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Natural Resources Journal, Annual Report 1971 - 1972

UNM School of Law
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NATURAL RESOURCES JOURNAL

University of New Mexico School of Law

Annual Report

For the Fiscal Year July 1, 1971 - June 30, 1972

A six per cent net gain in paid subscriptions during the fiscal year was continuing indication that NRJ is timely, gaining well deserved recognition, and almost unlimited in potential. At a time when environmental concerns are a foremost topic of the day, NRJ enjoys a reputation as one of the top scholarly publications in the area.

"You're Not Getting Older, You're Getting Better"

Professor Joseph Sax of the University of Michigan School of Law, while leading an Environmental Law seminar at Ghost Ranch in August, 1971, devoted one session to listing essential books for attorneys practicing in the environmental law area. He said "NATURAL RESOURCES JOURNAL, published by the University of New Mexico Law School, is the best environmental publication in the law field."

Professor Irving J. Fox, Director of the Westwater Research Center of the University of British Columbia, wrote as follows: "Let me begin by commending you on the uniformly high quality of the articles included in the JOURNAL. I know you must have a difficult task in sifting from among the many manuscripts that are offered, but in my judgment, you can rest assured that your selections have been good ones. As a result, the JOURNAL has become well established as the leading one in the area of natural resources policy and institutions."

Dr. Edward A. Ackerman, Executive Officer of the Carnegie Institution of Washington, D.C., writes: "I am pleased to have this opportunity to tell you that I consider the JOURNAL a worthwhile production. You have maintained a high scholarly standard, a consistently oriented "relevant" point of view, and the technical editing has been excellent."

ASIL-UNM Regional Conference

A new undertaking for the JOURNAL was the co-sponsoring, along with the UNM School of Law, the American Society of International Law, and the World Peace Through Law Committee of the New Mexico State Bar, of a regional meeting of the ASIL on April 29, 1972.

Devoted to the topic "Pollution and Political Boundaries: U.S.-Mexican Environmental Problems", the papers presented at the conference will be published as a symposium in the October 1972 issue. Henry Rivera, editor for that issue, and his assisting editors and staff served as hosts and hostesses for the out-of-town panelists and honored guests, each being responsible on an individual basis for one particular guest. These gentlemen, other attendees, and registrants have sent such enthusiastic commendations to the ASIL on our conference being the best planned regional meeting that they had ever attended, with uniformly high quality of presentations, that the ASIL is now planning to hold a regional meeting next year in Mexico City.

Panelists and their topics which will be published in Volume 12, issue 4, were:

Steve Reynolds, State Engineer State of New Mexico	The Water Quality Problem on the Colorado River
Cesar Sepulveda, formerly Dean National University of Mexico School of Law	International Water Quality Problems Between Mexico and the United States: Prospects and Perspectives
David A. Gantz, Office of the Legal Adviser U.S. State Department	U.S. Approaches to Salinity Problems on the Colorado River
Alejandro Sobarzo, Professor of International Law National University of Mexico	The Salinity of the Colorado River and the Interpretation of Treaties
Ray Jay Davis, Professor of Law University of Arizona	The U.S. and Mexico: Weather Tech- nology, Water Resources, and International Law
Guillermo Davila, Engineer, Pan American Health Organization	International Considerations and Air Pollution Control on the U.S.-Mexico Border
John Morrison, El Paso City- County Health Engineer	The El Paso-Juarez Experience in Dealing With Pollution and Po- litical Boundaries
John Ross, First Assistant City Attorney City of El Paso	Air Quality Litigation in the El Paso-Juarez Area
Juaquin Tello, Engineer Mexico Secretariat of Health and Assistance	Mexican Approaches to Transboundary Air Quality Problems

William Enriquez, Law Student
University of Arizona

International Legal Implications of Industrial Development Along the Mexican-U.S. Border

Requests For Permission to Reprint

Requests for permission to reprint articles from Volumes 3-12 were received during the past year as follows:

