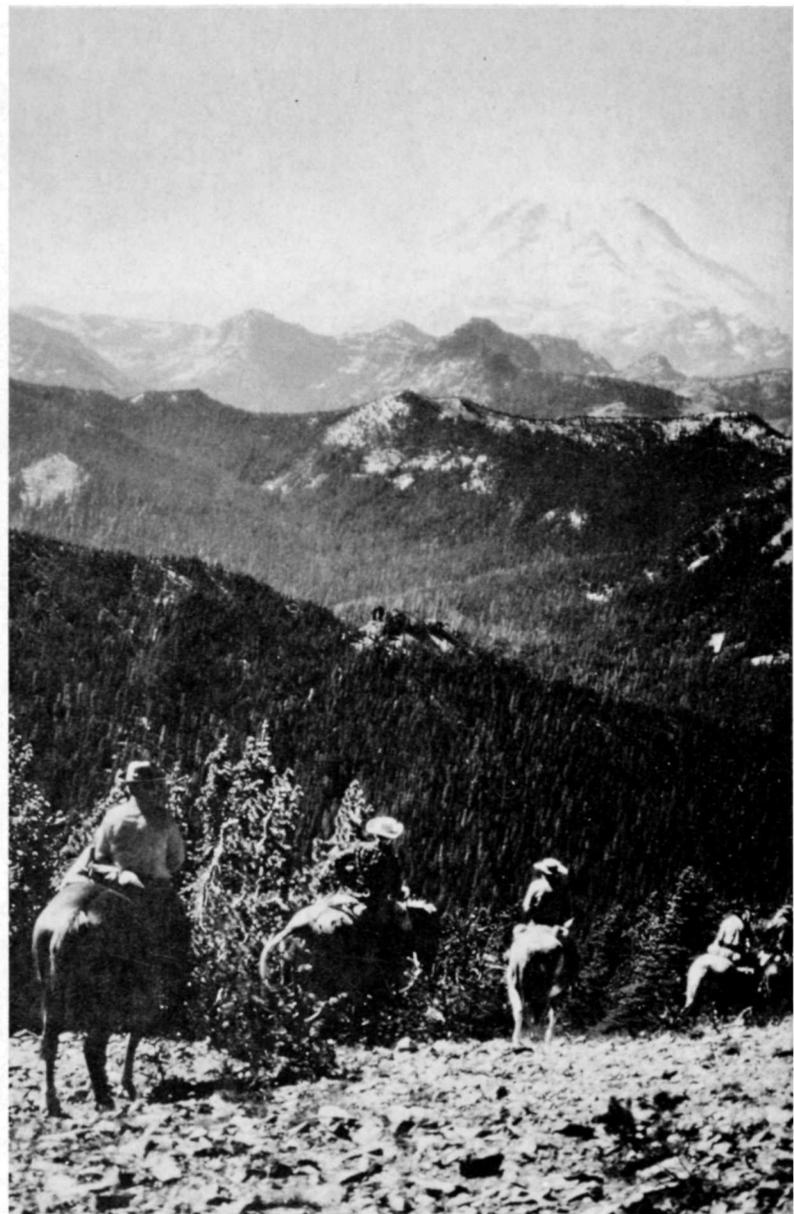
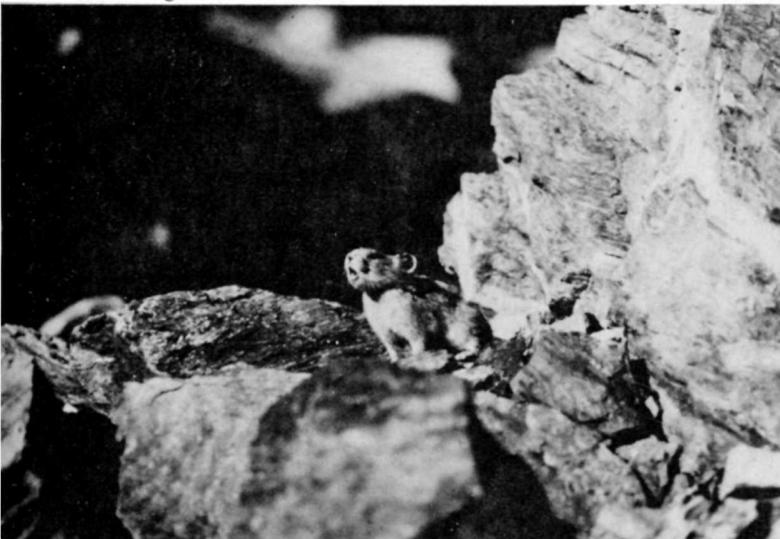
With limited time and facilities, but with an endless supply of determination, anger, and hard work, plus some luck, Cougar Lakes has at last been introduced into the legislative stream. Democracy does work, provided you can dragoon enough willing hands to bludgeon it into functioning. And your task, if you choose a similar cause, will be that much easier because of all that has happened in the last decade. The wilderness concept is firmly entrenched in the public mind. The wilderness is no longer "howling"—except to be saved. ■

