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State Department agrees to more safety, environmental analysis

Keystone XL pipeline decision not expected until end of 2011

The U.S. Department of State has announced that it will take public comments on a Supplemental Draft Environmental Impact Statement (EIS) for TransCanada's proposed Keystone XL tar sands pipeline, delaying the pipeline again. The State Department said it expected a decision on whether to issue a permit for the pipeline by the end of 2011.

The State Department did not say what issues would be covered in the Supplemental EIS. WORC and other groups critical of the Department's first draft EIS have asked the State Department to do much more analysis of pipeline safety, TransCanada's emergency response plans, need for the pipeline, and



global warming pollution from the tarsands oil to be shipped on the pipeline several times since the draft EIS was issued more than a year ago.

The groups' most recent request came after release of a report describing the elevated risk of pipeline spills as a result of increased amounts of corrosive tar sands oil being delivered to the United States. The report by the Natural Resources Defense Council, Pipeline Safety Trust, National Wildlife Federation, and Sierra Club, *Tar Sands Pipeline Safety Risks*, shows that diluted bitumen, a raw form of tar sands oil, is significantly more acidic and corrosive than conventional oil and requires increased heat and pressure to move through pipelines.

WORC and five other groups had also told the State Department that it should do a

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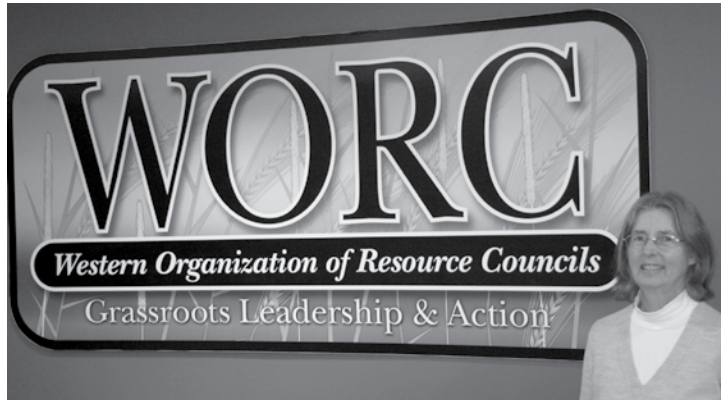
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The View from WORC

By **Monica Wiitanen**, WORC Chair

With Legislatures in session around our region it's reassuring to know that so many staff and members in our WORC network are paying attention and getting the word out to others when actions are needed.

The attitude of many seems to be, "What's the use? It's just a bunch of politicians." And it is understandable. But too often, we citizens really haven't done our part, myself included. It is easy to make assumptions about elected officials and how they will vote, much harder to pick up the phone and talk with their staff, or to show up at a local meeting with your position in a letter that can be handed to staff whether you've had the chance to talk with your representative or not.



Though Western Colorado is two, and for some of us, three passes away from our Capitol in Denver, a lobby trip is held every year. Once the legislative session begins in January, Western Colorado Congress' Legislative Committee holds weekly conference calls to discuss the bills that have been introduced, and what positions we will take. Some of the calls include our lobbyist who has been working with WCC for 30 years. Though there are many bills introduced that merit our concern, we chose three that were in the works and one not yet introduced.

In February, when I was at our Home on the Range in Billings, I picked up the Northern Plains newsletter to read what had been written about interacting with elected officials. Don't just rattle off bill numbers, I read, but also refer to the title or content of the bill. I saw it happen: a bill was mentioned by number, a look of uncertainty came across the legislator's face, and finally he asked for the content. In Chapter 5 of Jim Britell's "Organize To Win" (www.britell.com) he relates that the most frustrating thing that Tip O'Neill experienced in his 50 years as an elected representative was not knowing what people were talking about when they lobbied him. Surely we can use our time and theirs more effectively.

Like so many things best learned from others, it was good to go to the Capitol with members who had been there before, to be able to observe and just take in how things are done. Would I go again? Sign me up!

Monica Wiitanen

P.S. To receive your Western Organizing Review by email, please send your email address to billings@worc.org. That will save resources and WORC will put the savings into our issue campaigns.

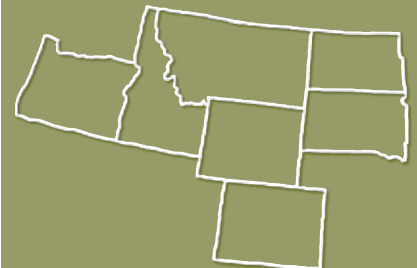
WESTERN ORGANIZING REVIEW

The *Western Organizing Review* is published quarterly by WORC, the Western Organization of Resource Councils.

WORC is a regional network of seven grassroots community organizations, which includes 10,000 members and 37 local chapters. WORC helps its member groups succeed by providing trainings and coordinating regional issue campaigns.

MEMBER GROUPS

Dakota Resource Council, North Dakota
Dakota Rural Action, South Dakota
Idaho Rural Council, Idaho
Northern Plains Resource Council, Montana
Oregon Rural Action, Oregon
Powder River Basin Resource Council, Wyoming
Western Colorado Congress, Colorado



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Around the Region

A look around WORC's region

As part of a coalition of conservation and landowner groups, the **Dakota Resource Council** urged the North Dakota Public Service Commission to deny a permit for a lignite coal mine near South Heart. The groups cited damages to health, water resources, agriculture, and tourism as reasons to deny the permit. "The basis of this community's economy is the soil," said DRC's Linda Weiss.

"We can't afford to sacrifice food production by future generations to a few years of coal mining." The coalition collected nearly 3,000 petitions from visitors to Theodore Roosevelt National Park. The mine site is about 10 miles east of the park.



