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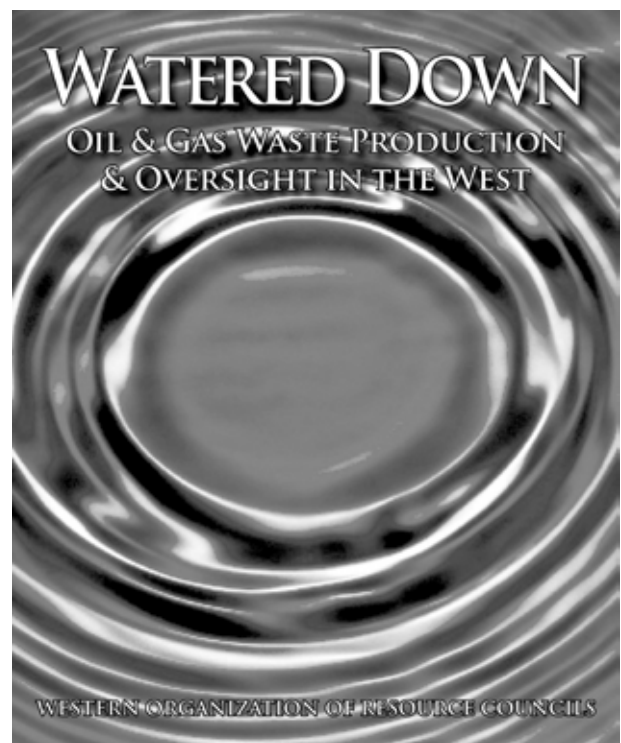
Agencies fail to protect from oil and gas impacts

Regulatory systems at the federal and state levels are failing to protect residents and communities in the WORC region from the harmful effects of oil and gas development, according to a new report, *Watered Down*, released in November.

The report identifies and examines the dangers to water quality posed by oil and gas production in Colorado, Montana, North Dakota, and Wyoming.

“Our members are being showered with pollutants, running dry of safe water, and watching crops in the fields their great-grandfathers worked die of salt leaching,” said Bob LeResche, a member of the Powder River Basin Resource Council from Clearmont, Wyo.

LeResche said the report documents blowouts, pipeline breaks, increasing radioactive waste, and saltwater contamination of both water and soil in the four states, including the benzene-laden spill in Parachute, Colo., the massive oil pipeline spill near Tioga, N.D., the oil well blowout in southern Wyoming, and the new hazardous waste landfill in eastern Montana servicing radioactive drilling waste from North Dakota.



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Increased exploration and production activity in the region has led to more threats to rural residents, especially through spills at well sites, reserve pits and pipelines.

“From 2009 to 2012, Colorado has averaged better than a spill a day,” noted Bob Arrington, a member of the Western Colorado Congress from Battlement Mesa, Colo.

Failure to control oil and gas, as well as waste products from the drilling process, can lead to soil and water contamination.

“Watered Down” continued on page 14

The View from WORC

By Norm Cimon, WORC Chair

The Oregon Rural Action (ORA) crew made our way up and out of Salt Lake City, the clouds clearing just as we crossed over Wyoming's Gros Ventre Range, with the Tetons and Jackson Hole off in the distance. It had been near zero degrees when we left Oregon, but Boise was warmer at 22°, and Salt Lake City airport a balmy 25°. That was all about to change. The Beartooth plateau was looming off to the West, barricading the northern plains, helping to lock the arctic air in place. It was already -10° and dropping when we landed in Billings for the winter meetings: Christmas time in cold storage.

The flip side was that we burned the mortgage for the Home on the Range, building up the heat in that energy efficient building, helping keep us warm. That was one of the highlights. That cold felt right, somehow, making it easy to focus on the issues WORC and its state organizations care about. There were lots of those. It also provided real motivation in the late afternoon darkness as we made our way, quickly, to one of the local brew pubs to keep the conversation going.

