

# WESTERN ORGANIZING REVIEW

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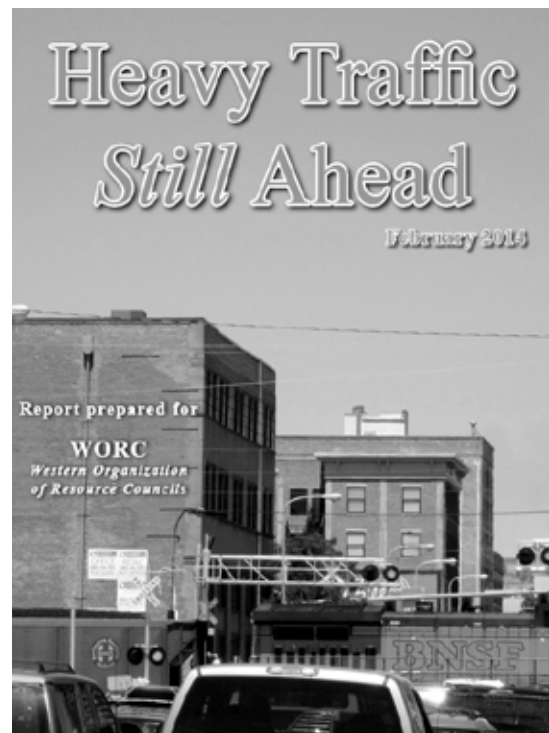
APRIL  
2014

## New WORC report reexamines capacity of rail system to ship more coal

**V**oluminous and very profitable coal and oil export rail traffic would consume most of the existing rail capacity in the region, displacing other traffic and resulting in higher freight rates for existing rail shippers, according to a new report released in February by WORC.

Prepared by Whiteside & Associates and G. W. Fauth & Associates, the report, *Heavy Traffic Still Ahead*, evaluates the anticipated increase in coal train traffic from the Powder River Basin in light of the current proposals for new or expanded coal port facilities in the Pacific Northwest. In addition, the study incorporates the combined effects of oil trains traveling from North Dakota over the same routes.

The report also identified impacts to communities along the transport route, consequences for existing rail users, including grain shippers, container traffic, and passenger service, and how coal export could affect rail corridors already near capacity.



If coal export proposals develop, the daily number of Powder River Basin to Pacific Northwest loaded and empty export coal trains could be as high as 27 to 36 trains in five years and up to 47 to 63 trains in 10 years.

According to report co-author, Terry Whiteside, the rail system does not have the capacity to handle a very large influx of new traffic.

“The problems we are seeing now are just the tip of the iceberg, and communities along the routes should be aware of it,” Whiteside said.

*“HTSA” continued on page 12*

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# The View from WORC

By Norm Cimon, WORC Chair

I speak for everyone in the Western Organization of Resource Councils in congratulating Dakota Rural Action for developing a new local chapter in Pierre, S.D. That chapter, the Greater Oahe Action League, or GOAL, had over 30 people participating in its kick-off event February 22. Welcome to each of you.

It all starts with you, the member. The presence you bring through these chapters is the real face of this organization. The contacts you make, the plans you develop at the local level, the issues you take on, those are the real source of WORC's credibility.

My own experience in Oregon Rural Action and its Blue Mountain chapter have brought that home to me. After more than a dozen years, there is an understanding that ORA and its members are here to stay. We are no longer perceived as just one more voice in the chorus, but as a source of ideas and projects that are valued in the communities we serve.

Supporting it all is the organizational framework put in place by WORC. That framework leverages the issues important to you and your chapters into a clear vision, building regional and national campaigns to bring them visibility. Just one example is WORC's campaign to control natural gas flaring. That's important to many of our members.

That framework is what led me to make the decision to become a monthly donor to WORC in 2007, something that I hope you will consider when you receive our letter in late April, the annual appeal to members. Monthly giving is a simple and convenient way for me to help support WORC as it builds strong campaigns to win on our issues.

If a letter doesn't land in your mailbox, or you're not a member, you can still give and support WORC's campaigns. Those campaigns are all about the issues that you and I promote in our chapters. They are us.



## Support WORC

Send your contribution to:

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## WESTERN ORGANIZING REVIEW

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

WORC is a regional network of grassroots community organizations, which includes 10,000 members and 40 local chapters. WORC helps its member groups succeed by providing trainings and coordinating regional issue campaigns.

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Dakota Resource Council, North Dakota  
Dakota Rural Action, South Dakota  
Idaho Organization of Resource Councils, 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 network

Grand Forks County Citizens Coalition (GFC3), a **Dakota Resource Council** affiliate, is monitoring a proposed heavy crude pipeline expected to cross and rest underneath the Red River, source of the region's drinking water. Enbridge's Sandpiper Pipeline would carry 375,000 barrels daily of Bakken crude to Superior, Wisconsin, and another 225,000 barrels a day to Clearbrook, Minnesota.



Enbridge is responsible for one of the most costly pipeline accidents in U.S. history. In 2010, a ruptured pipeline in Marshall, Michigan, dumped more than 1.1 million gallons of heavy crude into a creek that feeds into the Kalamazoo River. The North Dakota Public Service Commission is expected to make a decision on the proposed pipeline by the end of March.

In early March, a Powertech Uranium employee stormed the office of South Dakota's Fall River County Conservation District (FRCCD), yelled at the staff, and forced the district to put Powertech on the agenda for its next board meeting. The company wants to mine uranium near the Black Hills and needs 9,000 gallons of water a minute for up to 20 years.



FRCCD supported HCR 1025, a resolution in the South Dakota House of Representatives promoted by **Dakota Rural Action** (DRA) to reaffirm the value of state's groundwater resources and recognizing the need for ongoing evaluation of groundwater management. The bullying prompted members of DRA, the Clean Water Alliance, and Native American groups to attend the meeting, support the board, and counter Powertech's presence.

The **Idaho Organization of Resource Councils** continues to work towards preserving the local-control oil and gas ordinance passed this past year. The Washington County Commissioners attempted to reduce the protections in the county's oil and gas well ordinance. Members of IORC's Weiser River Resource Council presented compelling public testimony at the January Planning and Zoning meeting and during the commission's discussion in February. The commissioners subsequently rejected the proposed changes, opting to keep the local-control provision.