A report by the **Powder River Basin Resource Council** found a "myriad of obstacles has thwarted the first wave of landowners from effectively protecting their rights" under the five-year old Wyoming Split Estate Act. *The State of the Split Estate – A Landowner Perspective: Five Years after*

Passage of the Wyoming Split Estate Statute revealed five major problems with the act: 1) the \$2,000 bond



amount is too low; 2) the burden of proof during the bond-on process (If the company and landowner are unable to reach an agreement, the company can post a \$2,000 bond to ensure payment for damages) falls on landowners; 3) the process to protect landowners' rights is prohibitively expensive for most landowners to pursue; 4) the notice provisions do not adequately alert landowners of impending developments; and 5) the Wyoming Oil and Gas Conservation Commission may not be the appropriate body to hear these disputes because its statutory mandate is to "serve the oil and gas industry." The report is available at www.powderriverbasin.org.

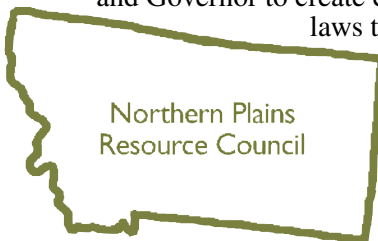


Dakota Rural Action is facilitating the beginning of a new chapter in South Dakota. The Black Hills Chapter Organizing Committee is in the latter stages of the organizing process and has identified its campaign goal: Get one local youth organization/school and one local healthcare institution to increase locally-sourced food by 10% a year for three years.

A generous matching grant from the National Trust for Historic Preservation is supporting the **Idaho Resource Council's** "Big Sky" appeal pending before the Idaho Supreme Court. IRC has worked for several years to help protect neighboring family farmers opposed to "Big Sky" dairy heifer mega-feedlot, which is proposed close by and directly up-wind of a National Monument where Japanese-Americans were confined at an internment camp during World War II.



The **Northern Plains Resource Council** took a leading role in organizing about 600 people to brave icy roads and freezing temperatures to participate in the "For the Love of Montana" rally in front of the State Capitol on Presidents' Day February 21. The rally was endorsed by 20 other statewide conservation groups to send a message to the Legislature and Governor to create clean-energy jobs; keep intact environmental



laws that have protected air, water, and land; continue citizen participation in the siting of major energy projects; forbid granting for-profit corporations the right of eminent domain that benefits only corporations and not the people; and uphold Montanans' constitution right "to a clean and healthful environment" and not water it down by adding the words "and economically productive."

On March 15, six **Oregon Rural Action** members joined allied organizations in the state capital for a Family Farm and Ranch Lobby Day. The event featured a farmers market with Oregon-grown products, a rally on the Capitol steps, and visits with state legislators to talk about the challenges faced by independent agricultural entrepreneurs. ORA members called for action on several bills, including the founding of a State Bank of Oregon, state funding for school lunches to include locally-grown food, and legislation that would give farmers markets an official legal footing and allow for limited sale of home-processed products.



Back at home, ORA members have been spearheading innovative ideas for raising money to support their work. In early March they coordinated a scrap metal drive that brought in over \$1,200. A fundraiser in partnership with Oregon-based company Territorial Seeds also raised about \$750 through dozens of orders from people looking forward to spring planting and wanting to support Oregon Rural Action at the same time.

Western Colorado Congress and 12 other groups settled a lawsuit in February with the Department of the Interior over regulations for leasing of public lands for commercial-scale oil shale development. The regulations had been proposed by the Bush Administration during its last months in office. The settlement requires review, with public input, of land use plans as well as the regulations proposed for oil shale leasing before any commercial-scale oil shale leases can be issued.



Environmental standoff looms in Congress

For the second time this year, the Republican-controlled House and Democrat-controlled Senate passed an extension of the bills that authorize the federal government to pay the bills and keep their doors open.

In doing so, Congressional leaders have delayed an inevitable showdown over several high profile environmental issues that has loomed since the November elections: the new House leaders want to prevent the Obama Administration from enacting and/or enforcing new protections, including:

- Barring new Clean Air Act controls on the largest industrial emitters of greenhouse gas pollution, such as power plants and refineries,
- Blocking new standards for hazardous coal ash and mountaintop coal mines, and
- Preventing Clean Water Act protections for our most fragile streams that run only part of the year.

House leaders hoped to force through controversial provisions that would stop these initiatives by attaching them as “riders” to the annual appropriations bill (H.R. 1) that passed the House in February. As part of an effort to cut \$100 billion from the budget, that bill would also have cut nearly a billion dollars in funding for clean, renewable energy development, while cutting very little funding from dirty fossil fuel programs.



The Senate rejected the House measure, however. Ultimately the two houses agreed to a short-term spending measure that kept the government’s doors open for two weeks, which has now been followed by another three-week extension.

But, as more legislators announce their objections to passing another extension, it seems that the two houses will have to tackle their differences soon.

—Sara Kendall

TAKE ACTION

Contact your Congressional delegation today and tell them that we can’t afford to cut clean air, clean water and clean, renewable energy that will never run out. You can reach any member of Congress by calling the Congressional Switchboard at 202-224-3121.

Urge your Representative and Senators to protect and maintain funding for clean air, clean water, and clean energy. Specifically, tell them to support continued funding for renewable energy and energy efficiency research and development, and maintaining the Environmental Protection Agency’s authority to enforce the Clean Air Act and Clean Water Act.