For two days we talked about coal strip-mining, about oil and gas development in the Dakotas and what it means for the small towns where people live, about the water everyone depends on to make farming and ranching possible, about better ways of getting our energy. We talked about markets for the food those ranches and farms produce, about how to get the word out, how to connect to people who want to know where their food comes from, and about how much Washington cares about these things these days – or doesn't.

We also celebrated change, and continuity. We welcomed new board members. My time as temporary chair was up, but it was ORA's turn to take over that position. I was nominated and elected to a full term, and I thanked the board for that, as did the other newly elected board officers — Vice-chair Bob LeResche of the Powder River Basin Resource and Secretary/Treasurer Nancy Hartenhoff-Crooks of Dakota Rural Action.

We also roasted – and celebrated – Tim Ennis, and thanked him for his years of dedication as WORC's technology guru, even as we welcomed his well-qualified replacement Eric Halstvedt. Good organizations have a way of smoothing the path to change.

Finally, we celebrated the Christmas season with a party at HOTR Saturday evening. WORC and Northern Plains Resource Council staff and board members were present for the good cheer, even as the temperature continued to drop.

Early the next morning we headed out and back into the cold. As we made our way up and over the Beartooth again, I found myself thinking of one more topic brought up at the WORC meetings. About 4,700 people signed a petition to keep fracking from happening at the edge of that spectacular mountain front, another good reason to celebrate the season, and the organization that is WORC.



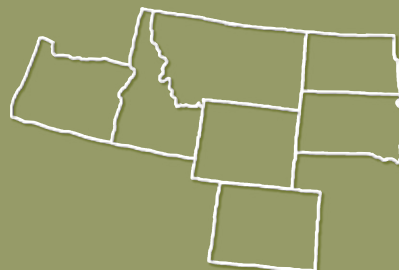
WESTERN ORGANIZING REVIEW

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

WORC is a regional network of grassroots community organizations, which includes 10,000 members and 38 local chapters. WORC helps its member groups succeed by providing trainings and coordinating regional issue campaigns.

WORC's NETWORK

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

The **Dakota Resource Council** (DRC) has released a short documentary about members living in the middle of the Bakken oil boom. *This is Our Country: Living with the Wild West Oil Boom* features members Don Nelson, Brenda Jorgenson, Theodora Bird Bear, Jim and Norma Stenslie, Dr. Marguerite Coyle, and a supporting cast of many DRC members. You can watch the 30-minute video at <http://vimeo.com/82246373>.



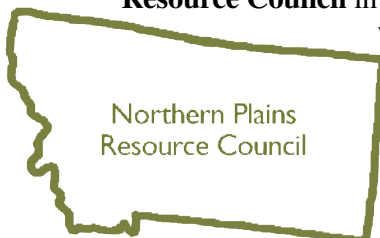
Gena Parkhurst was inducted into the **Dakota Rural Action** (DRA) Hall of Fame at the 26th Annual Meeting on November 1 as DRA's 2013 Member of the Year. Gena has been a stand-out member since joining in 2009, after success with DRA's first raw milk battle. Gena has traveled to Pierre to lobby for DRA, testified in near countless hearings and public meetings, written numerous letters, staffed many tables, collected lots of signatures, given great interviews, and so much more. Not to mention, Gena has soared far above and beyond her role of Secretary in the Black Hills Chapter for the past two years.



After surveying the highly eroded Weiser River, Weiser River Resource Council member and **Idaho Organization of Resource Councils** (IORC) member-leader, Mike Larkin, has been organizing to revamp river restoration permits. Coordinating the Environmental Protection Administration, State Department of Environmental Quality, and local Soil and Water Conservation Districts to streamline the process, Mike is working to make the process easier for local property owners to do river restoration projects. These projects would better protect the health of the river, the environment, and rural communities.



At the 42nd Annual Meeting of the **Northern Plains Resource Council** in November, the top annual awards



were presented to two outstanding young members. Ed Gulick received the Bob Tully Spirit Award for his "spirit, determination, and strategic mind." Kate French of Bozeman was awarded the Mary Donohoe "Tell It Like It Is" Award. She quickly and eagerly stepped into leadership positions.