Civic leaders in Billings, Montana, and the public attended a March 11 presentation on rail traffic by Yellowstone Valley Citizens Council, an affiliate of the **Northern Plains Resource Council**. The event featured Terry Whiteside, co-author of WORC's *Heavy Traffic Still Ahead* report released in February. Whiteside outlined the expected increase in coal rail traffic that could cost taxpayers hundreds of millions in local infrastructure and mitigation expenditures along the rail route from the Powder River Basin of Montana and Wyoming to port facilities in the Pacific Northwest. Billings would be one of the most affected cities, facing a tripling of coal and oil traffic and potential mitigation costs up to \$150 million.



As the East Oregon lead in a statewide community food system development effort, **Oregon Rural Action** is moving forward on a "Bee-Friendly" campaign in response to state pesticide and genetically modified organism rules and legislation; a new gleaning and food donation project following the reinstatement of the Oregon Donated Crops Tax Credit for farmers; and a fancy farm-dinner and farm



tour to raise awareness and funds for non-commodity "specialty crop" growers.

**Powder River Basin Resource Council** claimed victory March 12 when the Wyoming Supreme Court told a lower court to reconsider claims by companies that chemicals used in hydraulic fracturing are trade secrets and exempt from public disclosure.

In 2011, Powder River and the Wyoming Outdoor Council challenged in court the Wyoming Oil and Gas Commission's decision to let companies withhold information about chemicals used in fracking. A district court judge then ruled against the two groups. The Wyoming Supreme Court reversed that decision and told the district court to take another look at the public disclosure requests and decide on a case-by-case basis whether the information about the chemicals used should remain secret.



During a February 20 Farm Bill listening session in Delta, Colorado, Wink Davis, a **Western Colorado Congress** member, asked Senator Michael Bennet whether he would oppose fast tracking the secretly negotiated Trans-Pacific Partnership trade pact. Fast tracking would limit Congressional debate on the treaty and prohibit changes to it. Text of the pact are not available to the public, and members of Congress have restricted access to the current version of the treaty.

Senator Bennet said trade negotiations need transparency. "If we don't have that kind of transparency, I'm not going to be inclined to support fast tracking," he said.





# Members active in state legislatures

**C**itizen advocates from three WORC member groups engaged their state legislatures this year.

## Colorado

The Western Colorado Congress (WCC) is going to Denver with members March 31 - April 2 to lobby state legislation on oil and gas, testimony from “remote locations,” and local food and agriculture.

One concern is SB 93, which would give oil pipeline companies eminent domain power on private property for rights of way—reversing a 2012 Colorado Supreme Court decision that found oil pipelines do not have such authority. This bill poses significant concerns to landowners and has passed the Senate. Now it awaits House action, scheduled for early April. WCC, local government coalitions and conservation groups do not support this bill in its current form.

HB 1303 would give all Coloradoans the ability to testify before legislative committees without traveling across the state to Denver. The bipartisan bill would create remote testimony locations at certain state colleges and agency offices for video testimony to be streamed into committee hearings at the Capitol. The bill has support from both sides of the Continental Divide and acknowledges travel can be both difficult and treacherous. WCC supports the bill and is working for more remote testimony locations in western Colorado.

WCC also pushed for the expansion of the Cottage Food Act to include acidified foods, such as pickles and salsa, and culturally significant foods, like tortillas and kim chi. WCC’s members were instrumental in gaining passage of the act in the 2013 session. In addition, WCC tracked bills to label food containing genetically modified ingredients.

In other legislative efforts, WCC is collaborating with a diverse team of organizations on SB 5. The measure would better protect at-risk workers from wage theft. Lastly, WCC defended clean energy by helping defeat five attempts to delay, stymie or weaken the state’s new rural renewable energy standard of 20% by 2020.

Colorado’s legislature is expected to adjourn in May.

## South Dakota

South Dakota wrapped up a busy legislative session after Dakota Rural Action members and staff pounded the halls of the state capitol in Pierre advocating on behalf of DRA’s priorities.

A legislative highlight includes the near-passage of a groundwater resolution. HCR 1025 would have protected aquifers from mines and other extractive industries in areas where water rights are already precious and limited. The House passed this resolution, but it failed in the Senate. This action came on the heels of the defeat of a stronger groundwater protection bill in the House. HCR 1025 would have been the next best thing. The upside is that

lawmakers are now on the record about an important topic salient to DRA’s uranium mine campaign.

In addition, DRA backed a distributed generation bill, HB 1254, which would have given small, independent renewable energy systems the opportunity to plug the power they generate into the larger electric grid. This bill also didn’t pass, but is a building block for DRA’s campaign on this issue.

DRA also worked to clarify and delay the implementation of rules on the sale of raw milk drafted by the South Dakota Department of Agriculture. The rules would be onerous for small scale, direct-to-consumer sales. DRA issued a petition to delay the rules from taking effect and continues to work to ensure that small scale farmers and those who sell directly to consumers are not caught in this regulation designed for large scale production.

## Wyoming

The Wyoming Legislature met for a brief 20-day budget session this year, enough time for the Powder River Basin Resource Council (PRBRC) to spearhead passage of legislation to increase the state’s oil and gas split estate bond from \$2,000 per well to \$10,000 (see Oil & Gas Roundup).

PRBRC also supported measures to fund programs addressing groundwater contamination from leaking landfills and the Omnibus Water Bill, which funded cisterns for households in the Pavillion area affected by groundwater contamination from oil and gas operations.

# WNV registering voters at powwows

After wrapping up a late winter tour of Montana tribal colleges for voter registration of new Native freshmen, Western Native Voice is gearing up to launch its 2014 Field Campaign.

The kickoff event for the 2014 campaign is the Montana State University Indian American Indian Council Powwow on starting April 11. Western Native Voice will be out in force to engage students on Native issues and register them to vote. Field organizers will then move on across the mountains to the University of Montana's Kyi-Yo Powwow celebration held every year by the Native American Student Association.