Making the case for a Fair Livestock Marketing Rule

Member Commentary by Judy McCullough, Powder River Basin Resource Council

I run approximately 400 cow-calf pairs at my ranch near Moorcroft, Wyoming. I sell my calves in the fall when they are five to six months old at a cattle auction. I consistently raise high quality calves: my steer calves are regularly purchased by the same feeder that places them into a certified Hereford program, and my heifer calves are purchased by a seed stockman to be raised, and sold as bred heifers.

Last fall, I called my buyers to advertise my calves. The stable market we had years ago is gone, replaced now by the whims and manipulation of just a few packers to the point that nobody but the packers know what they are actually paying for fed cattle. My buyers were afraid and unsure of the volatile market. They did not have a clue what range the calf prices might be in and even less of a clue what the prices would be on my calves months down the road after they had fed my calves, at which time they would be ready to sell to the packers.

It is a gamble beyond belief to lay down hundreds of thousands of dollars, put the time and feed into the cattle, and then end up taking a beating in the calf market because the packers are controlling the fed cattle market, which ultimately dictates what feeders are willing to pay for my calves. That very situation caused the market to be soft when I sold, which made calf prices lower, and reduced my profits and opportunities.

In our industry, when one segment gets control, and the packers are the controlling segment in our industry, true open markets disappear.

My neighbors are losing their children that normally would remain on the ranch to the coal, oil and gas industries where they can make a decent



Judy McCullough, representing WORC, PRBRC, R-CALF, and ICOW (Independent Cattlemen of Wyoming), briefed Congressional staff on the Fair Livestock Marketing rule in February.

living for their families. My latest neighbor to go out of the business just sold his entire herd last week in a complete dispersal sale.

Another friend of mine bought 800 head of feeder cattle last year. When it came time to market them, which he sold in 8-12 transactions, he was told the same thing each week – the packers look like they will come into the market around a certain time, there will only be 1-2 packers bidding, they will offer bids during only a 5-15 minute time frame. This left my friend with absolutely no negotiating power, only a take it or leave it offer. But sometimes on a Friday or Saturday, a packer would be short bought. They would then come back behind the scenes and give a price about \$2.00 over the highest reported price—these transactions were never reported. This isn't competition. It is manipulation.

*“McCullough Commentary”
continued on page 14*

Callers show “love” for farmers and ranchers

On Valentines Day, over 3,000 farmers, ranchers and consumers called the White House to urge President Obama to ensure USDA issues and enforces the new Packers and Stockyards livestock fairness rules.

These rules are very important for family farmers and ranchers, who can't survive without fairness and competition in the livestock industry.

Callers asked the President to: “Get a strong rule out now! Don't let the packers stall and weaken these important rules.”

WORC, DRC join lawsuit challenging GM alfalfa

WORC and Dakota Resource Council joined the Center for Food Safety in a lawsuit filed March 18, challenging the Department of Agriculture's (USDA) decision to allow unrestricted planting of genetically modified Roundup Ready (GM) alfalfa.

"USDA's decision to approve genetically modified alfalfa puts corporate interests ahead of those of farmers and consumers," said Todd Leake, a farmer from Emerado, North Dakota and Dakota Resource Council leader, "GM alfalfa will contaminate non-GM alfalfa crops, threaten the livelihoods of farmers and limit consumers' food choices. USDA has acknowledged these problems, but has done nothing to fix them."

The suit states that the agency has violated the National Environmental Policy Act (NEPA) and the Plant Protection Act by approving GM alfalfa without adequate analysis or measures to protect farmers and ranchers who want to grow organic or conventional alfalfa. The complaint states that "the agency's decision is not based on sound science and fails to account for harms to the environment and U.S. agriculture, such as transgenic contamination, increased use of glyphosate, and the proliferation of glyphosate-resistant weeds that deregulating [Roundup Ready Alfalfa] will cause."

This is the second lawsuit WORC has joined that challenges the legality of USDA's handling of GM alfalfa. In a groundbreaking 2007 win, a Federal Court ruled that USDA's approval of the Roundup Ready alfalfa violated environmental laws by failing to analyze possible contamination of conventional and organic alfalfa, the evolution of glyphosate-resistant weeds, and increased use of Roundup herbicide. The court ordered a four-year study of GM alfalfa's impacts under NEPA. This marked the first time in 15 years of deregulating GM crops that USDA had ever undertaken such a study, known as an Environmental Impact Statement (EIS). During the study, the ban on sale or planting of GM alfalfa remained in place, although Monsanto's appeal of the ban went all the way to the U.S. Supreme Court.

GM alfalfa threatens organic and conventional markets, raises liability concerns

One seed producer who has already abandoned alfalfa because of the threat of contamination is Blaine Schmaltz of Blaine's Best Seed, of Rugby, North Dakota, who markets to organic growers. He said he quit raising alfalfa seed because he thought contamination was likely and couldn't afford to be stuck with inventory he could not sell.

In an interview for WORC's 2008 *Guide to Genetically Modified Alfalfa*, Schmaltz outlined his concerns about continuing to raise organic alfalfa seed and sprouts in the face of GM alfalfa deregulation, "There is zero tolerance for contaminated seed among my customers who demand organic products. I have attempted to find an insurer who would cover my liability in case of such an event [contamination], but every company I have contacted has said it is impossible to issue coverage for such a liability."

Scientists in Canada found that GM alfalfa outcrossings occurred at a

22% level in seed production fields and a 15% level at hay production fields at a distance of one kilometer. They also found that genetically modified alfalfa outcrossings to feral alfalfa took place at a 92% level at 230 meters.

In a survey article, Canadian plant scientists Rene C. Van Acker Muthkumar V. Bagavathiannan concluded that "the complete confinement of GM [alfalfa] traits" would be "very difficult and once a given GM trait escapes into the environment, retraction of the trait will be unlikely."