Oregon Rural Action (ORA) teamed up with over 100 other regional and national groups to stand up and speak out against Powder River Basin coal being transported by train and barged out through Columbia River ports. ORA Board treasurer and WORC Chair, Norm Cimon, produced and presented a well-researched report on how local weather patterns, like inversion, take up coal-dust, polluting air and water. A stunned audience at the Oregon Department of Environmental quality seemed to be taking this seriously.



Members of the **Powder River Basin Resource Council** celebrated after a state agency toughened rules to protect water wells from contamination by oil and gas development. On November 12, the Wyoming Oil and Gas Commission approved a rule requiring the oil and gas industry to test up to four water wells within one-half mile of the vertical bore of most proposed oil and gas wells.



Western Colorado Congress (WCC) is working hard to protect public health, local communities and cherished landscapes against uranium development. WCC is tracking proposals for new state rules, reaching out to other groups, and organizing locally.

In November, Colorado proposed new rules on uranium licensing procedures and public participation, but the draft proposal falls short. WCC believes Coloradans need additional opportunities to get involved, more transparency around licensing decisions, and assurances that public health, water quality and the environment will be protected.



USDA seeks input on GMO/non-GMO “coexistence”

How can farmers who elect to grow genetically modified crops and farmers who produce specialty, non-GM or organic crops “coexist”?

The U.S. Department of Agriculture (USDA) posed the question to members of USDA’s Advisory Committee on Biotechnology and 21st Century Agriculture (AC21) in 2011, following USDA’s controversial approval of genetically modified alfalfa. AC21 issued its final recommendation in 2012 and Sec. Tom Vilsack has invited the public, particularly farmers, to review and comment on the recommendations, which could become department policy and future legislation.

USDA is asking for input on more than a dozen questions under the topics of education, collaboration, and outreach. AC21 made recommendations in five major areas regarding agricultural coexistence: compensation, stewardship, education and outreach, research, and seed quality.

Among their recommendations is a plan for organic and non-GMO farmers to purchase crop insurance to protect themselves against unwanted GMO contamination. Other recommendations focus on identifying ways to foster communication and collaboration among those involved in all sectors of agriculture production, including conversations among neighboring farmers regarding planting dates to prevent cross-pollination.

A key issue is whether fair coexistence is possible. Organic farmers can lose sales if GM material contaminates their crops, which occurs through cross-pollination from a nearby field or through intermingling of seeds. And exports of non organic but non-GM crops to certain countries can be jeopardized if genetically engineered material is detected.

Some AC21 members have said that they don’t believe GM contamination is a problem for farmers.

Current policy and practices put the burden solely on non-GM farmers to take every measure and expense possible to avoid GM contamination. Farmers growing GM crops are not responsible to prevent contamination, even with promiscuous crops like alfalfa and canola.

If you are a farmer or handler, consider sharing any experiences with contamination on your farm or as a buyer. If you have been directly impacted



by contamination, explain the circumstances and consequences. Even if you have not experienced contamination, do you take measures or spend resources to prevent contamination (for instance: land for buffers; choosing less profitable varieties with delayed planting dates, etc.)?

For more information or additional talking points for comments, contact Liz Moran at (406) 252-9672 or lmoran@worc.org.

—Liz Moran

Public comments must be received by the USDA by March 4, 2014 and may be submitted online at www.Regulations.gov (enter “coexistence” in the Search box) or by mail to: Docket No. APHIS-2013-0047, Regulatory Analysis and Development, PPD, APHIS, Station 3A-03.8, 4700 River Road Unit 118, Riverdale, MD 20737-1238.

Wyoming agency approves aquifer exemption for coal gas project

After a two-day administrative trial, the Wyoming Environmental Quality Council (EQC) approved the Department of Environmental Quality's (DEQ) request for an aquifer exemption beneath a state section in the Fort Union formation near Wright, Wyoming.