After these two college powwows, the traditional summer powwow season begins with the Annual Arlee Powwow celebration of the Confederated Salish and Kootenai Tribes in western Montana. This celebration is the first of 12 major powwow celebrations in Montana Indian Country where Western Native Voice will register voters and engage them on the issues. In addition to addressing ongoing concerns over education and jobs, in 2014 Natives in Montana have to help defeat a ballot measure, LR 126, designed to suppress the voter access to the polls.

Western Native Voice will continue the voter registration drive into late summer by returning to every tribal college in the state to register incoming freshmen. This outreach is part of the ongoing work to enfranchise young Indians and make them life-long voters. Research indicates if you get young people voting, they are likely to become regular voters. The organization's new



William Ma'ome Wilson works with two new voters at Chief Dull Knife Tribal College in Lame Deer, Montana, home of the Northern Cheyenne tribe.

Photo Credit: Alaina Buffalo Spirit

Executive Director, Marci McLean, said, "We must teach young Natives it is by voting that they can make their voice heard in our democracy."

The August tribal college tour will wrap up the first part of the 2014 Field Campaign, and organizers will begin get-out-the-vote work in Native communities as the school year begins.

—Patrick Fisher,  
Western Native Voice

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# GAO cites flaws in coal leasing program

A long anticipated report released by the Government Accountability Office (GAO) pointed to major problems in the federal coal management program of the Bureau of Land Management. Sen. Ed Markey, who requested the study, called on Secretary of Interior Sally Jewell to temporarily suspend further coal leasing until the broken program can be fixed. According to the GAO, major problems with the program include:

- DOI lacks rigor and oversight in deterring fair market value (FMV) for the coal when leasing federal tracts. With over 90% of federal coal sold in auctions with only a single bidder, the FMV process is critical.
- BLM accepts the non-competitive bids 83% of the time.
- GAO did not find any evidence that BLM factors export information into appraisals for lease tracts adjacent to mines exporting coal.
- BLM did not even know Energy Information Agency collects information about exports from mines seeking new coal leases, let alone use that information in making appraisals.
- BLM does not have assurance that accepted bids in some of the federal coal leases studied were in compliance with the Minerals Leasing Act.
- The BLM uses outdated coal lease sales to set the fair value for coal rights, including sales that happened over five years ago. Some state offices do not account for inflation when using outdated information.
- The Interior Department is not independently reviewing the sales.
- BLM is not providing key information on its website or elsewhere to allow the public to assess the sales.

Markey noted the problems identified by GAO are costly. “[F]or every cent per ton that coal companies decrease their bids for the largest coal leases, it could mean the loss of nearly \$7 million for the American people,” he pointed out.

Unfortunately, the key data which conveys the magnitude of coal program problems and would convey the vast sums of revenues involved was suppressed at BLM’s insistence. The agency argued that potential bidders might be able to reverse engineer even lower bids if they knew Interior’s FMV methodology. Markey’s supplementary materials indicated that in reviewing the data just a few of the studied leases could represent over \$200 million to the federal treasury.

“The system is broken and until it gets fixed, taxpayers are going to be cheated again and again out of millions of dollars,” said L.J. Turner, a Wyoming rancher and member of the Powder River Basin Resource Council who grazes cattle near the largest coal mines in area. “The Interior Department has an obligation to the American people to make sure they’re getting fair value for this coal. Secretary Jewell should halt leasing any additional coal until the DOI can be more transparent and open in their process and ensure that taxpayers are not getting cheated anymore.”



Photo Courtesy: Paul K. Anderson

Close to five billion tons of coal are in the pipeline for lease sales in the Powder River Basin of Montana and Wyoming. Additional federal coal sales are being prepared in Colorado and Utah. The Powder River Basin accounted for 42% of U.S. coal production in 2012. In recent years, 93% of that annual production came from federal tracts.

## Senate raises questions

On the heels of the GAO release, Sen. Ron Wyden released results of further investigations by Senate Energy and Natural Resources Committee staff into the data gathered by the Department of Interior Inspector General for a report that came out in 2012. Wyden also sent a letter to the Secretary citing the findings of the staff and raising numerous questions.

- Multiple mines at multiple states have bought leases for pennies on the ton and enjoyed reduced royalty rates during production (some of which are lower than prevailing rates for state land) yet appear to sell coal near, at, or above expected market rates;
- The Department appears to have shortchanged taxpayers by underestimating the volume of coal contained in reserves to the lessor;

*“GAO” continued on page 7*



# Not so fast on trade pact

**Member Commentary by Gilles Stockton, Northern Plains Resource Council**

This year is the 20th anniversary of the North American Free Trade Agreement (NAFTA) and Americans have good reason to be skeptical about its legacy. It takes more than just lipstick for this pig; they need the full kit of beauty aids. The promise was that by opening our borders to so called “free trade” with Mexico and Canada, the United States would gain jobs and wealth. Instead the United States has lost nearly a million manufacturing jobs; American livestock producers are undermined by a flood of Canadian and Mexican beef; foreign corporations interfere with our democratic process; and industry after industry has adjusted compensation downward, shrinking America’s middle class.

Despite 20 years of failed NAFTA, trade promoters are looking to impose another even larger agreement that will encompass most of the countries on the Pacific Rim. The Trans-Pacific Partnership (TPP) treaty will expand everything that’s wrong with NAFTA. This is why the trade lobby cannot afford an open discussion over the TPP, and are pushing for Congress to agree to “fast-track” the ratification process. In other words – no debate in Congress about the trade deal or public input allowed. We don’t know – have not been allowed to know – what is in the TPP and our only opportunity for input is through the Congressional process. If Congress agrees to “fast-track,” this avenue will be closed.

Everything about the way the trade treaties have been negotiated is asymmetrical. The benefits flow to the “Too Big to Fail” banks and trans-national corporations; the costs are piled on ordinary people. The U.S. trade deficit runs at about \$50 billion every month. After 20 years that adds up to a pile of dough that has transferred from the pockets of working people to the offshore bank accounts of trans-national corporations.