**A previous contributor to National Parks & Conservation Magazine, Isabelle Lynn has been an active conservationist for fifteen years. She authored the original proposal to set up Cougar Lakes Wilderness Area. Since 1956 she has been a partner in the Double K Mountain Ranch, Goose Prairie, Washington.**

PHOTOGRAPHS COURTESY DOUBLE K RANCH



Wildlife is plentiful in Cougar Lakes area. The fawn above was photographed in Thunder Creek Basin. Below is a pika, a squirrel-sized animal closely related to the rabbit. Right, a group of riders heads over Nelson's Ridge in Cougar Lakes area. Mt. Rainier is in the background.

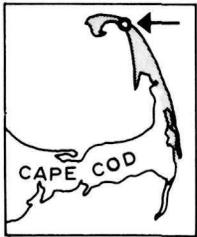


# NPCA at work

**Cape Cod parking lot** NPCA has argued for years that the greatest menace to the integrity of park system units is the private automobile rather than large visitation figures, a philosophy that lately has gained some modest official acceptance, if usually in cases where traffic problems have become wholly intolerable. NPCA's idea of public rather than private transportation in park units—or at least a combination of the two—still has far to go, however, as was demonstrated recently at Cape Cod Seashore in Massachusetts.

There the Park Service set about to enlarge the existing "Dune Parking" lot near the Truro-Provincetown town line to accommodate more cars in an area that already chokes with private cars in season. Original construction of the parking lot had produced an adverse effect on a large adjacent sand dune (locally called Mount Ararat) and in NPCA's opinion any substantial enlargement of the lot threatens to increase erosion and destruction of the big dune to an "unacceptable rate."

In a letter to the superintendent of the seashore on the matter NPCA pointed out, through Dr. John Grandy IV, administrative assistant for wildlife, that "unless we are going to allow parking areas to expand *ad infinitum* [at Cape Cod Seashore] we must at some point let the size of the lot determine the number of cars. . . . It is becoming painfully obvious that the solution to overcrowding in park system units does not lie in the direction of more or bigger parking lots." Dr. Grandy suggested that the seashore management might consider other visitor transit devices, such as minibuses. In addition, he requested that an environmental impact statement



on the project be produced to evaluate its effect on adjacent terrain, and to investigate alternatives. The seashore superintendent indicated a statement would be produced.

During the course of correspondence between NPCA and seashore officials, the Association's position on the matter was supported by the Provincetown Conservation Commission. "Establishment of the original parking lot in that area was . . . a grave mistake that has contributed substantially to the erosion of nearby dunes," the commission wrote the superintendent. "The commission agrees . . . that any enlargement of parking facilities in the area 'may increase erosion and dune destruction to an unacceptable rate.'"

**Water resources hearings** The proposed new standards of the Water Resources Council, which will govern federal water development projects like dams, canals, and river channelization, and determine their economic and environmental acceptability into the foreseeable future, have been of deep concern to the conservation world in late months. The Magazine for March 1972, page 34, summarized the views and recommendations of most conservationists on the new standards.

In late March the Water Resources Council held public

hearings in Washington on various aspects of the standards. On invitation of the Council, NPCA presented its comments. It commended the Council on the several new and positive aspects of the proposed standards.

NPCA made several recommendations, however, which it felt would help make the new standards of even greater ecological and social value. Most importantly, the Association felt that the discount rate used in evaluating federal water projects of all kinds should be pegged at 10 percent. (A rate of 7 percent seems to be recommended by the Council, although its own discussion of the matter seems to indicate that 10 percent would be an appropriate rate. The 7 percent rate, said NPCA, would seem to be "an attempt to subsidize developers.")

NPCA felt that the proposed regional development account of the standards ought to be dropped, as resulting in a system whereby all costs and benefits to the public would not be adequately considered and which in addition would favor one region of the country over another. NPCA also felt that the final version of the new standards ought to be used in re-evaluating water projects on which significant construction has not yet commenced; also that the proposed standards should be strengthened in respect to provisions for public participation in project planning and review.

Increased dollar benefits attributable to building on floodplains should not be allowed, the Association said, since such developments merely invite destruction by flooding with subsequent need for massive federal relief. Rather, it was suggested, the new standards should endorse floodplain zoning that would eliminate destructive and unwise development.

Standards should strongly endorse elimination of water pollution at source and should prohibit water developments aimed at "dilution of pollution," NPCA said; they also should strongly endorse recycling of water by spray irrigation or direct recycling to water intake reservoirs.