The Powder River Basin Resource Council (PRBRC) challenged the proposed aquifer exemption, which removes the aquifer from protection under the Safe Drinking Water Act. The exemption was required for Linc Energy's experimental underground coal gasification project that will ignite the coal seam to produce a synthetic gas. The process creates benzene, toluene, ethylbenzene, xylenes, phenols, and polycyclic aromatic hydrocarbons—all of which are known carcinogens.

DEQ and Linc claim the process will not permanently contaminate the aquifer and they will be able to eventually clean up the groundwater after completion of their research test project. However, no other underground coal gasification projects have ever reached commercial scale and Linc's other test projects have never demonstrated success in decommissioning and aquifer cleanup.

Linc's pilot projects in Australia—in operation since 1999—have recently come under fire by an independent scientific panel commissioned by the Queensland government to evaluate the underground coal gasification process. PRBRC submitted the report to EQC. The report recommended that Linc should not proceed with new projects until successful decommissioning and aquifer clean-up had been conclusively demonstrated. The report also identified concerns related to risks of roof collapse and confinement of the contamination and other mechanical and engineering integrity issues. It was revealed during testimony from DEQ witnesses that DEQ did not consider the report in the review process, even though they were provided a copy by the Australian government.

Equally important were the concerns raised by PRBRC regarding the legal requirements for issuance of an aquifer exemption, particularly whether DEQ allowed for sufficient public comment and participation in its decision-making process. PRBRC was able to get admissions from DEQ during cross examination that the public notice requesting public participation in the aquifer exemption process was published after DEQ had already made the decision to exempt the aquifer and submitted it to the Environmental Protection Agency (EPA) for final approval.

It is unclear if and how DEQ will consider any questions or concerns raised by PRBRC during the hearing. More troubling is that concerned landowners and members of the public were not allowed to offer comments or participate in the hearing regarding the project or the aquifer exemption and reclassification. Yet, DEQ claimed that this contested case trial-like hearing meets the public participation requirements for the aquifer exemption. After filing an objection to the aquifer objection, PRBRC had a mere 20 days to prepare for a trial.

The aquifer exemption now proceeds to the EPA, which will make the final decision on whether to approve this precedent setting aquifer exemption.

PRBRC and WORC will continue to raise concerns to EPA about the failure of the aquifer exemption to comply with legal requirements.

—Shannon Anderson, Powder River Basin Resource Council



WORC and Northern Plains made the last mortgage payment on Home on the Range in December 2013. WORC Chair Norm Cimon (left), Northern Plains Chair Steve Charter (center), and WORC Director Pat Sweeney (right) burn the mortgage for Home on the Range, WORC's Platinum LEED office building.

Thousands tell FDA to fix food safety rules

A fifth-generation farmer and Western Colorado Congress member, Glenn Austin and his family have grown fruit, vegetables and raised cattle in Paonia, Colorado for 43 years without a single food safety incident. But Austin is concerned that proposed Food and Drug Administration (FDA) regulations under the Food Safety Modernization Act (FSMA) could put his farm and business in jeopardy.

Austin was one of nearly a 100 producers and consumers who learned about the proposed FSMA rules in three forums hosted by community groups of WCC before the November 22 deadline for public comment on the draft regulations.

In his comments to FDA, Austin criticized regulations requiring farms to test water, restrict compost manure use, and give FDA subjective authority. “The additional cost of complying would not allow me to be a food producer,” he said.

First Lady Michelle Obama, he wrote, “is encouraging healthier eating for our population, but the proposed new law will take healthy food from the reach of the average American.”

Austin’s submission is one of over 18,000 and counting received by FDA on the draft rules. Members across the WORC region sent in nearly 900 of those, expressing concern that the rules pose an unfair burden to family farms and have the potential to halt the thriving local foods movement.

WORC’s comment focused on the small farm exemption, asking the agency to provide farmers due process and establish evidentiary standards for FDA to revoke a farm’s exemption. The rules must be workable for small farms.