We need trade and we have always had trade. Our country raises wheat that other people need for their bread and we build airliners that the world needs in to fly from one spot to another. In return there is much that I love – from French wine to inexpensive computers with parts from almost every country



in the world. The point is that the treaties that govern trade should be fair to all and symmetrical as to who benefits. We elect our government to represent our interests – not just investment bankers and trans-national corporations. Maybe it is inconvenient to negotiate complicated trade issues in the open, but that is what democracy means. So I urge you to contact your Senators and Representative and ask them to oppose fast track authority and fix the fatal flaws of NAFTA before ratifying the TPP.

*Gilles Stockton is a rancher from Grass Range, Montana, and member of the WORC’s Ag and Food Campaign Team.*

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## “GAO” continued from page 6

- The Department has taken a laissez faire attitude to coal exports in its determination of fair market value.

Another Wyden finding is that since 1991 one employee in the BLM Wyoming office has been responsible for setting the value of \$4.9 billion worth of coal leases covering an estimated 8 billion tons of coal, with no independent audits of these decisions.

Additional questions swirl around the handling of royalties and third party transactions for federal coal. Steve Charter, Chair of the Northern Plains Resource Council and rancher, said the Department needs to rewrite its rules to clarify the determination of federal coal royalties on non-arms-length transactions for coal sold into foreign markets, as is currently occurring. Charter pointed out that these sales are basically to subsidiaries or affiliates of the

company mining the coal, who then sell at a much higher price in global markets without having to pay royalties or taxes on the full value of the coal.

“Revenue from federal coal is critical for rural communities coping with impacts from large energy projects. Giving away coal cheaply undercuts our local communities,” Charter said.

The GAO report can be found at <http://www.gao.gov/products/GAO-14-140>.

# BLM looks at reducing natural gas emissions from oil & gas wells

The federal government appears ready to follow the lead of state oil and gas regulators in Colorado, North Dakota and Wyoming to tighten limits on venting, flaring and other releases of natural gas. The U.S. Bureau of Land Management (BLM) held the first of four public forums in Golden, Colorado in mid-March to get public input on how to minimize gas emissions on 36 million acres of federal leases.

“This is an issue that is overdue for the BLM,” said Linda Lance, the agency’s deputy director. “We don’t have any rules written. But we will move in that direction, and we want to move quickly because we think there’s some urgency to this problem.”

Methane is a more potent greenhouse gas than carbon dioxide. Reducing methane emissions has taken on new importance for the Obama Administration because the President’s greenhouse gas emissions goals cannot be met without methane reductions. Lower methane emissions would also ameliorate environmental and public health impacts and increase royalty collections – a “win-win-win” solution that WORC members have been urging for years.

“When oil and gas companies cut corners and BLM’s rules are weak and unenforced, adjacent landowners like my family pay the price with our land and



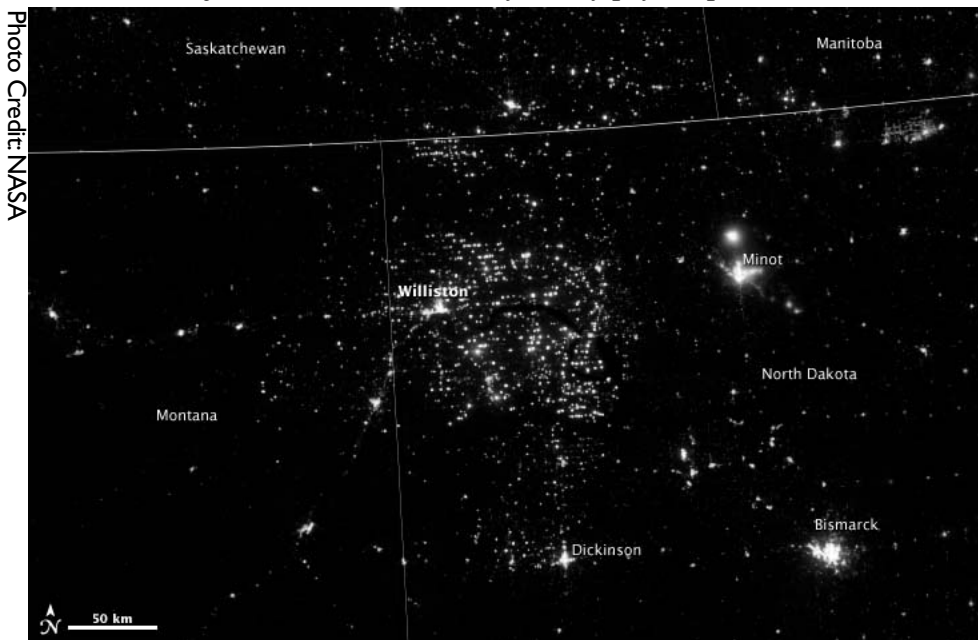
North Dakota oil operations in the Bakken flared about \$3.6 million worth of natural gas daily in May 2013, according to a report by Ceres, a sustainability group.

our health,” said Powder River Basin Resource Council member Kristi Mogen from Douglas, Wyoming. “Four wells near our home flared uncontrolled for six months with black smoke that killed our gardens. My family has been sick and my daughters have had nosebleeds for weeks on end. If BLM limits flaring and captures more gas, we all win, as landowners and taxpayers.”

Mogen and Dakota Resource Councils members Richard and Brenda Jorgenson from White Earth, North Dakota, flew to Washington, D.C., in February to support stronger rules for methane releases and other oil and gas reforms.

The BLM has said that it will hold additional forums in New Mexico, North Dakota and Washington, D.C. To receive updates on BLM’s rules to limit venting and flaring, sign up for WORC’s action alerts at [www.worc.org](http://www.worc.org) or by emailing [billings@worc.org](mailto:billings@worc.org).

—Sara Kendall



Satellite imagery captures the night glow in northwestern North Dakota from light caused primarily by drilling equipment, temporary housing, and some flaring. Brighter lights are towns and cities in the area.