**Ocean mammal protection** During March the Senate Subcommittee on Oceans and Atmosphere of the full Committee on Commerce held public hearings in Washington on several proposed measures for the protection of ocean mammals. On invitation to testify, NPCA presented a number of provisions which it felt should be incorporated in any measure which might finally emerge on the subject. These were:

A ten-year moratorium on the killing of all ocean mammals, excluding those presently covered by the Pribilof Fur Seal Treaty, and excepting the traditional rights of natives.

A ban of similar duration on imports of all ocean mammal products to lessen economic incentives that foster killing of ocean mammals.

Mechanisms to insure continued protection of ocean mammals, if needed.

A provision stating that after the period of one year it would be unlawful to employ any method of fishing that would cause significant harm to any population of

ocean mammals, either intentionally or unintentionally.

A provision for the funding and supervision of scientific research into the ecology and behavior of ocean mammals.

A provision stating that jurisdiction over all ocean mammals should be placed with the Secretary of the Interior, whose Bureau of Sport Fisheries and Wildlife possesses much of the scientific expertise on ocean mammals.

A request that the Secretary of State negotiate workable treaties to insure world-wide protection of ocean mammals.

**Grizzly bear program** The phasing out of the practice of feeding garbage to grizzly bears in Yellowstone National Park has been under way for some time now. NPCA has published on this subject a number of times, most recently by way of a major article in the February 1972 Magazine.

The Association always has been in favor of the phaseout and a return of the bears to a more natural way of life, but the actual mechanics of the program has caused some dissension in the ranks of wildlife biologists and game managers. Mainly, the two schools of biological thought have split over the question of how fast the program should be pushed, rather than whether it ought to be pushed. In light of the fact that Yellowstone grizzlies have been fed garbage over many years—that they long ago fell into the garbage way of life, so to speak—all hands admit that change may not come easily, and the Park Service must think of the safety of park visitors, among other considerations. A panhandling grizzly is hardly to be compared with its mild-mannered cousin, the black bear, which the Service also would like to see more independent in parks that have populations—and which *could* be independent if park visitors would refrain from passing out sandwiches, cookies, fruit, etc. In any case, the question is, how best to get the Yellowstone grizzlies back on a natural diet.

NPCA has kept in constant touch with the grizzly program and the people who are implementing it. The Association has not taken a position on the merits of either the "fast" or "slow" approaches—both programs have arguments to support them. However, NPCA recently suggested to Yellowstone Park officials that an environmental impact statement on the matter ought to be done as a means of furnishing the public with more information on the subject. The park superintendent has agreed to the request.

**Sawtooth proposal** NPCA has, on invitation, submitted comments for the record on a Senate bill that would establish a Sawtooth National Recreation Area, a Sawtooth Wilderness, and possibly a national park in the Sawtooth Mountains and

adjacent lands in Idaho. The bill, S 1407, recently was under consideration by the Senate Interior and Insular Affairs Committee.

NPCA indicated its support for such a combination approach to protection and recreation in the region, on the grounds that visitors would have an opportunity to enjoy the highly scenic country in the ways that would appeal to individual tastes. Recreational activities like boating, fishing, hunting, and skiing could be permitted within the recreational area, but restricted to that area. National park and wilderness would preserve the more fragile and unspoiled parts of the total unit in a natural condition. It was pointed out that this approach to protection and recreation is not a new one, having been employed with success in the North Cascades of Washington State. It has the advantage, NPCA said, of possibilities for reconciling conflicting interests and demands, especially in view of shrinking natural resources.

NPCA did oppose, however, a provision of the bill that would place the possible park only in the high elevations of the mountain range, with lower lands in the recreational area. Such a restriction should not be placed on the National Park Service in evaluating potential federal park lands, NPCA said.

Mining in the Sawtooth region has always posed a problem in thinking about national

reservations in the Sawtooth Range. NPCA indicated it did not oppose continuation of controlled mining operations in the proposed recreational area but felt that, even there, the preservation of natural resources and recreational values should take precedence over mining.

**On park wilderness** The pace of National Park Service hearings on wilderness and master planning for units of the park system has slowed perceptibly in the recent past. Nonetheless, we report here briefly on four areas for which the Service has held public wilderness and master plan hearings. The four are Joshua Tree National Monument in California, Yellowstone and Grand Teton national parks in Wyoming, and White Sands National Monument in New Mexico.

**JOSHUA TREE.** Dr. Edward E. Beveridge, chairman of the Department of Endodontics at the University of Southern California's School of Dentistry, presented NPCA's comments at Joshua Tree public hearings.

The Park Service was warmly commended on a number of facets of its wilderness and master planning for this unit, in particular for its decision to close a number of back-country roads, to limit developments in several areas and redesignate them for day use only, and to press ahead with acquisition of monument inholdings.