U.S. Senators Jon Tester, D-MT, and Kay Hagan, D-NC, who sponsored an amendment creating the small farm exemption, wrote in a letter to FDA that the intent of the small farm exemption was to create risk-appropriate regulation that “would still allow small, local markets and farms to flourish.” The Senators urged FDA to fix the rules. “Small producers selling direct to consumers are less likely to create a public health risk than large production or processing operations,” they wrote.



Western Colorado Congress hosted three public forums on the proposed food safety rules under the Food Safety Modernization Act in Fall 2013.

In response to public feedback FDA received from farmers and consumers, the agency said on Dec. 19 that significant changes must be made to FSMA rules. FDA now plans to revise the rules and issue a second draft for public comment in the summer of 2014.

“These rules were designed for corporate farms with a compliance office and a lawyer, not for family farms,” Austin said. “It troubles me that regulators don’t talk to farmers.”

Seventy-five members of Congress issued a letter calling on FDA to issue a second draft of FSMA rules to allow more public review before the rules are finalized. Among the Western members signing the letter were Wyoming Sens. Enzi and Barasso, Oregon Sen. Merkley and Reps. Blumenauer, Bonamici, DeFazio, Idaho Sen. Crapo, and North Dakota Rep. Cramer.

**For more information
about the FSMA rules, visit
www.worc.org/foodsafety.**

113th Congress Voting Record

1st Session

The first year of the 113th Congress has earned the distinction of being named the least productive session ever, but really 2013 has been a continuation of years of gridlock. With control of the House of Representatives and Senate split between the parties, there has been a lot of partisan standoffs and little common ground.

A look back at 2013 reflects disagreements over House attempts to gut environmental protections and push unbridled energy development. Failure to agree on must-pass appropriations legislation led to the first federal government shut down in nearly 20 years.

The year ended with a rare bipartisan agreement around a budget deal that may be a glimmer of hope of more statesmanship and forward motion in 2014, or may be a short-lived aberration. House and Senate leaders have promised votes on a long-awaited Farm Bill in January, which would be another significant accomplishment.

The following lists of legislation represent key votes on WORC's issues made by the members of WORC's Congressional delegation in 2013. Each vote has a description that indicates if the vote was in favor of WORC's position on the bill, amendment or motion, or against it.

To see how other members of the House voted on any of these issues, go to: <http://clerk.house.gov/evs/2013/index.asp> and search by Roll Call Vote number.

For Senate votes, go to: http://www.senate.gov/legislative/LIS/roll_call_lists/vote_menu_113_1.htm and search by Roll Call Vote number.

Text, summaries and status of bills and amendments may be viewed online at thomas.loc.gov.

House Votes

H1. Keystone XL Pipeline

H.R. 3 would approve the construction and operation of the Keystone XL pipeline, overriding the requirements that an Environmental Impact Statement be completed and that a Presidential Permit be issued before the pipeline can be built. WORC opposed the bill, which passed the House on May 22, 2013 by a vote of 241-175 (Roll Call Vote 179). The Senate has not acted on H.R. 3. A plus (+) represents a vote against the bill, in favor of WORC's position.

H2. Local Food

Representative McClintock (R-CA) offered an amendment to the House Farm Bill (H.R. 1947) that would have eliminated the Farmers Market and Local Food Promotion Program, which provides marketing and resource assistance for direct-to-consumer sales, and also supports farmers' markets, community-supported agriculture, and other local agriculture business models. WORC opposed the amendment, which failed the House on June 20, 2013 by a vote of 156-269 (Roll Call Vote 272). A plus (+) represents a vote against the amendment, in favor of WORC's position.

H3. Coal Ash/Drinking Water Protection

Representative McCollum (D-MN) offered a motion to H.R. 2218 (See H4, below) to require all coal ash disposal facilities to prevent contamination of groundwater and sources of drinking water. WORC supported the motion, which failed the House on July 25, 2013 by a vote of 192-225 (Roll Call Vote 417). A plus (+) represents a vote for the motion, in favor of WORC's position.