# Oil & gas roundup

## Powder River wins on higher oil and gas bonds

The Powder River Basin Resource Council led a successful fight in the Wyoming legislature to increase the state's oil and gas split estate bond from \$2,000 per well to \$10,000. The bond applies to privately owned land when a surface use agreement is not reached between the driller and landowner.

Rep. Tom Walters (R-Natrona County) claimed the bill was “waging war” on “the industry that pays the state’s bills.” Majority Floor Leader Kermit Brown (R-Natrona County) countered that “as a state we need to find a balance and we don’t want a war on landowners either.”

## Colorado moves to control oil and gas emissions

Colorado became the first state to adopt statewide limits on methane emissions on February 23. The state’s Air Quality Control Commission approved the rules on an 8-1 vote. The new rules require 95% capture or control of emissions, monthly inspections and a 15-day limit to fix leaks.

Bob Arrington, a member of the Grand Valley Citizens Alliance, a local community group with the Western Colorado Congress, said the action was a first step. “The state should continue to find ways to reduce the health risks to people living near oil and gas facilities,” he said.

The state needed to act, according to press reports, because air quality in Front Range drilling communities no longer meet federal health standards for ozone formed by volatile organic compounds.

## Northern Plains comes out swinging against Beartooth driller

It’s just one well—so far—but the Northern Plains Resource Council is ramping up its opposition to the plans of Energy Corp. of America to “bring the Bakken to the Beartooths,” in the words of the company’s CEO, John Mork.

Northern Plains brought 10 landowners and local residents to speak at the permit hearing February 27 before the state Board of Oil and Gas Conservation. The turnout obviously rattled the Board, which is not used to residents appearing in person to testify, but it still approved the well, 6-1.

The company has a history of fines related to its operations in Pennsylvania—\$90,000 for violations, including discharge of hazardous waste and polluting a trout run. The company has also been the defendant in lawsuits by both mineral right holders over royalties and property owners for breach of contract.

## Industry-sponsored flaring proposal concerns DRC

With natural gas flaring rates at North Dakota oil wells still close to 30%, an industry group put forward a proposal to the states Industrial Commission in late January to reduce rates to 15% within two years.

The proposal from the North Dakota Petroleum Council (NDPC) includes some new regulations and penalties. It would require companies to submit a gas capture plan before filing for a drilling permit. Failure to comply with the plan could result in restricted production.

But the proposal also suggests new tax incentives to the industry to “encourage the construction of gas infrastructure in the western part of the state,” according to NDPC spokesperson Tessa Sandstrom.

Also of concern is the proposal’s inclusion of a “right-of-way task force” to “improve access,” which sounds a lot like eminent domain to some Dakota Resource Council members. “When there’s no room for negotiating the route of a pipeline and I am being threatened with eminent domain,” said White Earth rancher Steve Davis, “it’s hard for me to trust the industry.”

## WORC urges FracFocus improvements

WORC submitted comments March 25 on a Department of Energy (DOE) task force report that suggested improvements in FracFocus, a hydraulic fracturing chemical registry website.

WORC critiqued the effectiveness of FracFocus, but also supported some of DOE’s proposals for improving the privately-run website.

WORC agreed with the report that the public needs better assurance of the accuracy of FracFocus, and the task force’s opinion that FracFocus can “operate in a manner that encourages full disclosure with few, if any trade secret exceptions.” Currently, many companies reporting to FracFocus withhold information on up to half or more of the products used in fracking.

Another weakness in FracFocus pointed out by WORC is its lack of cumulative data and complete reliance on a series of single well entries—upwards of 1,000 entries per county in the top four North Dakota producing counties in the Bakken. This approach makes it difficult to use FracFocus for aggregate analysis.

# ORA member keen on clean energy and sustainability

Oregon Rural Action (ORA) member Peter Farnam is doing his best to advance renewable energy and sustainable living in Eastern Oregon.

A contractor living near Summerville, Peter has always been interested in alternative energy and sustainable buildings. “I like being able to heat a house with the sun and build it so it doesn’t use a lot of energy,” he said.

Peter recently completed hooking up his solar hot water system to his radiant floor heating. “A sunny day in winter meets my heating needs for the day,” he said.

Peter also encourages his customers to look at simplifying their building projects and incorporate energy conservation and low impact concepts.

Last spring, Peter helped with Solarize Union County, an ORA project offering solar electric and hot water systems to local residents and businesses in the county. He served as project manager until ORA could fill the staff position. As project manager, Peter dealt with contractors, contracts, and public presentations about the program.

ORA is expanding the program this year by teaming with the Idaho Organization of Resource Council to launch Solarize Snake River for residents in on both sides of the river.

Since December, Peter has volunteered to help ORA organize SolWest, a three-day event June 27-29 in La Grande focusing on “Energy for Sustainable Communities.” The gathering offers workshops, demonstrations, hands on energy projects for children and vendors related to renewable energy and sustainability. Sponsorship of 15-year SolWest shifted this year from EORenew to ORA.

On Saturday, lunch features keynote speaker Cilvia Hayes, the First Lady of Oregon and founder and CEO of 3EStrategies, a clean economy consulting firm. Cilvia has 22 years of professional experience in sustainable economic development, clean energy, workforce development, green building, and waste prevention. She served as a member and co-chair of the Oregon Renewable Energy Working Group, which developed the state Renewable Energy Standard, Renewable Fuels Standard, and other clean energy policies.

Peter has attended SolWest in the past, and he expects another high-quality event. “I’m looking forward to a successful SolWest to promote sustainable living and clean energy,” he said.

For more information on SolWest, contact ORA Energy Organizer Jan Alberts, [solwest@oregonrural.org](mailto:solwest@oregonrural.org) or 541-975-2411.