About 20 million acres of alfalfa are grown in the United States. Alfalfa is the fourth largest crop after corn, soybeans and wheat. According to USDA data, 93 percent of alfalfa is grown without use of herbicides. USDA estimates that full deregulation of GM alfalfa would add up to 23 million more pounds of toxic herbicides annually into the environment.

Attorneys for the Center for Food Safety and Earthjustice filed the lawsuit in federal court on behalf of a coalition of organic farmers, dairies and agricultural associations, and environmental consumer groups including the Center for Food Safety, Beyond Pesticides, Cornucopia Institute, California Farmers Union, Dakota Resource Council, Geertson Seed Farms, National Family Farm Coalition, Northeast Organic Dairy Producers Alliance, Sierra Club, Trask Family Seeds, and WORC.

—WORC, DRC and
Center for Food Safety Staff

Q&A: Shaping policy to protect livestock from disease threats

Editor's note: WORC and Northern Plains Resource Council leader, Gilles Stockton, was appointed to the Secretary of Agriculture's Animal Health Advisory Committee in December. The purpose of the 20-member committee is to represent the various constituencies within the livestock industry in a review of the efficacy and acceptability of the policies governing how the nation's livestock are protected from disease threats. Gilles participated in the following Q&A with the Western Organizing Review.



The committee has met twice, once in Washington, D.C. and once by conference call. What have been the main topics?

The topic that we discussed the most was the proposed rule to create a coordinated system to improve livestock traceability in interstate commerce.

How is this “framework” different from the original National Animal Identification System?

I was concerned that this proposed rule is a means to create the National Animal Identification System (NAIS) by the backdoor. The Chief Veterinary Officer for the United States, Dr. Clifford Clark, assured us that this is not the case. Where the NAIS proposal called for tracking the movement of livestock from birth to death, the interstate traceability proposal is a much simpler “bookend” system.

As proposed, the traceability program acknowledges that each state and tribal government has jurisdiction over internal livestock movements. The federal government, however, has an interest in inter-state movements and as such needs to know from what state a diseased animal originated. The preferred method will be for producers to use a numbered metal ear tag that identifies the original owner and premise. Those of us that have brands and vaccinate for brucellosis already meet these requirements. Sheep and goat producers also meet the requirements because of the scrapie eradication program.

What is your reaction to this framework?

There are three aspects to this proposed rule with which I am not yet completely comfortable.

First, from the discussion, it became clear that the administrative procedures for maintaining and accessing current health certificates and movement documents are, in some states and tribal areas, seriously inadequate. States and tribes will be encouraged to modernize the systems. What worries me is that producers will be required to put ear tags on the animals and keep records, but, because of budget cuts, the states and tribes will be unable to up-grade their record keeping systems. Producers will be stuck with extra costs and bother but the overall system will not improve. Before producers are required to ear tag their livestock, the states and tribes should be required to bring their record keeping systems up to an effective standard.

My second concern is that the Veterinary Service is designing the system to respond to a “theoretical” highly pathogenic disease that requires fast mobilization to contain. My first instinct is that the system should be designed to contain and eliminate the “known” diseases of brucellosis, tuberculosis, BSE, and scrapie. Once we have those taken care of, we can talk about meeting a higher standard.

My third concern has to do with incorporating feeder cattle into the trace-back system. According to the plan, after 70 per cent traceability compliance is reached in breeding cattle, feeder cattle will also be required to have tags that identifies their origin. I am still left with the question of why? No one has explained to my satisfaction what disease issues will be contained by requiring feeder cattle to be identified.

What are the next steps in this process?

USDA plans to release this proposal as a rule in the Federal Register in late April. The committee has asked USDA to make the comment period 120 days so there is enough time for everyone to take a careful look at the proposed rule and comment.

I am hopeful that this committee will be a useful way for livestock producers to have a meaningful input in veterinary policy. I am looking forward to hearing your thoughts and input about all of these issues.

Stockton can be reached at gillesstockton@gmail.com or at (406) 428-2183.

Government auditors call for overhaul of oil and gas field bonds

WORC renews call for reform after Government Accountability Office report

A new Government Accountability Office (GAO) report on federal oil and gas bonding policy recommends increased bonds and other reforms WORC has urged the Bureau of Land Management to make for many years. WORC issued its own report on the need for comprehensive reform of BLM oil and gas bonding policies in 2005.

The new GAO report, *Oil and Gas Bonds: BLM Needs a Comprehensive Strategy to Better Manage Potential Oil and Gas Well Liability*, is the second report on bonding released in the last year by GAO. The first documented the amount of bonds BLM holds, and the cost to clean up orphan wells (those where no company can be identified as responsible for clean up).

“This report confirms our contention that federal oil and gas bonding program needs an overhaul because bonding levels are too low and present a huge liability for the American taxpayer,” said Donny Nelson, a rancher/farmer from Keene, North Dakota, who chairs WORC’s Oil and Gas Campaign Team. “Bonding reform would reduce the odds that taxpayers will have to pay for the clean up of oil and gas projects in the event of default by energy companies, and it would help ensure proper reclamation of drilling sites.”

Thousands of coalbed methane wells idled in Wyoming

The potential liability for federal and state taxpayers and landowners could be huge. An investigation by the Casper Star-Tribune found that coalbed methane operators in Wyoming had idled almost 12,000 wells in the last few years because of low natural gas prices. At least some companies were on the verge of bankruptcy, the Star-Tribune found, having failed to post increased bonds for their idle wells. The fate of almost a thousand Wyoming wells is uncertain, the paper said.