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The Service proposes 10 wilderness areas in the big monument, plus a large amount of primitive lands; NPCA recommended that much of this primitive land should be in wilderness for its further protection. The usual ¼-mile management zone between wilderness and nonwilderness is present in the Joshua Tree proposal, and once again NPCA objected to it on the grounds that the Service can enter wilderness for management purposes in any case. NPCA also objected to the drafting of wilderness boundaries along section lines, and suggested the substitution of major structures or private land boundaries as wilderness boundaries.

**YELLOWSTONE.** In its statement on Yellowstone NPCA noted its gratification over the adoption of many of its recommendations, formulated and published as a wilderness study a number of years ago, which called for regional planning around this park—essentially, strong protection for the park and use of surrounding public and private lands for accommodations and the more mechanically oriented forms of recreation. The Service also was commended on its proposed moratorium on further development in the park, its plans for public transit systems there, and its decision to establish a day use zone at Old Faithful with removal of many of the existing structures in that crowded area.

However, NPCA recommended readjustment of wilderness area boundaries in the park to include maximum possible acreages; lessening the size of enclaves in wilderness; exclusion of motorboats from Yellowstone and Lewis lakes, and abolition of the ¼-mile buffer zone. In brief and in general, the Association testified that it "supports the new planning for Yellowstone National Park and is particularly encouraged to see the Park Service adopting the principle of regional planning which we believe is essential if the parks are to maintain their integrity in the face of increased visitor demand."

**GRAND TETON.** Service wilderness and master planning for Yellowstone is followed in general outline by that for Grand Teton Park nearby to the south, and again NPCA had an opportunity to commend the Service on its overall plans, including a moratorium on further development of facilities and gradual reduction in the number of existing structures. NPS also has indicated it will take an active interest in possible zoning of lands adjacent to the park to insure that grazing, mining, lumbering, wildlife management, etc., remain compatible with general park purposes. Here the Service also has shown a particular interest in "gateway" visitor accommodations. In particular, the planning team for Grand Teton has suggested that halting the proliferation of accommodations inside the park may not be enough, and that more

may need to be done in this regard. "The possibility of creating a Federal Recreation Corporation to finance the construction of . . . needed facilities outside the park should private enterprise fail to provide them is intriguing," said NPCA. "Such corporations might well prove the answer to providing such facilities in areas outside some of the more isolated parks where private developers are reluctant to invest." NPCA urged the Service to go ahead immediately with its proposed mass transit system for at least part of this park.

The Association differed with Service planning for Grand Teton in several instances. It pointed out that the master plan "fails to address itself to the question of the airport in the park" (on which, see "Grand Teton's Centennial Jetport" in the April Magazine). NPCA recommended that this airport be phased out altogether rather than enlarged. It also indicated its desire for some enlargement of wilderness in the park, with elimination of the perennial 1/8-mile "management" zone provision. Motorboating on Jenny and Phelps lakes should be prohibited, and use and noise levels of the rapidly proliferating snowmobile strictly governed. In the large view, NPCA considered the Grand Teton planning "one of the best of the Park Service's proposals for management of a national park."

**WHITE SANDS.** If the Association found much to commend at Yellowstone and Grand Teton, the same hardly could be said for Service plans at White Sands National Monument in New Mexico. Admittedly, the Service has a severe problem at White Sands with an Army missile-testing range that has cluttered the landscape with all manner of electronic gear, a profusion of roads, networks of powerlines, and other paraphernalia.

The Army-Interior cooperative agreement on the installation will expire in 1973, yet the Service apparently has given no serious thought to the possibility of ending the agreement, removing the clutter, and opening up possibilities for inclusion of much land in monument wilderness. "The use of national monument lands for such a purpose . . . is highly inappropriate," NPCA testified at the public hearing. "Since this use is now prohibiting inclusion of certain lands in the national wilderness system, it should be halted as soon as possible. The Army has other ranges where it could test . . . missiles and space vehicles. Such an intrusion on lands set aside for recreational purposes is intolerable." NPCA recommended that the Service revise its wilderness proposal for White Sands, end the interservice agreement, and remove all traces of the installation. At that point, said NPCA, all back-country roads could be closed and a system of public transportation into the monument initiated.

**Cumberland Island** A proposal to establish a Cumberland Island National Seashore in the Sea Islands of Georgia, long ago identified by the National Park Service as a highly desirable addition to the national park system, currently is under consideration by the House Subcommittee on National Parks and Recreation as HR 9859. Testifying on invitation NPCA, through Jonas V. Morris, its consultant on national park matters, commended both the purpose and provisions of the measure.

"This area is one that lends itself extremely well to a policy of restricting automobile access and providing alternative means to move people through the area [from a staging location on the mainland]," NPCA said in part. "The Park Service's plans in this regard are good, and we fully support proposals for a passenger ferry system to bring people to the island, and a motor jitney service to transport them once they get there."