Prof. Melvin Albaum
Univ. of Colorado
GEOGRAPHY & CONTEMPORARY ISSUES
New York: John Wiley & Sons

The Perception of Natural hazards in Resource Management, by I. Burton and R. Kates
V. 3 # 3

Prof. Peter Haggett
Univ. of Bristol
THE STRUCTURE OF GEOGRAPHY
New York: Harper & Row

same article as above

William Bowers
Attorney at Law
Police Department Publication

Note: Police Power and the Design of Buildings, by William Bowers
V. 5 # 1

Prof. R. Gordon Pirie
Univ. of Wisconsin
"Collection of Fifty Readings"

National Jurisdiction and the Use of the Sea, by L.M. Alexander
V. 8 # 1; and
Marine Resources and the Freedom of the Seas, by F.T. Christy
V. 8 # 3; and
Control of Estuarine Pollution, by J.B. Gilbert and R.B. Robie
V. 11 # 2

Ms. Anne S. Witkos, Editor
Journal of Solar Energy
Cambridge, Massachusetts

Economics of House Heating With Solar Energy, by O.G. Lof and R. Tybout
V. 10 # 2

Prof. R. D. Hamrin and
Prof. R. R. Haveman
Univ. of Wisconsin
ECONOMIC POWER & FEDERAL POLICY
New York: Harper & Row

The System of Government Subsidies To The Oil Industry, by Walter J. Mead
V. 10 # 1

Prof. John R. Fonseca
SUNY Albany
Casebook With Materials

Military Requirements for International Airspace: Evolving Claims to Exclusive Use of a

- Res Communes Natural Resource,
by G.S. Robinson
V. 11 # 1; and
International Law and Marine Pol-
lution: Radioactive Waste and
'Other Hazardous Substances',
by E.D. Brown
V. 11 # 2; and
A Proposal for Participating in
Natural Resources Development,
Starting With the High Seas, by
D.J. Edwards
V. 11 # 4; and
The Economics of Vanishing Species,
by F.T. Bachmura
V. 11 # 4; and
Solving the Air Pollution Problem:
A Social Scientist's Perspec-
tive, by P.B. Downing
V. 11 # 4; and
Economic Policy for Water Resources
and Placement Flows, by M. Gisser
V. 11 # 4; and
The Need for a Noise Pollution
Abatement Act, by W. Brogan
V. 11 # 4
- Mr. John Bhan, Director
Advanced Management Research
New York, N.Y.
"for management meeting use"
- Mr. Norman Pearson, Director
Centre for Resources Development
Univ. of Guelph
"for publication in the Centre's
Lecture Series"
- Mr. Henry Jarrett, Director of
Publications
Resources for the Future
NATURAL ENVIRONMENTS: STUDIES
IN THEORETICAL AND APPLIED
ANALYSIS
Joan V. Krutilla, Editor
- A Proposal For Participating in
Natural Resources Development
Starting With the High Seas, by
D.J. Edwards
V. 11 # 4
- Evaluating Benefits of Environ-
mental Resources With Special
Application to Scenic Resources,
by J.V. Krutilla
V. 12 # 1
- Determining Optimum Capacity for
Low-Density Resource Based
Recreational Facilities, by
J.V. Krutilla
V. 12 # 3

Review of Publication Year

The October 1971 and January 1972 issues contained articles of

varied general interest, with the July 1971 issue devoted to a symposium entitled "Environmental Policy: Theory, Concepts and Problems", and the April 1972 issue a symposium entitled "The Human Environment: Toward An International Solution." This symposium was scheduled to coincide with the UN Stockholm Conference on Environmental Problems. The July 1971 issue was the first issue of the JOURNAL to be completely sold out on a single copy basis in less than six months after date of publication. Negotiations are underway with Praeger Publishers to republish the content of the July 1971 issue, along with the content of the April 1972 issue, as a paperback book.