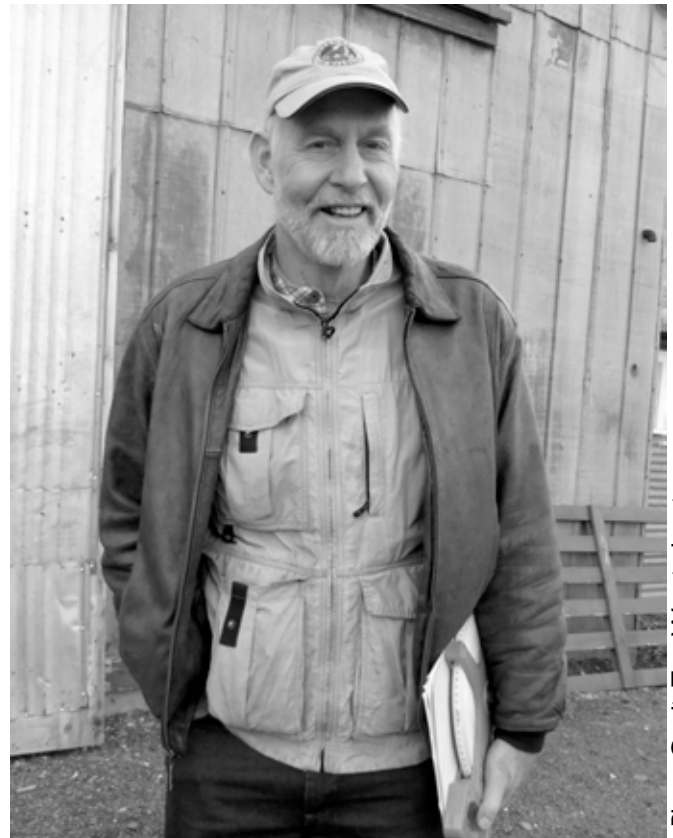


Photo Credit: Tova Wojciechowicz

Member Peter Farnam volunteers to help Oregon Rural Action hold SolWest, a three-day event June 27-29 in La Grande focusing on “Energy for Sustainable Communities.”



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# Opposition slows fast track and trade pacts

Growing opposition has stalled legislation limiting Congressional review of trade treaties. The Bipartisan Congressional Trade Priorities Act, HR 3830 and S. 1900, known as “Fast Track authority” would limit Congressional debate and forbid any amendments to proposed trade pacts. The U.S. Constitution delegates Congress to set trade policy.

The Obama Administration wants to renew Fast Track to speed two trade agreements, the Trans-Pacific Partnership (TPP) and Transatlantic Trade and Investment Partnership (TTIP), through Congress.

Both Democratic leaders on Capitol Hill, Senate Majority Leader Harry Reid and House Minority Leader Nancy Pelosi, do not support the legislation in its current form, citing concerns over U.S. jobs and industries.

In January, a dozen Democratic Senators sent a letter to Majority Leader Reid “to express deep concern about the prospect of renewing the Trade Promotion Authority (TPA) - better known as Fast Track - that lapsed in 2007.”

Five Democratic members of the Senate Finance Committee urged the Office of the United States Trade Representative to “work directly with them and other members of Congress in constructing a consultation framework in advance of any consideration of Trade Promotion Authority (TPA), or ‘fast track.’” The committee oversees trade policy.

In addition, the Democratic sponsor of the Fast Track bill, Max Baucus, has left his position as Chairman of the Senate Finance Committee to serve as the ambassador to China.

Members of the public also voiced opposition. On March 21, Oregon Rural Action members delivered a petition with 10,000 signatures attached to over 100 floppy disks with the messages that “Fast Track is a Flop” and “Fast Track is as outdated as a floppy disk” to Senator Ron Wyden’s La Grande office.

Wyden is the new Chairman of the Senate Finance Committee.

A month earlier, over 550 groups, including Dakota Rural Action, the Powder River Basin Resource Council and consumer, union and public interest organizations, sent a letter encouraging members of Congress to oppose Fast Track. Last June, the WORC Board of Directors passed resolutions opposing Fast Track and the TPP.

Even before introduction of Fast Track legislation, members of Congress expressed lack of support. Last November, 151 Democrats in the House of Representatives sent a letter to President Barack Obama opposing Fast Track procedures. The letter states, “we will oppose ‘Fast Track’ Trade Promotion Authority or any other mechanism delegating Congress’ constitutional authority over trade policy that continues to exclude us from having a meaningful role in the formative states of trade agreements and throughout negotiating and approval processes.”

Republicans also weighed in. Twenty-three Republican House members sent a letter on November 12, 2013 to the Administration and stated they refuse to “cede our constitutional authority to the executive through an approval of a request” for fast track. Another six Republican Representatives sent a similar letter on the same day.

Fast Track authority emerged in the 1970s when trade negotiations sought to lower tariffs and quotas. Today’s trade pacts cover a wide range of non-trade policies, such as enabling foreign corporations to challenge domestic health and environmental protections. Of the 29 draft chapters of TPP, just five cover customary trade matters.

## Study finds NAFTA’s promises unfulfilled

It’s been 20 years since the United States, Mexico, and Canada launched the North American Free Trade Agreement (NAFTA). The pact ended tariffs and other barriers to trade and investment over 15 years. A new report released in December by Public Citizen looked at NAFTA’s performance since its start in 1994. Among the findings:

- A \$181 billion U.S. trade deficit with Mexico and Canada.
- One million net U.S. jobs lost.
- A doubling of immigration from Mexico.
- Average annual U.S. agricultural trade deficit with Mexico and Canada is more than twice the pre-NAFTA level.
- U.S. beef imports from Mexico and Canada have soared 130%.
- Despite a 188% rise in food imports from Canada and Mexico under NAFTA, the average nominal price of food in the U.S. increased 65%.
- Over \$360 million paid to corporations after “investor-state” tribunal attacks on, and rollbacks of, domestic environmental and health protections.

Download NAFTA’s 20-Year Legacy and the Fate of the Trans-Pacific Partnership, at [www.citizen.org/documents/NAFTA-at-20.pdf](http://www.citizen.org/documents/NAFTA-at-20.pdf).



The report found that intermodal container traffic and export grain traffic could experience higher freight rates, deteriorating service and higher equipment costs.

“Montana’s wheat industry spent years working with U.S. Wheat Associates to develop a strong competitive position as a reliable supplier in the global market,” said Arlo Skari, a lifelong grain producer from Chester, Montana, and a former member of the Montana Wheat and Barley Committee. “That means that buyers can count on timely delivery, and we can charge a premium for that reliable service. The report tells us that our ability to ship reliably would be in jeopardy as large volumes of coal trains are added to a rail system that is already struggling at capacity.”