"We also believe the Park Service plans for the island, which include both the development of recreational facilities and establishment of natural and historic areas, will insure a wide range of different recreational opportunities to cater to the varied demands of visitors. We are particularly glad to see the establishment of ecological and environmental research areas, and the plans for providing cycle rentals and trails."

NPCA indicated, however, that it would like to see one amendment. It suggested that the advisory committee customarily established for areas of this kind to consult on problems and policies be made a per-

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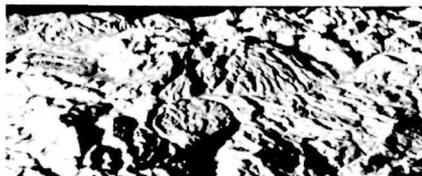
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manent body. The bill foresees a ten-year life for the committee. NPCA based its reasoning in this matter on the fact that planning of park system areas must be a continuous process, and that the areas must adapt to changing use patterns and visitor demands. This being the case, NPCA said, a permanent body might prove more useful.

**Endangered species** During mid-April the House Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries held public hearings in Washington on the Endangered Species Conservation Act of 1972 (HR 13081). On invitation NPCA, through Dr. John Grandy IV, administrative assistant for wildlife, presented its views on the proposed legislation.

Overall, NPCA felt, the measure is commendable and contains many new, positive, and beneficial features. It suggested, however, that the bill could be measurably improved by changes in certain of its provisions. Among such changes would be a broadening of the bill's definition of "species" and "endangered"; a greater degree of objectivity in conditions under which the Secretary of the Interior must grant public hearings on additions to, or deletions from, the endangered species list; broadening of standards governing the taking of animals covered by the legislation, and an expansion of the definition of the phrase "taking," since, as NPCA pointed out, the destruction of endangered species habitat constitutes a very real kind of "taking." NPCA told the subcommittee it believes jurisdiction over all endangered species should continue to remain with the Secretary of Interior. HR 13081 would give the Secretary of Commerce jurisdiction over some endangered species of animals.

## conservation news

**Everglades statement** The Everglades Coalition and the Steering Committee of the Environmental Coalition for North America (ENCONA) recently have reaffirmed their positions on both federal acquisition of a large portion of the Big Cypress Swamp on the northwestern boundary of Everglades National Park and the need for prompt acquisition of an ecologically acceptable alternative site for the original Everglades jetport site. The Everglades Coalition consists of a large group of environmentally oriented organizations addressing itself particularly to problems of the Florida Everglades. The Environmental Coalition for North America is a Washington-based public service organization established to assist in promoting consultation and coop-

eration among conservationists and environmentalists.

At a recent joint meeting the two organizations commended President Nixon, Senator Jackson, and Senator Chiles on their proposals for federal acquisition of a large portion of the Big Cypress Swamp on the northwestern boundary of Everglades National Park for inclusion in the national park system, either as a national fresh water reserve or national recreation area; noted that acquisition of Big Cypress ought to proceed as quickly as possible; recommended a prompt decision on an alternative site for the original Everglades jetport, and urged defenders of Everglades National Park and the Big Cypress to maintain their unity on the above questions.

NPCA's President A. W. Smith is chairman of ENCONA and co-chairman of the Everglades Coalition.

**National Trust packet** In the April issue we reported incorrectly that the packet of informational material available from the National Trust for Historic Preservation on preservation projects that can be undertaken by private individuals and organizations to help save worthy buildings and sites is available without charge. The price is \$3.00 per kit (or \$2.50 each in orders of 10 or more kits) postage paid. We take this corrective opportunity to stress again that the National Trust kit goes into much detail on questions bound to arise among nonprofessionals in connection with evaluation of historic buildings and sites, getting under way with projects, fund-raising techniques, where to get help from state and federal agencies, and all the information needed to launch historic preservation projects. Again the address: National Trust for Historic Preservation, 740-748 Jackson Place N.W., Washington, D.C. 20006.

**The new West** As a part of a summer-long commemoration of the founding of Yellowstone as a national park, the Department of History at Colorado State University will host a conference on the 20th century West. There will be sessions on conservation, recreation, archives, art, Indians, tourism, and local history. Feature speakers will be Robert Utley, chief historian of the National Park Service, and F. R. Carpenter, one-time director of the Grazing Service. The commemorative event will take place August 10 to 12 on the university campus at Fort Collins. Accommodations are available at the university, and information may be obtained from Dan Tyler, Department of History, Colorado State University, Fort Collins, Colorado 80521.

**Convention on birds** Several years of efforts by American and Japanese conservationists recently have resulted in the

signature of a convention designed to protect birds common to both the U.S. and Japan, along with their habitats.

Among the nearly 200 common species are a number of birds that migrate between the U.S. and Japan, and of these several are classified as endangered—the short-tailed albatross, peregrine falcon, and Aleutian anada goose, to name three. The agreement provides that each country develop programs for the preservation of the environment of the birds as well as the birds themselves.

