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Natural Resources Journal, Annual Report 1970 - 1971

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, 1970 - June 30, 1971

The first year of dual publication with NEW MEXICO LAW REVIEW made unprecedented demands on the dedication, ingenuity, and ability of all editors and staff, and no doubt publishing six issues yearly is at least 50% more time consuming than publishing four. This has caused severe delays in our publication schedule but it is hoped that now, with the LAW REVIEW launched as an entity, the editorial staff of the JOURNAL will be able to meet its publication schedule.

10% Increase in Paid Subscriptions

The net gain in subscriptions during the past year was a large one, due to Dennis & Company taking one hundred mail subscriptions for Volume 11. In September, 1970, Dennis & Company purchased for \$4,000. the back issues rights and all copies in stock here of Volumes 1-10. Although some New Mexico attorneys let their subscriptions lapse in favor of a subscription to the new LAW REVIEW, others continued with the JOURNAL, and some began new subscriptions to both periodicals. Paid subscriptions increased from 1175 on June 30, 1970, to 1284 on June 30, 1971. The JOURNAL is now indexed and/or abstracted in twenty-six publications, an increase of two over last year.

Ten Year Index, May 1971

The Ten Year Index, a project conceived by Tom Popejoy, Jr., underwritten by Dean Thomas Christopher, and compiled under the supervision of Dianne Katz, contains a complete table of cases, a complete table of statutes, and a digest of articles. It is offered to subscribers at \$3. per copy, and 135 orders were received during the fiscal year.

Requests for Permission to Reprint

Requests for permission to reprint articles from Volumes 3-10 were received during the past year as follows:

Prof. T. O'Riordan
Simon Fraser University
PROGRESS IN GEOGRAPHY III
London: Arnold

Risa Palm and D. Lanegran
Normandale State J. C.
Course Book
AN INVITATION TO GEOGRAPHY

Prof. R. D. Abbott, editor
Carleton University
LAW OF ENVIRONMENTAL QUALITY
Ottawa: Canadian Council of
Resource Ministers

Richard B. Drake
Berea College
Course Book
AN APPALACHIAN READER

Prof. Charles J. Meyers
Stanford Law School
WATER RESOURCES MANAGEMENT: A
LAW SCHOOL COURSEBOOK

Prof. M. Micklin, editor
CURRENT ISSUES IN HUMAN ECOLOGY:
POPULATION, ENVIRONMENT,
SOCIAL ORGANIZATION
 Hinsdale: Dryden Press

Prof. Frank P. Grad
Columbia Law School
"volume of cases and materials
on environmental law"

Prof. George Smith
U. Arkansas Law School
"book on environmental management"

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

"Wilderness Perception and Use: The Example of the Boundary Waters Canoe Area" by R. Lucas, V. 3 # 3

"Policies for Water Law: Property Rights, Economic Forces and Public Regulations" by F. Trelease, V. 5 # 1

"Strip Mine Reclamation and Economic Analysis" by D. B. Brooks, V. 6 # 1

"Recreational Rights and Titles to Beds on Western Lakes and Streams" by R. A. Austin and R. W. Johnson, V. 7 # 1; and "A Review and Revitalization: Concepts of Ground Water Basin Management--the California Experience" by R. Reis, V. 7 # 1

"The Process of Making Good Decisions About the Use of the Environment of Man" by L. Hamill, V. 8 # 2; and "The Ecosystem as a Criterion For Public Land Policy" by L. K. Caldwell, V. 10 # 2

"The Willamette River, Flood Control or Flood Management" by D. D. Raitt, V. 9 # 1; and "Preservation Values in River Basin Planning" by R. Tippy, V. 8 # 2

"Some Economics of Air Pollution" by R. Crocker, V. 8 # 2 and "Water Resource Allocation, Extramarket Values and Market Criteria: A Suggested Approach" by Emery Castle & H.G. Stoevener, V. 10 # 2

Prof. J. D. Johnston, Jr.
New York U. Law School
"course materials on Land Use
Control"

"Air Pollution in Cities" by
R. U. Ayres, V. 9 # 1

Prof. R. L. Smith
West Virginia University
READINGS ON THE ECOLOGY OF MAN
New York: Harper & Row

"The Ecosystem as a Criterion
For Public Land Policy", by L.
K. Caldwell, V. 10 # 2