Notes and Comments published during the year included:

- | | |
|--|--------------------------------|
| The Standing Problem--Sierra Club
v. Mickel | V. Henry Rothschild III |
| The Need for a Noise Pollution
Abatement Act | William Brogan |
| Applying the Fairness Doctrine
to Environmental Issues--
Friends of the Earth v. FCC | Bruce Wiggins |
| National Environmental Policy
Act Interpreted as Requiring
Strict PROCEDURAL Compliance
of Federal Agencies--Calvert
Cliff's Coordinating Comm.
v. Atomic Energy Commission | Tom Stribling |
| Subdivision Planning Through
Water Regulation in New Mexico | Charles Noya and Tom Stribling |
| Citizen Enforcement of the Ref-
use Act: Qui Tam Pro Domino
Rege Quam Pro Se Ipso In Hoc
Parte Sequitur Flops; Mandam-
us Next? | John Boyd |

Outline of Plans For Next Year

The July 1972 and April 1973 issues will be of varied composition with articles from the following, among others:

- | | |
|---|---|
| Prof. Edgar S. Bagley
Kansas State Univ. | The Ground Water Depletion Al-
lowance Under Federal Income
Tax Law |
|---|---|

Prof. Andrew Whinston
Purdue University and
Dr. Terry A. Ferrar
Penn. State University

Taxation and Water Pollution
Control

Mr. John V. Krutilla and
Mr. Frank Fisher
Resources for the Future

Determining Optimum Capacity
for Low-Density Resource-
Based Recreational Facili-
ties

W. Burhenne, founder
International Council on En-
vironmental Law, Bonn, and
William Zimmer
U.S. Army JAG Corps

Airfield Noise Abatement in
the Federal Republic of Ger-
many

Dr. Perry R. Hagenstein
Wayland, Mass.

Proposed Changes in the Mining
Law

Mr. William Siegel
USDA, Southern Forest Experi-
ment Station
New Orleans

Impacts of Reallocation of Re-
sponsibilities for Public
School Financing on Property
Taxation of Forest and Other
Conservation Lands

Walter Keichel, Jr., Esq.
US Dept. of Justice

Sierra Club v. Morton Decision
(comment)

Prof. Joseph L. Sax
Univ. of Michigan Law School

Sierra Club v. Morton Decision
(comment)

S. Byron Mock, Esq.
Salt Lake City

Can Public Land Managers Be Al-
lowed To Manage: Breaking the
Impasse

The October 1972 issue, a symposium to be entitled "U.S.-Mexican Environmental Problems" was fully detailed under the heading "ASIL-UNM Regional Conference", on page 2.

Planned for January 1973 is a symposium "Providing an Information Basis for Both Public and Private Decision-Making in the Natural Resources Field," with Professor Irving Fox as co-editor. Scheduled authors and their contributions are:

Anthony H.J. Dorcey
Univ. of British Columbia

Effluent Charge Systems and
Regulations Combined With
Cost-Sharing and/or Financial
Penalties

Irving Fox
Univ. of British Columbia

Information Generation for Arriving at Suitable Water Levels

Helen Ingram
Univ. of Arizona

Sources and Content of Information Which Will Be Important To Water Resources Development in the Future

James E. Krier, Esq.
U.C.L.A.

The Legal Aspects Involved in Natural Resource Decision-Making Information

William Lord
Ford Foundation, Mexico City

Public Water Resources Project Planning

Vincent Ostrom
Indiana University

Theory Relevant to Providing Information for Resources Decision-Making

A July 1972 mail solicitation of about 4,000 potential subscribers, made from lists of persons now subscribing to land economics, mineral law, and water resources periodicals, is hoped to increase the number of new subscriptions for 1972-73 above the 6% of 1971-72.

Automated Billing

In March, 1972, the results of a study to automate the manual billing system were received from Mr. Louis R. Leuring, Director, Data Processing Center. The study had been requested to determine whether it might be financially feasible to go to computer billing, thus removing from the expanding number of demands on the secretary's time the annual typing of renewal notices and invoices. Estimated cost of setting up such a procedure was approximately \$3,000., and estimated cost of annual updating and billing was approximately \$650., based on 1,400 subscribers. The matter has been temporarily shelved.