The report identified two major bottlenecks along the rail lines: the Burlington Northern Santa Fe’s (BNSF) line between Sandpoint, Idaho, and Spokane, Washington, known as “The Funnel,” and the stretch between Huntley and Mossmain, Montana, which traverses Montana’s largest city, Billings.

“The Funnel already has serious capacity issues and could feel the full potential impact of added coal export trains,” Whiteside said. “Coal train traffic could increase 26 to 35 trains per day and grow to 45 to 60 coal trains per day in a decade.”

In addition, the Funnel could bear 22 trains daily of loaded and empty Bakken oil trains moving to the Pacific Northwest, Whiteside said.

“Rail traffic over this bottleneck could double and exceed its current capacity of approximately 70 trains per day,” Whiteside said.

Ben Stuckart, Spokane, Washington City Council President, said the BNSF lines that run through Spokane cross the river and have many at-grade crossings.

“This increase in trains will disrupt emergency responders, pollute our

rivers and disrupt distribution of agricultural goods,” Stuckart said. “It is time for us to find a solution that is equitable for all of the communities that live on these rail lines.”

According to the report, the Huntley to Mossmain line now handles approximately 18 to 22 trains per day, and total rail traffic through Billings could more than triple in a decade.

“*Heavy Traffic Still Ahead* provides a fair warning to those of us who are heavily invested in and committed to the thriving vital economic engines of our downtowns from Billings to Bellingham,” said Ed Gulick, a

### **Summary of Potential PRB to PNW Export Coal Trains Per Day**

Item	2013	2018	2023
Annual Coal Tons (Millions of Short Tons)	11.86	98.92	170.32
Estimated Tons Per Train (125-Cars Per Train)	14,875	14,875	14,875
Loaded Trains Per Yr. (L.1/L.2)	797	6,650	11,450
Loaded Trains Per Day (L.3/365)	2.18	18.22	31.37
Empty Trains Per Day (L.4x1)	2.18	18.22	31.37
<b>Total Trains Per Day (L.4+L.5)</b>	<b>4.36</b>	<b>36.44</b>	<b>62.74</b>

**Potential Annual PRB to PNW Export Coal Tons**  
(Millions of Short Tons)

PNW Export Coal Terminal	Potential U.S. PRB Coal Tons Per Year (Millions)		
	2013	2018	2023
Roberts Bank, BC – Westshore	9.10	14.56	18.20
N. Vancouver, BC – Neptune	0.00	0.00	0.00
Prince Rupert, BC – Ridley	2.76	0.00	0.00
Vancouver, BC – Fraser Surrey	0.00	4.41	8.82
Vancouver Area, BC – County Coal	<u>0.00</u>	<u>0.00</u>	<u>22.05</u>
<b>Total To British Columbia Terminals</b>	<b>11.86</b>	<b>18.97</b>	<b>49.07</b>
Bellingham , WA – Cherry Point	0.00	27.56	52.91
Longview, WA – MBT	0.00	48.50	48.50
Longview Area, WA – County Coal	<u>0.00</u>	<u>0.00</u>	<u>11.02</u>
<b>Total To Washington Terminals</b>	<b>0.00</b>	<b>76.06</b>	<b>112.43</b>
Boardman, OR – Morrow	<u>0.00</u>	<u>3.89</u>	<u>8.82</u>
<b>Total To Oregon Terminals</b>	<b>0.00</b>	<b>3.89</b>	<b>8.82</b>
<b>Total PRB to PNW Export Coal Tons</b>	<b>11.86</b>	<b>98.92</b>	<b>170.32</b>

Northern Plains Resource Council member and architect who works near the rail tracks in downtown Billings. “Hundreds of businesses, billions in property investments are on the line and could be downgraded if coal export proposals come to fruition. Decision-makers in Washington, Oregon, and British Columbia can change the face of downtown Billings and dozens of other communities.”

The report said an increase in export coal trains would likely disrupt passenger and commuter rail traffic, including Amtrak’s Empire Builder, which travels through the congested Funnel.

Beth Kaeding, a member of the WORC from Bozeman, Montana, said state and local governments do not have much leverage over the railroads.

“That does not mean they are without power in this process,” Kaeding said. “First, everyone and every entity concerned about the impacts from increased coal-export train traffic need to come together to educate themselves and to involve themselves in the environmental impact studies on the proposed West Coast ports at Cherry Point and Longview and the Port of Morrow. The public must insist that these studies include the cumulative and connected consequences of increased rail traffic from the Powder River Basin mines to the Pacific Northwest ports. Second, they should call on the Surface Transportation Board to exercise oversight on the system-wide impacts of shipping massive volumes of coal from Wyoming and Montana to the Pacific Northwest.”

*Heavy Traffic Still Ahead* updates WORC’s 2012 report, *Heavy Traffic Ahead*, which detailed the expected increase in coal transport and identified impacts to communities along the transport routes. Both reports are available at [www.heavytrafficahead.org](http://www.heavytrafficahead.org).

*Heavy Traffic Still Ahead* found that large increases in rail traffic could cost taxpayers hundreds of millions in local infrastructure and mitigation expenditures, including:

Sheridan, Wyo. — \$156 - \$169 million  
 Billings, Mont. — \$18 - \$150 million  
 Livingston, Mont. — \$8.7 million  
 Helena, Mont. — \$13 million  
 Spokane, Wash. — \$71.6 million  
 Seattle, Wash. — \$100 million  
 Edmonds, Wash. — \$80 million  
 Marysville, Wash. — \$92 million  
 Mt. Vernon, Wash. — \$40 million  
 Burlington, Wash. — \$40 million

# Series tackles climate change

**Y**EARS OF LIVING DANGEROUSLY is a new series on Showtime (10 p.m. on Sundays, beginning April 13) produced by James Cameron and featuring celebrities such as Matt Damon and Jessica Alba to draw attention to the global effects taking place as a result of climate change. When it comes to our warming climate, Americans find themselves at a crossroads. Though we're dealing with record temperatures, water shortages, rising tides and extreme weather, we're also suffering from a lack of public engagement, a lack of brave leadership, and a media that isn't telling the real story.