Ronald Hoffman, Editor
USDI BLM Washington, D.C.
"for distribution and dis-
cussion at conference"

same as above

Prof. Floyd H. Sherrrod
U. Georgia Law School
ENVIRONMENT LAW REVIEW-1971
New York: Sage hill Publishers

same as above

Prof. Ervin H. Pollack
Ohio State U. Law School
CURRENT LEGAL TRENDS-1970

"Judicial Approach to Updating
the Mining Laws of 1872 - Pedis
Possessio" by M. Shannon, V. 10, #2

Richard H. Bate, Director
Rocky Mountain Mineral Law Fndn.
"abstract for Rocky Mountain
Mineral L.R."

same as above

Review of Publication Year

The July 1970 and January 1971 issues contained articles of varied general interest, while the October 1970 issue was a symposium on Environmental Quality Residuals Management. The April issue was a symposium on Marine Pollution Problems. "A Selected Bibliography on Public Environmental Policy and Administration" by D. Henning, published in the January issue, was reprinted in quantity and is available for purchase by the general public at \$1. per copy.

Notes and Comments published during the year included: "New Mexico's 1969 Criminal Abortion Law", by J. B. Sutin (July 1970); "The Regulation of Public Utilities", by A. L. Parker (October 1970); "How to Stand Still Without Really Trying: A Critique of the New Mexico Administrative Procedure Act" by A. E. Utton (October 1970); and "Legal Methods of Eliminating Certain Undesirable Byproducts of the Air Transportation Industry", by W. Ticer (January 1971).

Outline of Plans for Next Year

A symposium on "Environmental Policy and Administration: Theory, Concepts and Processes" is planned for the July 1971 issue, with more than a dozen contributors from the fields of environmental law and resource economics as follows:

Dean Arnold Bolle U. Montana Forestry School	Public Participation and Environmental Policy
W. Burnhenn, founder, International Council on Environmental Law, Bonn, with William A. Irwin same organization	Coordination of Legal Policy and Regulation of Public Interests: Suggested Pragmatic Principles
Prof. L. K. Caldwell Indiana University	Environmental Policy in a Hypertrophic Society
Prof. L. E. Craine University of Michigan	Institutions for Managing Lakes and Bays
Dr. H. Frauenglass Sandia Corporation	Environmental Policy: Public Participation and the Open Information System
Prof. D. Henning Eastern Montana University	Environmental Policy and Politics: Value and Power Context
Honorable Henry Jackson U.S. Senator from Washington	Environmental Policy and the Congress
Prof. G. McConnell U. Cal. at Santa Cruz	Environmental Movement - Ambiguities and Meanings
Prof. D. Loucks Cornell University	Residuals-Environmental Quality Management
David Sive, Esq. Winer, Neuburger & Sive	Role of Litigation in Environmental Policy--Power Plant Siting Problems
Dr. Walter Spofford Resources for the Future	Solid Residuals Management--Some Economic Considerations
Prof. A. E. Utton UNM School of Law	Environmental Policy and International Institutional Arrangements

Prof. G. Wandesforde-Smith
U. Cal. at Davis

Bureaucratic Responses to Environmental Politics

Prof. N. Wengert
Colorado State University

Political and Social Accommodation: Political Process and Environmental Preservation

Dr. Tom Wilson, Vice President
International Institute for
Environmental Affairs

International Environmental Management--Some Preliminary Thoughts

The October 1971 and January 1972 issues are planned for varied content:

Prof. Anita Morse
U. Florida Law School

Model Water Resources Program for the International Boundaries of the U.S. and Canada

Dr. J. L. Knetsch
Harvard Advisory - Malaysia

Value Comparisons in Free-Flowing Stream Developments

Prof. F. Bachmura
Indiana University

The Economics of Vanishing Species

Prof. R. Norgaard
U. Cal. at Berkeley

Petroleum Developments in Alaska

Prof. G. Ramsey
Southern Methodist University

Nuclear Energy in the Storage and Production of Gas

Prof. H. Bloomenthal
U. Wyoming Law School

Assessment of Mining Properties for Taxation Purposes

Dr. D. J. Edwards
Washington, D.C.