The convention, which is subject to verification by both countries, will assume force when instruments of ratification are exchanged in Washington. The agreement has an initial duration of fifteen years, but will remain in force indefinitely unless terminated by either nation on a year's notice. Origins of this international conservation effort date back to the 12th meeting of the International Council for Bird Preservation in 1960. Dr. S. Dillon Ripley, secretary of the Smithsonian Institution, is president of the council. At the 1960 meeting a resolution by Japan, unanimously supported by other Asian nations, proposed that countries of the Pan-Pacific area conclude conventions for the protection of migratory birds.

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**Buffalo River** About 132 miles of the Buffalo River in the Ozarks of northern Arkansas have been added to the national park system as a national river in recent days, culminating many years of effort on the part of Arkansas conservationists in particular and others all over the country generally. Nearly 96,000 acres may eventually be included in the newly authorized national river, including two state parks if Arkansas sees fit to donate them. Years ago the National Park Service characterized the Buffalo as "the last of the choice remaining free-flowing streams in the Arkansas Ozarks."

Massive bluffs and deeply entrenched valleys give the Buffalo a striking setting and make it one of the most scenic free-flowing streams in the eastern United States. It has little commercial or residential development along its banks, and no evidence of industrial or municipal pollution is apparent.

## conservation docket

The National Park Service will hold public hearings on its master and wilderness plans for Mammoth Cave National Park in Kentucky on June 23 at Western Kentucky University in Bowling Green. The Service recommends no wilderness for the park. NPCA members wishing to testify at the hearing should notify the Hearing Officer, c/o Superintendent, Mammoth Cave National Park, Mammoth Cave, Kentucky, by June 21 if a personal appearance is desired; or they may submit a statement for the hearing record, which will be kept open for 30 days after the end of the hearing. Information on the Service's Mammoth Cave plans is available from the park superintendent.

On June 29 Service master and wilderness plan hearings for Glacier National Park will be held at the Rainbow Hotel, Great Falls, Montana. In this case the Hearing Officer should be addressed c/o The Superintendent, Glacier National Park, West Glacier, Montana 59936 by June 23 where personal appearance is desired; members not able to appear in person may submit a statement for the hearing record, which closes 30 days after the hearing concludes. The park superintendent will send a packet of information on request.

After a bill is introduced into Congress, it is referred to a standing committee of House or Senate, which may then refer it for initial consideration to an appropriate subcommittee. Public hearings on a measure may be called by the subcommittee, and later by the full committee. NPCA members, as citizens, are free to write committee and subcommittee chairmen

asking that they be placed on a list for notification in the event of hearings. Members not able to attend hearings may submit a statement for the hearing record, which will be taken into consideration during committee deliberations. Copies of bills may be obtained from the House Documents Room, Washington, D.C. 20515, or from the Senate Documents Room, Washington, D.C. 20510. The abbreviations HR and S, below, indicate House and Senate bills respectively. The best source of information for names and addresses of committee and subcommittee chairmen, as well as members of the various committees, is the official *Congressional Directory*, which may be purchased through the Government Printing Office, Washington, D.C. 20420 at \$5.50 postpaid. This volume also contains much valuable information on the personnel of the various executive bureaus of the government with whom members may be in touch concerning administrative programs and policies.

New bills bearing on national park system matters, or bills on which congressional action has been taken since the appearance of the Conservation Docket for May, have been:

**GREAT DISMAL SWAMP:** HR 14205, to provide for the establishment of the Great Dismal Swamp National Monument in southeastern Virginia and northeastern North Carolina. To House Interior and Insular Affairs Committee.

**EL MALPAIS:** HR 14151, to establish an El Malpais National Monument in New Mexico. To House Interior and Insular Affairs Committee.

**GLACIER PARK:** HR 14207, to provide for a study of the most desirable and feasible means of transporting visitors within certain portions of Glacier National Park in Montana. To House Interior and Insular Affairs Committee.

**ROCKEFELLER PARKWAY:** Senate passed an amended version of S 3159, authorizing the Secretary of the Interior to establish the John D. Rockefeller, Jr., Memorial Parkway between Yellowstone and Grand Teton national parks, and sent the bill to the House.

**LONGFELLOW HOME:** Senate passed S 3129, to authorize establishment of the Longfellow National Historic Site in Cambridge, Massachusetts, with an amendment, and the bill was cleared for the House.

**PARK WILDERNESS:** S 3430, to designate as wilderness areas units within Colorado National Monument, Bryce Canyon National Park, Chiricahua National Monument, and the Black Canyon of the Gunnison National Monument. To Senate Interior and Insular Affairs Committee.