According to GAO, BLM doesn’t have a strategy like the State of Wyoming’s, which requires increased bond amounts when wells are idled. In its latest report, GAO found that the Bureau of Land Management has not consistently implemented its policies for managing potential liabilities from unreclaimed idle oil and gas wells. For example, 13 of the 33 BLM field offices GAO interviewed reported that “they either did not conduct any reviews or did not know the number of reviews conducted” on the adequacy of bonds set for federal oil and gas leases.



In addition, GAO reported 11 of the respondents had not conducted any reviews of the status of idle or orphaned wells in one or more years out of the last five. Idle wells are those which have not produced for several years and have not been plugged or reclaimed.

WORC report findings from 2005 confirmed

A 2005 WORC bonding report found a potential multi-billion dollar taxpayer liability for clean up of oil and gas site throughout the West. Other key findings of WORC’s report, *Filling the Gaps*, were:

- Financial assurance (damage deposit) amounts in all cases examined in the study fell far short of potential clean-up costs; and

“Oil and Gas” continued on page 14

Pipeline landowners send message to Obama, Clinton

On March 31, 100 landowners, including seven from South Dakota and 14 from Montana, sent a letter to President Obama and Secretary Clinton expressing their concerns about the proposed Keystone XL Pipeline and the danger it poses to their operations and water supply.

Landowners and concerned citizens from across the pipeline's proposed route have been vocal in their opposition to Keystone XL, citing abuses of eminent domain and water and safety concerns as key reasons decision makers should give TransCanada's tar sands pipeline a closer look. Earlier this month, affected citizens including two South Dakota landowners, Paul Seamans and John Harter, took their concerns to Washington D.C., where they met with the State Department, the Environmental Protection Agency and with U.S. Senators from the affected states.

The letter to President Obama and Secretary Clinton details concern of higher Midwest gas prices if Keystone XL is built, and highlights examples of bullying and threats from TransCanada that led many landowners to sign agreements before knowing the full details of the project. "TransCanada is not only using deceptive practices to take away our property rights, but is also threatening precious drinking and farming water supplies by using conventional pipeline technology for a highly corrosive and acidic unconventional fossil fuel," states the letter.

"One of the main concerns of South Dakota landowners along the XL route is the protection of our water supplies," says landowner, Paul Seamans, a member of Dakota Rural Action. "Our water could be compromised by a spill into the Missouri River or more locally, into the High Plains Aquifer in Tripp County, which would affect the critical Oglalla Aquifer. Protection of water aquifers which would be crossed by the proposed KXL pipeline should be of primary concern as any environmental impact studies move forward."

"We in South Dakota support our good friends in Nebraska and in states further south, in the belief that the EIS should be expanded and should take full advantage of public oversight and commentary. Particularly, further study of the risks posed by Keystone XL cutting through the heart of the Oglalla Aquifer needs to be done before proceeding," says Seamans.

In the letter, the landowners urge that the Supplemental Environmental Impact Statement that the United States State Department is expected to release in April entails meaningful study of the safety risks posed by the



DRA members, John Harter and Paul Seamans (with WORC staff Anna Lucas) traveled to Washington, DC in March to discuss landowner concerns with the Keystone XL pipeline with their South Dakota Congressional delegation.

pipeline and examination of the tar sands oil the pipeline would carry. The landowners ask that politics and foreign profit not be considered above the health and safety of the affected communities.

"After the political debate about and the construction of this proposed pipeline ends, [landowners] are the ones who must live with tar sands running through our property" states the letter.

"My biggest concern about this pipeline is what it will do to my land. What will happen if there is a leak? We need assurances that this pipeline is as safe as possible," says Chad Taylor of Fort Peck, Montana, a landowner along the Keystone XL pipeline.

WORC hosts Coal Strategy Summit

In mid-March, 26 activists from 14 organizations working on coal issues met at Home on the Range in Billings for a Powder River Basin Coal Strategy Summit.

The goal of the Summit was to improve communication on our coal work, ensure coal proposals were being challenged from all angles and limit overlapping efforts to use resources more effectively. The agenda covered coordination; state and federal coal leasing; permitting, bonding and reclamation; coal exports and infrastructure; coal-fired power plants; corporate campaigns and government incentives.

WORC co-hosted the event with Northern Plains Resource Council and Powder River Basin Resource Council, along with the Sierra Club, WildEarth Guardians and the Energy Minerals Law Center.

The 26 participants came from different aspects of coal activism including: grassroots organizing, legal, policy and corporate campaigners. WORC Director, Pat Sweeney and Ellen Pfister, founding member of Northern Plains and Chair of WORC's Coal and Climate Campaign Team, kicked off the Summit by highlighting the history of coal work at WORC, Northern Plains and Powder River Basin Resource Council.

WORC's Director of Organizing, Kevin Williams opened the work session with an introduction focusing on current trends in the Powder River Basin and what the Summit participants thought were the biggest threats. Two topics that arose most often were the political power yielded by the coal industry and false perceptions of the benefits of coal and the need for coal for domestic electricity.

The Summit covered ways that the allied organizations could coordinate around different aspects of Powder River Basin coal development, such as challenges to coal leases, mine permits, areas to influence policy and how to share strategic research. Each session kicked off with a short overview of the topic areas by giving all participants baseline knowledge of the issue area, and making it possible for everyone to participate.

As a result of the meeting, the group outlined over 25 specific areas in which to better coordinate, ranging from pushing the Bureau of Land Management and the Department of the Interior on federal leasing reforms to forming working group to coordinate research and action on rail infrastructure.