A Proposal for Participating in Natural Resource Development Starting With the High Seas

Prof. L. Teclaff
Columbia Law School

The Rise and Decline of the European Doctrine of Riparian Rights

Prof. D. Berman
Northeastern U. Law School

Population Control Problems

The following contributors are tentatively scheduled for the April 1972 issue which will be a symposium on International Environmental Law and Policy:

Dr. L. J. Bouchez
U. of Utrecht Law School

Mr. Michael McCloskey
Sierra Club, San Francisco

Prof. Ian Brownlie
Wadnam College, Oxford

Honorable Lee Metcalf
Senator from Oregon

Prof. L. K. Caldwell
Indiana University

Joseph D. O'Gundere, Esq.
Ministry of Justice, Nigeria

Signor Dante Camponera
F.A.O., Rome

Prof. J. Sweeney
Fordham Law School

Dr. Christian De Laet
Canadian Council of Resource
Ministers

Prof. A. R. Thompson
U. B. C. Law School

Prof. Michel Despax
U. of Toulouse, Economics

Prof. L.F.E. Goldie
Syracuse U. Law School

In September 1971 a solicitation for new subscribers will be made among 1,500 environmental program and general public libraries, a group previously not contacted by us. It is hoped that with all of the current interest in and emphasis on conservation of natural resources, the JOURNAL will become valuable to a much wider readership than was originally contemplated when it was founded.

Finances

Three issues were published during the fiscal year for a total billed printing cost of \$14,249.58; estimated billing for April 1971 JOURNAL is \$3,350. Although changed printing methods were instituted effective with the July 1970 issue in the hope of reducing printing costs, the new methods have proven as costly as or more costly than the old. If printing bills during the 1971-72 fiscal year do not drop, estimates should be obtained from out-of-state printers who could quote less per page cost.

At the time the Ten Year Index was contemplated by Mr. Popejoy and Dean Christopher, they estimated total costs would run between \$2,000 and \$3,000, and not exceed \$4,000. Actual cost has been \$5,756. to date, not including mailing. (\$19.15 per copy for each of 300 copies ordered) The plates are being held for a re-run sometime during the coming fiscal year, if sales warrant it. It was the publication of this Index during the same year in which the new LAW REVIEW was launched that drained the combined account.

It is requested that account 037-106-000 be restored solely to the NATURAL RESOURCES JOURNAL, and a new separate account be established for the NEW MEXICO LAW REVIEW. This would give a much clearer picture of the true financial condition of each of the publications; effectively block each publication from draining the resources of the other while simultaneously encouraging work toward finding means of increasing "earned income"; and simplify the maintenance here of separate records on each publication. The separate accounts could be equitably established at any given time, but optimally accomplished before payment of printing bills for the July REVIEW and July JOURNAL goes through the ledger, based on the proposed budgets for fiscal 1971-72, and the ledger sheet balance.

Attached are: an itemized statement of receipts and expenditures, subscription statistics; a readership survey; copies of the budget and plan for separation into two accounts; and a brief report on the LAW REVIEW's first year of existence which follows in form the report on NATURAL RESOURCES JOURNAL.

Statement of Receipts and Expenditures

RECEIPTS	<u>FY 1969-70</u>	<u>FY 1970-71</u>
Allocations	\$ 5,000.	\$ 3,000.
Contributions		3,000.
Exchanges	516	501.
Miscellaneous	214.	174.09
Sale of Advertising	559.80	53.12
Sale of Reprints	716.68	530.50
Sale of Single Copies	2,128.98	4,485.10
Subscriptions	<u>10,813.77</u>	<u>12,168.96</u>
Total Receipts	19,949.21	23,912.77
Less Allocations	<u>5,000.00</u>	<u>6,000.00</u>
Earned Income	14,949.21	17,912.77
Plus Accounts Receivable 6/30/71		1,350.56

EXPENDITURES

Equipment and Maintenance	79.03	79.81
Labor	2,534.53	1,354.15
Mailing	536.40	426.96
Miscellaneous	230.05	2,007.86*
Printing, Journal	17,569.78	13,137.08
Printing, Reprints	1,189.41	1,112.50
Reference Material	114.43	40.75
Subscription Refunds	88.12	53.96
Supplies and Office Printing	216.03	443.41
Travel	<u>718.</u>	<u>379.50</u>
Total Expenditures	23,335.75	19,035.98
Plus Ten Year Index Printing		4,340.00
April 1971 Issue Printing		3,450.00

- * Index: wages, \$1,382. (paid to students and students' wives); computer cards, \$24.; 1970 Awards Banquet, dinners, \$397.60; 1971 Awards Banquet, Chavez Trio, \$37.50, imprinting of certificates, \$63.88, awards, \$8.34; Tom Popejoy, expense, \$4.20; Bank charges on foreign checks, \$1.42; Organizational functions (luncheons, evening meetings of editors and staff) \$88.92.