*YEARS OF LIVING DANGEROUSLY* will kick start the conversation around climate change in this country, and the engagement campaign will extend that effort, going beyond the broadcast to push more leaders to state for the record where they stand on key climate issues and decisions.

Leveraging the momentum of the series and using tools and information on a dynamic series website, the campaign will empower everyday people to dialogue with leaders in the worlds of politics, business, media and more, shining a spotlight on climate leaders and pushing those who still sit silent to take a stand.



Renewable energy, once considered too expensive to deploy on a large scale, is making major inroads in the United States. To traditional energy producers, the shift to cleaner energy sources such as wind and solar represents a threat to their long-held control on the market. Through a shadowy network of well-funded right-wing organizations, fossil fuel interests are battling to shut down renewable energy standards in the states. Correspondent America Ferrera profiles prominent climate skeptic James Taylor of the Heartland Institute as he crusades against clean energy, and investigates the battle over the future of renewable energy in the US.

**Natural gas flaring releases climate-changing carbon dioxide and methane, an even more potent greenhouse gas than carbon dioxide, into the atmosphere.**

*"Flaring means we get all the pollution and none of the energy. I never thought the air would be a health hazard at our farm for both my family and my livestock, but it is."*

—Donald Nelson, WORC & Dakota Resource Council member from Keene, N.D., where about 30% of all produced natural gas is flared.

**Donate to WORC's campaign to reign in flaring**  
**[www.worc.org/donate](http://www.worc.org/donate)**





# Organizing Nuts & Bolts

## Campaigns and Projects – Connecting the Dots

Sometimes when people come together to organize in their communities, they decide first to tackle a project rather than jump right into an issue campaign. This phenomenon seems to crop up most often around local foods issues within the WORC network.

Let's start by getting our terms straight.

An issue campaign involves an organized group of people working to change public policy and there is typically an external decision-maker (or decision-makers). Examples include efforts to pass state cottage foods legislation, adopt an urban agriculture ordinance or preserve farmland through county planning.

A project is a collaborative enterprise designed to provide a specific product, service or benefit to local residents. Examples include a community garden, a farmers market or an on-line food cooperative.

Campaigns typically address the root causes of problems, and sometimes projects do as well. For example, Oregon Rural Action's Solarize Union County Project has successfully installed solar thermal systems for homeowners, and simultaneously persuaded a local credit union to offer excellent financing opportunities for these installations.

Sometimes projects encounter obstacles that require a campaign. For example, in some of the WORC states, farmers market producers are not allowed under state law to sell some processed foods directly to consumers.

To solve this problem, we mounted campaigns to change state laws, thus changing state policy AND improving the viability of farmers markets at the same time.

Our goal is to ensure that the beneficiaries of a project are also plugged into our efforts to change policies and institutions, and vice versa.

*Our challenge as community organizers and leaders is to encourage our members to connect the dots. This challenge also presents a golden organizing opportunity.*

To quote activist and filmmaker Annie Leonard, "it is important to be conscious of our consumer decisions. But we're most powerful when this is connected to collective efforts for bigger structural change... And we can make even more progress by working together – as citizens, not consumers – to strengthen laws and business practices."

Our challenge as community organizers and leaders is to encourage our members to connect the dots. This challenge also presents a golden organizing opportunity.

What this means in practice is not only undertaking projects but integrating those projects with campaigns that engage members in shifting political power and changing public policies. Projects help showcase alternatives to business as usual, and public policy campaigns address root causes and promote bigger structural change. It's a powerful combination.

—Kevin Williams

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Visit [www.worc.org/advancedtraining](http://www.worc.org/advancedtraining) for more information.  
Only graduates of WORC's *Principles of Community Organizing* training are eligible to apply.

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## PUBLICATIONS

**HEAVY TRAFFIC STILL AHEAD: RAIL IMPACTS OF POWDER RIVER BASIN COAL TO ASIA BY WAY OF PACIFIC NORTHWEST TERMINALS** Identifies costs for infrastructure due to increased rail traffic, many of which will fall on taxpayers

**WATERED DOWN: OIL AND GAS WASTE PRODUCTION AND OVERSIGHT IN THE WEST** Examines dangers to water quality from oil and gas production in Colorado, Montana, North Dakota, and Wyoming

**GONE FOR GOOD: FRACKING AND WATER LOSS IN THE WEST** Finds that oil and gas extraction is removing at least 7 billion tons of water from the hydrologic cycle each year in four Western states

**A REVIEW OF THE POTENTIAL MARKET IMPACTS OF COMMERCIALIZING GM WHEAT IN THE U.S.** Report by Dr. E. Neal Blue analyzes the likely reaction of foreign customers for U.S. wheat if GM wheat is deregulated

**LAW AND ORDER IN THE OIL AND GAS FIELDS** Reviews state and federal oil and gas inspection and enforcement programs in five Western states

**UNDERMINED PROMISE** Report by WORC and the Natural Resources Defense Council examines reclamation and enforcement of the Surface Mining Control and Reclamation Act

Download these publications at [www.worc.org](http://www.worc.org)

## CALENDAR

CONTINUING EDUCATION FOR ORGANIZERS  
*Billings, Montana* .....April 23-25

WORC BOARD & STAFF MEETING  
*Sheridan, Wyoming* .....June 12-14

PRINCIPLES OF COMMUNITY ORGANIZING  
*Billings, Montana* .....July 23-26

PRINCIPLES OF COMMUNITY ORGANIZING  
*Boise, Idaho* .....August 13-16

ADVANCED COMMUNITY ORGANIZING AND LEADERSHIP TRAINING  
*Billings, Montana* .....September 15-17

DAKOTA RESOURCE COUNCIL ANNUAL MEETING  
*Location TBA* .....October 25

NORTHERN PLAINS ANNUAL MEETING  
*Billings, Montana* .....November 14-15

WORC BOARD AND STAFF MEETING  
*Billings, Montana* .....December 5-6