—Michael Ritter

Two new reports uncover the true costs of coal

Two new reports released this year illustrate the negative effects mining and burning coal has to our environment and public health. Professors at the Harvard Medical School published "Full cost accounting for the life cycle of coal" in the *Annals of the New York Academy of Sciences* in February, and the American Lung Association published "Toxic Air: The Case for Cleaning Up Coal-fired Power Plants" in March.

The Harvard study looks at the full range of impacts of coal. The study attempts to monetize the externalities of coal. From miners' safety to the global climate change impacts, the Harvard study effectively illustrates that when all the external impacts caused by coal are accounted for coal is quite expensive to the end consumer. The Harvard researchers' best estimate says externalities add at 18 cents to the kilowatt-hour price of electricity (the national average delivered price of electricity per kilowatt-hour is just over 9 cents).

The American Lung Association report looks specifically at the effects coal fired power has on air quality. Using EPA pollution data and various sources of information on public health, the report makes a compelling case for stringent EPA standards for coal fired power plants.

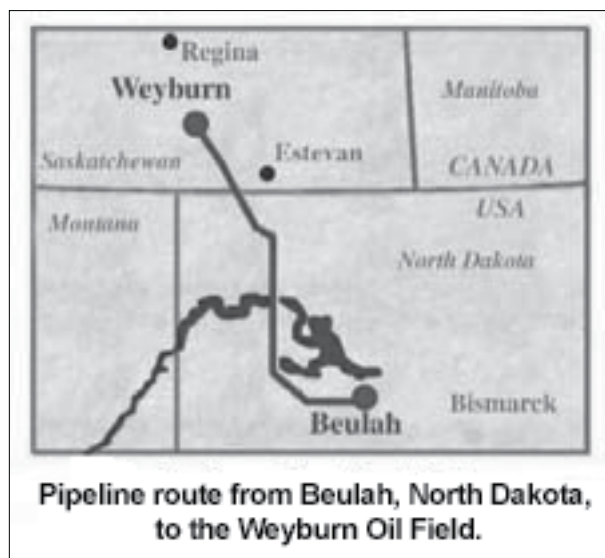
Find a link to the Harvard Study, and associated factsheet, at <http://chge.med.harvard.edu/publications/reports/index.html>. The American Lung Association report can be found on their website www.lungusa.org.

—Michael Ritter

CCS plant running into early problems

The world's largest, full-scale carbon capture and sequestration (CCS) plant, located in Canada, has run into some serious problems. An abandoned oil field in Saskatchewan sits under 50,000 acres of flat farmland and was touted as having perfect underground geologic formations for a demonstration CCS project.

In the last decade, more than 15 million tons of carbon dioxide (CO₂) have been transported from the Dakota Coal Gasification plant in Beulah, North Dakota, through more than 200 miles of pipeline and injected into the Weyburn oilfield for enhanced oil recovery. This is the



first cross-border transfer of carbon dioxide from the United States to Canada and the first international project where carbon dioxide is being captured and sequestered underground.

Cameron and Jane Kerr, who live on 1,440 acres of land in the midst of the project, started to notice changes in surface

and well water on their property and reported unusual incidents to the Saskatchewan Ministry of Energy and Resources. These incidents include bubbling and foaming water, unusual algae growths in ponds, and animal carcasses around the ponds. The Kerrs, who purchased their property in 1975, said they noticed changes to the surface and groundwater on their property one year after the carbon dioxide was injected in the area. In 2005, the Kerrs moved off their land because they were concerned about their own health.

The project continues while the industry has repeatedly denied responsibility for the project's leaks. The Kerrs are planning a lawsuit.

The Kerrs' story illustrates critical issues that should be addressed before implementing carbon capture and sequestration on a larger scale. Clear liability assurance to protect landowners like the Kerrs, so that the average citizen does not end up bearing the costs of carbon dioxide leakage into the air and water, is a crucial first step. The failure of the Weyburn project also highlights the importance of adequate and continuous monitoring and testing of potentially affected land and water, and of ensuring that taxpayers do not assume the long term risks associated with carbon dioxide under private property.

—Anna Lucas

Citizens rally For Love of Montana



Photo Courtesy Larry Winslow, Northern Plains Resource Council

600 Montana residents braved icy roads and frigid weather to attend the *For the Love of Montana Rally* February 21 in front of the State Capitol in Helena. The gathering was organized by Northern Plains Resource Council and endorsed by 20 statewide conservation groups.

Participants called on the Legislature and Governor to create clean-energy jobs, and uphold the laws that protect our water, air, and land. About 500 signatures were gathered calling on the Governor to veto bad environmental bills.

Coal export developer withdraws permit application

Developer hid actual capacity of planned coal export terminal

Construction on a proposed coal export terminal near Longview, Washington, has been delayed after the company proposing the facility withdrew its permit application. The permit for the facility was being challenged by EarthJustice, Sierra Club, Climate Solutions and Columbia Riverkeeper. Increasingly negative public attitudes toward the facility and concerns over losing the legal challenge were likely instigating factors in the permit withdrawal.

Australian company, Millennium Bulk Logistics, the developer planning the facility, backed by Arch Coal, Inc., withdrew its permit, which had been appealed to the State Shorelines Hearings Board. The company still is planning on developing the terminal; however they have agreed to do more thorough environmental assessments before moving forward.

The permit was withdrawn after documents uncovered by EarthJustice attorneys showed Millennium was planning on expanding their facility from 6 million tons per year, proposed in their permit application, to 80 million tons per year.

The discovery that Millennium had intentionally misled the public likely did more to turn opinion away from the project than the actual size of the facility.