Circulation Statistics, 6/30/71 (April 1971 issue)

Current Subscribers - Paid

United States	1,100
Foreign	141
Exchanges, U.S.	47
Exchanges, Foreign	<u>6</u>
	1,294

Complimentary Subscriptions by Mail

NRJ Advisory Board	25
UNM Offices	11
Past Journal Editors	10
N.M. Courts and offices	10
In Exchange for Indexing and/or Advertising	18
Miscellaneous	<u>2</u>
	76

Complimentary Copies by the Issue

Law Faculty Members	17
Advertisers	6
Contributors (average per issue)	7
Law Library	2
NRJ Office	3
Seniors on Board of Editors	<u>14</u>
	49

TOTAL DISTRIBUTION: 1,419

Readership Survey, June 30, 1971

United States

Federal Agencies	111
State Agencies	91
City & County Agencies	<u>34</u>
	236
Colleges and Universities	527
Libraries 442, Other Departments, 85	
Companies/Organizations	227
(Dennis & Co., 100)	
Individuals	282
Attorneys or Law Firms, 152	
Other occupations	130

Foreign Subscribers

Government Agencies	34
Universities	92
Companies	9
Individuals	12

TOTAL READERSHIP, APRIL 1971 ISSUE: 1,419

NATURAL RESOURCES JOURNAL

Equipment	\$ 155.34
Labor	1,997.
Mailing	575.
Maintenance	25.
Miscellaneous	200.
Print Periodicals	*12,038.
Print Reprints	733.66
Non-issue Printing	467.
Reference materials	103.
Organizational Functions	400.
Subscription Refunds	80.
Supplies	177.
Ten Year Index	**160.
Travel	700.
	<hr/>
Total Budget:	17,811.

NEW MEXICO LAW REVIEW

Equipment	74.66
Labor	998.
Mailing	275.
Maintenance	25.
Miscellaneous	100.
Print Periodicals	*5,926.
Print Reprints	366.34
Non-issue Printing	233.
Reference materials	51.
Organizational Functions	200.
Subscription Refunds	20.
Supplies	88.
Travel	300.
	<hr/>
Total Budget	8,659.

* Printing costs for both publications are calculated on a per page cost of \$18.24 for 800 copies. The additional 800 JOURNALS are figured at cost of stock and running time only. NMLR is budgeted 175 pages for July 1971, and 150 pages for January 1972. NRJ is budgeted for four issues of 150 pages each. The figure of \$18.24 per page was drawn from comparison of costs of recent publications, and in view of an announced 5% reduction in all printing plant charges effective 7/1/71. However, estimates received for both July issues indicate that the \$18.24 base was optimistic.

** For mailing bags, postage, and the imprinting of 75 covers--at the time the 300 ordered copies were produced, the printing plant ran 75 extra copies which are complete except for cover and binding.

Plan for Separation of Accounts for 1971-72

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Combined Account

True fund balance after payment for Index & April NRJ	\$ 1,590.
Allocations budgeted for	8,000.
One-time emergency grant (transferred 8/71)	4,000.
Journal should earn	13,500.
Law Review should earn	<u>2,000.</u>
Working funds	29,090.
Budget	<u>26,471.</u>
6/30/72 balance	2,619.

Separated Accounts

NRJ		NMLR	
true balance 7/1/71	1,590.	balance 7/1/71	deficit
allocation	4,000.	allocation	4,000.
earnings	<u>13,500.</u>	earnings	2,000.
Working funds	19,090.	emergency grant	<u>4,000.</u>
Budget	<u>17,811.</u>	Working funds	10,000
	1,278.	Budget	<u>8,659.</u>
			1,341.

In all 1971-72 budget figures, both the April NRJ and Ten Year Index are calculated as paid for during FY 1970-71--as reflected in the "true balance" figure.