**CEILINGS & BOUNDARIES:** S 2601, providing for increases in appropriations ceilings and boundary changes in certain units of the national park system, was signed into

law by the President April 11 as Public Law 92-272.

**KOSCIUSZKO HOME:** Senate passed S 1973, as amended, to authorize the Secretary of the Interior to establish the Thaddeus Kosciuszko Home National Historic Site in Pennsylvania, and the bill was cleared for the House.

**VAN BUREN HOME:** Senate passed S 1726, to establish the Van Buren Lindenwald Historic Site at Kinderhook, New York, with an amendment, and cleared the bill for the House.

**BIG SOUTH FORK:** HR 13834 and S 3349, to authorize establishment of the Big South Fork National River and Recreational Area in Kentucky and Tennessee. To House Interior and Insular Affairs Committee and Senate Public Works Committee.

**DELAWARE WATER GAP:** S 3497, to authorize an increase in land acquisition funds for the Delaware Water Gap National Recreation Area. To Senate Interior and Insular Affairs Committee.

**GULF ISLANDS SEASHORE:** Senate passed S 3153, to amend Public Law 91-660 establishing the Gulf Islands National Seashore in Florida and Mississippi, for the recognition of certain historic forts.

**HUCKLEBERRY FINN RECREATION AREA:** HR 13831, to provide for a study of a proposed Huckleberry Finn National Recreation Area on the lower Mississippi River. To House Interior and Insular Affairs Committee.

**NANTUCKET SOUND ISLANDS:** S 3485, to establish the Nantucket Sound Islands Trust to preserve and conserve these islands. To Senate Interior and Insular Affairs Committee.

**OREGON DUNES:** S 1977, to establish the Oregon Dunes National Recreation Area in Oregon, was signed by the President as Public Law 92-260 on March 23.

Measures to accomplish various objectives in the national forests were:

**WILDERNESS, CALIFORNIA:** HR 14259, designating the Emigrant Wilderness in the Stanislaus National Forest of California. To House Interior and Insular Affairs Committee.

**WILDERNESS, UTAH:** S 3466, designating the Lone Peak Wilderness in the Wasatch and Uinta national forests of Utah. To Senate Interior and Insular Affairs Committee.

**OTHER WILDERNESS AREAS:** S 3429, designating as units of the national wilderness system the Glacier Wilderness in Wyoming, Eagles Nest Wilderness in Colorado, Agua Tibia Wilderness in California, Emigrant Wilderness in California, Weminuche Wilderness in Colorado, and the Mission Mountains Wilderness in Montana. To Senate Interior and Insular Affairs Committee.

**TREE PLANTING:** S 3459, to provide for acceleration of programs for tree planting on national forest lands in need of reforestation.

tation. To Senate Agriculture and Forestry Committee.

**FORESTRY PROGRAMS:** HR 8817, to further cooperative forestry programs administered by the Secretary of Agriculture, passed by the House with amendments.

**WASATCH FOREST:** HR 14305, to authorize and direct the acquisition of certain lands within the boundaries of the Wasatch National Forest in Utah by the Secretary of Agriculture. To House Interior and Insular Affairs Committee.

Bills bearing on fish and wildlife matters or affecting the national wildlife refuges were:

**CEDAR KEYS:** HR 736, designating certain lands in the Cedar Keys National Wildlife Refuge in Florida as wilderness, favorably reported to the House by its Interior and Insular Affairs Committee.

**ENDANGERED SPECIES:** HR 14316, to create a fund in the U.S. Treasury to be known as the Fund for Endangered Wildlife and administered by the Interior Department. To House Merchant Marine and Fisheries Committee.

Legislation on other matters of interest

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to conservationists and environmentalists: **OUTER SHELF:** HR 13896, to amend the Outer Continental Shelf Lands Act, as amended, to require a study of the environmental impact of mineral exploration in the Atlantic Ocean. To House Committee on Merchant Marine and Fisheries.

**COASTAL ZONE:** HR 14146, to establish a national policy and develop a national program for the management, beneficial use, protection and development of the land and water resources of the nation's coastal and estuarine zones. To House Merchant Marine and Fisheries Committee.

**WATER POLLUTION CONTROL:** The Senate disagreed with House amendments to S 2770 on the control of water pollution and requested a Senate-House conference.

**NEPA:** HR 14103, to amend the National Environmental Policy Act of 1969 to provide a temporary partial exemption from the requirements of the act for issuance of environmental impact statements. To House Merchant Marine and Fisheries Committee.

**NEPA:** HR 13752, to amend the National Environmental Policy Act of 1969 to pro-

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vide for the interim licensing of the operation of certain thermoelectric generating plants, was ordered favorably reported with amendments by the House Merchant Marine and Fisheries Committee.

**LAND USE:** HR 13768, to establish policy and principles for planning the use of the water and related land resources of the United States. To House Interior and Insular Affairs Committee.