H4. EPA Coal Ash Disposal Rules

H.R. 2218 would supersede the EPA's pending rules for coal ash disposal facilities that would regulate coal ash as a hazardous waste, and continue to rely on inadequate state standards. WORC opposed the bill, which passed the House on July 25, 2013 by a vote of 265-155 (Roll Call Vote 418). The Senate has not acted on H.R. 2218. A plus (+) represents a vote against the bill, in favor of WORC's position.

113th Congress Scorecard

Senate

		S1	S2	S3	S4	Score
CO	Udall (D)	+	-	-	NV	33%
	Bennet (D)	+	+	+	+	100%
ID	Crapo (R)	-	-	-	-	0%
	Risch (R)	-	-	-	-	0%
MT	Baucus (D)	-	-	-	+	25%
	Tester (D)	+	+	+	+	100%
ND	Hoeven (R)	-	-	-	+	25%
	Heitkamp (D)	-	-	-	+	25%
OR	Wyden (D)	+	+	+	+	100%
	Merkley (D)	+	+	+	+	100%
SD	Johnson (D)	+	-	-	+	50%
	Thune (R)	-	-	-	-	0%
WY	Enzi (R)	-	-	-	-	0%
	Barrasso (R)	-	-	-	-	0%

House

		H1	H2	H3	H4	H5	H6	H7	H8	Score
CO	DeGette (D)	NV	+	+	+	+	+	+	+	100%
	Polis (D)	+	+	+	+	+	+	+	+	100%
	Tipton (R)	-	-	-	-	-	-	-	-	0%
	Gardner (R)	-	-	-	-	-	-	-	-	0%
	Lamborn (R)	-	-	-	-	-	-	-	-	0%
	Coffman (R)	-	-	-	-	-	-	-	-	0%
	Perlmutter (D)	+	+	+	-	+	+	+	+	88%
ID	Labrador (R)	-	-	-	-	-	-	-	-	0%
	Simpson (R)	-	+	-	-	-	-	-	-	13%
MT	Daines (R)	-	-	-	-	-	-	-	-	0%
ND	Cramer (R)	-	+	-	-	-	-	-	-	13%
OR	Bonamici (D)	+	+	+	+	+	+	+	+	100%
	Walden (R)	-	+	-	-	-	-	-	-	13%
	Blumenauer (D)	+	+	+	+	+	+	+	+	100%
	DeFazio (D)	+	+	+	+	+	+	+	+	100%
	Schrader (D)	+	+	+	-	+	+	-	+	75%
SD	Noem (R)	-	+	-	-	-	NV	NV	NV	20%
WY	Lummis (R)	-	-	-	-	-	NV	-	-	0%

H5. Oil and Gas Giveaway

H.R. 1965 would give priority to oil and gas development over hunting, fishing, grazing, renewable energy and other uses of federal land through a series of provisions that include (but are not limited to) automatically approving federal oil and gas permits if they are not acted on within 60 days, and requiring that split estate landowners and anyone else protesting a lease, right-of-way or permit to drill pay a \$5,000 fee. WORC opposed the bill, which passed the House on November 20, 2013 by a vote of 228-192 (Roll Call Vote 600). The Senate has not acted on H.R. 1965. A plus (+) represents a vote against the bill, in favor of WORC's position.

H6. Methane Emissions

Representative Holt (D-NJ) offered an amendment to H.R. 2728 (See H8, below) to clarify that the Department of Interior has authority to require reduction of methane emissions (venting, flaring and fugitive emissions) from federal oil and gas wells. WORC supported the amendment, which failed the House on November 20, 2013 by a vote of 190-230 (Roll Call Vote 601). A plus (+) represents a vote for the amendment, in favor of WORC's position.

H7. Disclosure of Fracking Chemicals

Representative Lowenthal (D-CA) offered a motion to H.R. 2728 (See H8, below) to ensure that the Department of Interior has authority to require the public disclosure of chemicals used in hydraulic fracturing of federal oil and gas wells. WORC supported the motion, which failed the House on November 20, 2013 by a vote of 188-232 (Roll Call Vote 603). A plus (+) represents a vote for the motion, in favor of WORC's position.