The Port of Longview would be the first facility designed to ship coal from a U.S. West Coast port. Currently, coal exports from the West Coast are shipped from the Port of Vancouver in Canada, which is currently operating at capacity.

The coal industry has seen slumps in domestic coal demand and has increasingly been eyeing an overseas market, largely driven by Chinese demand. Developers at proposed export terminals such as those near Longview and Bellingham, Washington, have received financial backing from large coal companies now operating in the Powder River Basin, most prominently Arch Coal and Peabody Energy.

Industry moves in Powder River Basin

Peabody Energy operates three mines in the Powder River Basin and has pending coal lease sales that would substantially increase their holdings in the region. Peabody invested in the Gateway Pacific terminal in Bellingham, Washington. The Gateway Pacific terminal has raised less community backlash, largely due to the developer SSA Marine taking greater precautions and beginning environmental scoping before applying for any permits. This terminal would be designed to handle upwards of 50 million tons of coal per year.



Fifty additional coal trains could roll through towns each day along the route from the Powder River Basin to the West Coast if the coal industry establishes a market and infrastructure for shipping coal to Asia.

Arch Coal has consolidated western holdings over the last few years. Arch first acquired the Jacob's Ranch mine which is adjacent to their Black Thunder mine, making it the largest mining complex in the country. Arch also leased the Otter Creek Coal tracts in Montana, which would require a new railroad to facilitate its transportation to its, likely, overseas market. Arch has a 38% share of the Longview terminal, which intends to expand its capacity to an eventual 80 million tons per year.

WORC is currently researching the impacts and ability of communities along the route to organize and protect themselves from the 50 plus coal-hauling trains that would run past their communities daily.

—Michael Ritter

supplemental EIS after TransCanada announced it had contracts with Montana and North Dakota oil producers to ship light crude from the Bakken oil field on the pipeline. The State Department had denied earlier requests to analyze the impacts of what is known as an “onramp” to the XL pipeline because it was speculative. Now, WORC and the groups argue, the facilities that make up an onramp -- feeder pipelines, pumping stations and oil tank farms -- are no longer speculative. WORC wants the State Department to look at the heightened risk of leaks or spills that could come from high pressure surges associated with alternating batches of tarsands oil from Alberta and the Bakken oil.

Report raises new safety concerns

The report on the risks of corrosive tar sands in pipelines raises serious safety concerns for landowners and communities along the existing Keystone I pipeline that runs down the eastern side of North and South Dakota, as well as for those along the proposed Keystone XL route. The Dakota Resource Council, Northern Plains, Dakota Rural Action, and the groups releasing the report said that new safety standards are needed to deal with the increased risk from raw tar sands in U.S. pipelines, and that new pipelines (such as the Keystone XL) should be put on hold until that is done.

The report shows how this new product brings a significantly different chemical composition than other petroleum products that creates difficulty in transportation and cleanup when spills occur. Because it is thick and heavy, increased heat and pressure are necessary to move it through a pipeline. Tar sands diluted bitumen has five-to-ten times as much sulfur as conventional crude and more chloride salts. Both substances can weaken pipelines and make them more likely to break during a pressure spike. Refiners have reported finding more quartz sand and other solid material in tar sands diluted bitumen.

Even before the State Department’s announcement, TransCanada had postponed the date it expects to begin commercial operations of the Keystone XL pipeline to the second quarter of 2013, a three-month delay. TransCanada also raised the estimated cost to complete all the parts of the Keystone project by \$1 billion, to \$13 billion. Analysts attributed the announcement to delays in the State Department’s environmental review of the proposed pipeline. On the conference call with analysts on which they announced the delay, TransCanada spokespersons first hinted and then denied that they might skip the northern part of the pipeline through Montana, South Dakota, and Nebraska, and just build the southern leg from Cushing, Oklahoma, to the Gulf Coast, if the State Department didn’t issue a permit soon. (TransCanada could build the southern leg without a State Department permit, which is only needed for pipelines that cross the U.S.-Canadian border).

Tar Sands Pipeline Safety Risks is available at www.nrdc.org/energy/files/tarsandssafetyrisks.pdf



Keystone XL oil pipeline is built, the price of gas in the Midwest would increase by 7 to 15 cents a gallon, rather than lower prices for U.S. consumers as the company has been arguing. The increase would come because the XL pipeline would allow oil companies to move oil out of the price-setting hub of Cushing, Oklahoma, down to the Gulf Coast, reducing a current surplus of heavy oil in the Midwest. The 2008 report was commissioned and endorsed by TransCanada, and submitted to the Canadian National Energy Board.

Potential fuel price increases and other concerns about the pipeline convinced the National Farmers Union to adopt strong policies opposing any project that threatens water supplies and condemning the use of unfair tactics to secure right-of-way from farmers and other landowners. NFU, which represents farms and ranchers nationwide with 32 state affiliates, adopted the pipeline policy at its national convention March 15.

—John Smillie

XL Pipeline would raise Midwest gas prices

Opponents of the pipeline are spreading the word about a previously unnoticed report from TransCanada Corp. showing that if the proposed

“Oil and Gas” continued from page 8

- Reclamation plans rarely covered true clean-up needs.

Nelson’s ranch is a mixture of private and public surface with private and federal oil and gas holdings. Nelson was recently appointed to the Dakotas citizen-based Resource Advisory Council, which advises the Bureau of Land Management on public land issues. He is also featured in *Boomtown*, a documentary series on the impacts of oil and gas development in North Dakota’s Bakken oil field on Discovery’s Planet Green cable channel.