**ELECTRIC ENERGY:** HR 13568 and HR 13966, to assure protection of environmental values while facilitating construction of needed electric power supply facilities. To House Interstate and Foreign Commerce Committee.

**ARMY ENGINEERS:** S 3471, to de-authorize Corps of Engineers projects if Congress has not appropriated funds to carry out such projects for a period of eight years after their authorization. To Senate Public Works Committee.

**POTOMAC RIVER:** HR 14020, to establish the Potomac National River in Maryland, Virginia, West Virginia, and the District of Columbia. To House Interior and Insular Affairs Committee.

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*Continued from page 2*

our judgment must be established within the Secretariat.

As a priority item it will be necessary to begin working on a planetary basis toward ecological methods of agriculture. The world, we have noted, is caught in a dilemma; agricultural modernization will be essential if billions of hungry people are to be fed; the new methods now involve the use of great quantities of chemical fertilizer and hard pesticides; grave water pollution, and other serious ecosystem damage, affecting the people of the entire world adversely, result from the abuse of persistent pesticides, and to some extent from the heavy use of inorganic fertilizers. Needed is a changeover from hard to soft pesticides, and thence to biological or integrated methods of pest control wherever possible. A transition from inorganic to organic fertilizers, or integrated applications (involving such processes as urban sanitary spray irrigation and composting) will also eventually be desirable.

**T**HE FOOD AND AGRICULTURE ORGANIZATION of the United Nations has responsibility for accelerating food production; the proposed responsibilities cannot be placed within FAO; a new Office is needed to expedite the changeover. This Office should be created within the presently proposed Secretariat structure to function under the Under Secretary-General for Environmental Affairs. It should be adequately staffed and financed. It should initiate the provision of technical and economic assistance to all nations, whether UN members or not, expressing interest in making the ecological transition within the imperatives of their food and population indices.

The new office should undertake educational and promotional efforts in these fields. Close liaison with the FAO would be presupposed; cooperation by the FAO would be essential. Further responsibilities would include the gathering of information, surveys, and research; and recommendations to the United Nations and its members for additional programs.

Clearly, the economic costs of this changeover will be heavy. The less affluent nations will insist, with good reason, that they cannot meet these costs unaided. The more affluent nations will find it necessary to provide the funds to bridge the gap

between the more primitive and dangerous methods of pest control to modern and acceptable methods. In the long run these costs will have to be shouldered proportionately on the basis of GNP.

**C**LOSELY RELATED would be a program of ecological medicine. The problem, as we said last winter, is similar to that related to agriculture. The insects are becoming immune to pesticides; the pesticides are dangerous to human life; techniques of vaccination, inoculation, immunization, and medication must be substituted as rapidly as possible for medical techniques based on pesticides. Wetlands drainage has undesirable ecological consequences; it can be curtailed if available preventive medical techniques can be utilized more generally. The humanitarian problems inherent in this transition are so enormous that heavy financing by the more affluent nations on the basis of GNP will be imperative.

**T**HE NPCA WILL PARTICIPATE in the Stockholm meeting as an accredited observer with two representatives. The Environmental Coalition for North America, of which the President of the NPCA serves as Chairman, will also participate with two representatives.

Whether the necessary administrative structure for worldwide action after the Conference can be established by procedures available within the present United Nations framework, or by cooperative arrangements inherent in present Conference plans, or whether new conventions must be drafted and agreed upon, is relatively unimportant. Critical would be the need to move with expedition.

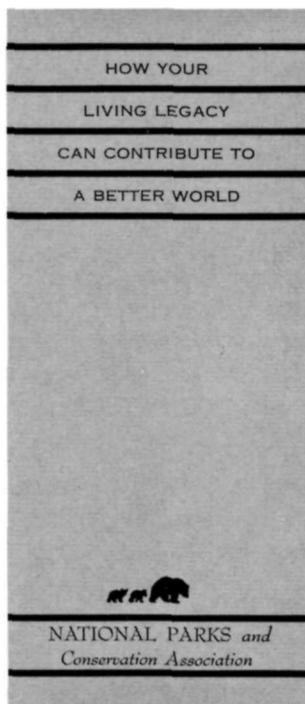
Available are modern methods of reaching international agreement by annexes and supplements in the nature of world regulations based on fundamental conventions covering general principles and a generalized approach. Within this kind of legal framework, which has been emerging in practice in many intergovernmental fields in recent years, it is possible to visualize the development of the necessary executive, legislative, judicial, and fiscal agencies which the world will require, and with rapidity, if it is to solve its pressing ecological, economic, demographic, and military problems within the remaining time.

—Anthony Wayne Smith

# Is a national park forever?



GETTYSBURG NATIONAL MILITARY PARK—subject of controversy over a proposed sightseeing tower. *National Park Service photo.*



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