Finances

Five issues were published and billed during the year, with the April 1971 issue coming out tardily this fiscal year. Total billed printing cost for the five issues was \$14,555.25, plus reprints billed at \$1,749.30. The Ten Year Index also was billed during this year. These circumstances combined to deplete most of the reserve which was on hand at the close of fiscal 1970-71. Four issues are budgeted for 1972-73 and there can be no deviation from this without an increase in the budget. Printing costs have dropped somewhat, with each issue now running closer to \$3,000. than to \$4,000., as they had run during the previous year.

Statement of Receipts and Expenditures

<u>RECEIPTS</u>	<u>FY 1970-71</u>	<u>FY 1971-72</u>
Allocations	\$ 3,000.00	\$ 4,000.00
Contributions	3,000.00	
Exchanges	501.00	519.00
Miscellaneous	214.00	951.30 *
Sale of Advertising	53.12	396.12
Sale of Reprints	530.50	533.27
Sale of Single Copies	4,485.10	478.83
Subscriptions	<u>12,168.95</u>	<u>12,977.25</u>
Total Receipts	23,912.77	19,855.78
Less Allocations	<u>6,000.00</u>	<u>4,000.00</u>
Earned Income	17,912.77	15,855.78
Plus Accounts Receivable June 30, 1972		950.05

EXPENDITURES

Equipment	\$ 79.81	\$ 59.67
Labor	1,354.15	2,021.70
Mailing	426.96	829.21
Miscellaneous	2,007.86	5,173.13 **
Non-Issue Printing	400.20	591.50
Organizational Functions		278.16 ***
Printing, Journal	13,137.08	14,555.25 +
Printing, Reprints	1,112.50	1,749.30 +
Reference Material	40.75	93.27
Subscription Refunds	53.96	45.50
Supplies	43.21	33.14
Travel	<u>379.50</u>	<u>324.77</u>
Total Expenditures	19,035.98	23,732.90

* Sales of index, \$829.75; sales of bibliography, \$26.00; banquet fees, \$33.22; mailing refund, \$30.00; refund on books, \$32.33.

** Ten Year Index, \$4,334.18; A.A.L.S. membership fee, \$7.50; Conference registration fee, \$20.00; luncheons for editors and staff, \$29.85; author's charges for changes in page, \$68.40; refund for back issues ordered but out of stock, \$6.00; bank charges on foreign checks, \$10.33; ASIL Conference, \$196.87.

*** Included in "Miscellaneous" last year

+ Five issues published in 1971-72

Circulation Statistics, 6/30/72 (April 1972 issue)

Current Subscribers - Paid

United States	1,149
Foreign	166
Exchanges, U.S.	52
Exchanges, Foreign	<u>3</u>
	1,370

Complimentary Subscriptions by Mail

NRJ Advisory Board	26
UNM Offices	11
Past Journal Editors	10
In Exchange for Indexing and/or Advertising	20
Miscellaneous	<u>2</u>
	79

Complimentary Copies by the Issue

Law Faculty Members	17
Advertisers	6
Contributors	16
Law Library	2
NRJ Office	3
Seniors on Board of Editors	<u>17</u>
	61

TOTAL DISTRIBUTION: 1510

Readership Survey, June 30, 1972

United States

Federal Agencies	137
State Agencies	88
City & County Agencies	<u>32</u>
	257

Colleges and Universities

Libraries	463
Other Departments	<u>71</u>
	534

Companies/Organizations 216

Individuals

Attorneys or Law Firms	160
Other Occupations	<u>161</u>
	321

Foreign Subscribers

Government Agencies	51
Universities	105
Companies	8
Individuals	<u>18</u>
	182

TOTAL READERSHIP, APRIL 1972 ISSUE: 1,510