GAO recommended that BLM improve management of potential liability for unreclaimed oil and gas wells on federal land by developing a comprehensive strategy to increase bonding over time; improving its data system to ensure complete and consistent well records; and better monitoring of its performance in reviewing bond adequacy and idle wells.

The BLM has agreed with the report’s recommendations and said it has begun to address the completeness and accuracy of its oil and gas data.

“As a landowner in the oil and gas drilling fields, I strongly encourage the BLM to fully implement the GAO’s recommendations and to ensure that oil and gas companies pay the full cost of reclaiming drilling areas,” Nelson said.

—John Smillie

WORC leader appointed to BLM Advisory Board



Secretary of the Interior Ken Salazar appointed Donald Nelson, a member of the Dakota Resource Council and former Chair of WORC, to the Dakotas citizen-based Resource Advisory Council (RAC) in December. RAC advises the Bureau of Land Management on public land issues.

“McCullough Commentary” continued from page 5

According to the broker that my friend used, he had never seen anything like the \$8.00 increase in the fat market that occurred just before the Ft. Collins Justice Department and USDA antitrust meeting in August. He also said that the market always raises \$3-4.00 before big National Cattlemen’s Beef Association meetings and functions. It is part of their marketing program. If that is not manipulation, what is?

The Fair Livestock Marketing Rules proposed by the Grain Inspection, Packers & Stockyards Administration will finally provide transparency so all of us in the industry will know the actual prices that packers are paying for our cattle, ending the ongoing, secret, behind the scenes, prices. With these rules, GIPSA will have the tools to begin addressing manipulation of the market by the packers because the rule will require packers to report actual prices and GIPSA will have access to those prices. The rules will promote competition in the market, and allow individual producers to show injury, and prevent retaliation against a producer. These rules are an important step, but only the first step to restore competition in the cattle markets.

Looking at the big picture, the goal of the packers is to vertically integrate the cattle industry supply chain, which will give the packers absolute control over the entire industry just as they have already gained over the poultry and hog industries. The goals of independent cattle producers like me are very different. My goals are to be free and independent, to run my operation to the

best of my ability, to make my own business decisions, and to have the opportunity to remain profitable while my business continues to add to the wellbeing of my local economy and Wyoming’s economy.

Congress passed the Packers and Stockyards Act to ensure that I, and producers like me, could reach those goals by preventing the packers from manipulating markets. But that is exactly what the packers have done and that’s why we need the GIPSA rule that will finally allow the Packers and Stockyards Act to be properly administered and enforced.

Judy McCullough is a member of the Powder River Basin Resource Council and ranches near Moorcroft, Wyoming.

Organizing Nuts & Bolts

Grassroots Fundraising Tips

In these times of tight nonprofit budgets and economic uncertainty, here are some grassroots fundraising tips for nonprofit leaders and staff to keep in mind.

Attitude is everything. Whatever you give thought and energy to, you attract more of it. It's called the Law of Attraction. Most people focus on what they don't want and wonder why they keep getting more of it. A good attitude is essential to successful fundraising.

Break everything down into manageable next steps. Once your fundraising plan is in place, it's time for action. What is the immediate next step to move forward? Reflect on what did and did not work, celebrate your success, and move on to the next step. Focus on how much money you need for the next quarter, or for the next month. Break everything down into manageable, time limited tasks. Then follow up, follow up, follow up.

Don't make excuses. There's a saying in organizing, "don't make excuses, just figure it out." If you're stuck, ask for help. If you need more support, coaching or training, get it. There is no time for excuses when it comes to fundraising.

Focus on the present, not the past. Your organization may have a spotty fundraising record. To quote facilitator Dudley Weeks, "...the past is not the soil in which the present and future are irrevocably rooted." Focus on what you can do now and tomorrow, no matter what has occurred in the past. (This is not to say you can't learn from the past, which of course you can and should.)

Make it a team effort. Fundraising takes the time and commitment of many people. You need all hands on deck. In addition to the staff, the Board of Directors needs to play a role. There are many ways for Board members to participate in fundraising. Be creative and adaptable.

Integrate fundraising into your organizing and issue work. Organizing and fundraising need to go hand in hand. To quote Vicki Quatmann, "It is time for all of us to stop departmentalizing and make fundraising an integral part of the everyday work of each employee and leader of our organizations."

Communicate. Cooperative efforts thrive on the flow of good communication among members, leaders and staff. Fundraising depends on functioning human relationships.

Appreciate and celebrate. Appreciate and recognize people, and take time to celebrate even the smallest achievements.

By putting these tips into practice, your organization will be better prepared and more capable of raising money from a wide range of sources in these challenging times.

—Kevin Williams

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CALENDAR

WORC JUNE BOARD AND STAFF MEETING

Lead, South Dakota..... June 2-4

PRINCIPLES OF COMMUNITY ORGANIZING TRAINING

Billings, Montana June 22-25

PRINCIPLES OF COMMUNITY ORGANIZING TRAINING

Brookings, South Dakota..... July 20-23

POWDER RIVER BASIN RESOURCE COUNCIL HARVEST FESTIVAL

Sheridan, Wyoming..... September 10

OREGON RURAL ACTION ANNUAL MEETING

La Grande, Oregon October 8

DAKOTA RESOURCE COUNCIL ANNUAL MEETING

Location TBA..... October 22

POWDER RIVER BASIN RESOURCE COUNCIL ANNUAL MEETING

Sheridan, Wyoming..... November 5

NORTHERN PLAINS RESOURCE COUNCIL ANNUAL MEETING

Billings, Montana November 11-12

WORC DECEMBER BOARD AND STAFF MEETING

Billings, Montana December 2-3