H8. BLM Fracking Rules

H.R. 2728 would strip the Department of Interior of its authority to issue federal rules for hydraulic fracturing of federal oil and gas wells. WORC opposed the bill, which passed the House on November 20, 2013 by a vote of 235-187 (Roll Call Vote 604). A plus (+) represents a vote against the bill, in favor of WORC's position.

Senate Votes

S1. Carbon Fee

Senator Blunt (R-MO) offered a motion to the 2013 Budget Resolution (S.C.R. 8) that would have created a point of order against future legislation instituting a fee or tax on carbon emissions, making it more difficult to pass such legislation. WORC opposed the motion, which failed the Senate on March 22, 2013 by a vote of 53-46 (60 votes were required for passage, Roll Call Vote 59). A plus (+) represents a vote against the motion, in favor of WORC's position.

S2. Keystone XL Pipeline

Senator Boxer (D-CA) offered an amendment to the 2013 Budget Resolution (S.C.R. 8) that would have required further review of the Keystone XL pipeline to answer questions such as how much of the pipeline's capacity would be shipped through the U.S. to overseas markets and how much of the steel used to build the pipeline would be from U.S. plants. WORC supported the amendment, which failed the Senate on March 22, 2013 by a vote of 33-66 (Roll Call Vote 60). A plus (+) represents a vote for the amendment, in favor of WORC's position.

S3. GMO Labeling

Senator Sanders (I-VT) offered an amendment to the Senate Farm Bill (S. 954) that would have ensured that states have the right to label any food or beverage that contains genetically engineered ingredients. WORC supported the amendment, which failed the Senate on May 22, 2013 by a vote of 27-71 (Roll Call Vote 135). A plus (+) represents a vote for the amendment, in favor of WORC's position.

S4. Farm Bill

S. 954 is the Senate Farm Bill. WORC supported this five-year Farm Bill because it would continue to support local foods and renewable energy programs, and does not include the controversial provisions in the House Farm Bill that would repeal the country-of-origin labeling law and limit federal antitrust enforcement. S. 954 passed the Senate on June 10, 2013 by a vote of 66-27 (Roll Call Vote 145). A plus (+) represents a vote for the bill, in favor of WORC's position.

Oil and gas roundup

North Dakota county puts hold on waste dumps

Mountrail County, in the heart of North Dakota's Bakken play, adopted a one-year moratorium on oil waste landfill permitting at a planning and zoning hearing November 25.

Dakota Resource Council (DRC) members packed the hearing in opposition to proposals for two waste dumps just a few miles apart near Ross.

"We've got to get this as right as we possible can," county zoning board member David Hynek told the press. He added that the county needed to consider enforcement conditions for oil waste landfills because the state falls "woefully, woefully" short.

Because of state restrictions adopted two years ago on what reserve pits at well sites may contain, North Dakota's Health Department has been swamped with oil waste landfill permit applications.

There are eight such landfills in the state, but at least four other proposals have been turned down or withdrawn due to local opposition.

North Dakota sets up online spill site

North Dakota residents can now report oil and gas spills on-line and also see the history of spills over the past 10 years.

The new site went active less than two weeks after DRC members aired concerns about spills and other oil and gas impacts at a public meeting in Stanley with three state legislators and Lynn Helms, Executive Director of the state's Oil and Gas Division.

Governor Jack Dalrymple announced he was forming an advisory panel to research technologies to improve pipeline safety in North Dakota. He told press

his announcement was in response to the 20,600-barrel spill from a Tesoro oil pipeline near Tioga in September.

Another giant spill took place in late November, dumping 17,000 barrels of brine from a saltwater disposal well line into a southeastern Montana creek that empties into the Little Missouri River, which flows through Theodore Roosevelt National Park.

WORC joins call for methane emission controls

WORC joined 89 other groups in December in calling on Secretary of the Interior Sally Jewell and Environmental Protection Agency Administrator Gina McCarthy to reduce methane emissions significantly across the United States.

"Methane leaks and flaring harm the climate, damage air quality and raise safety concerns," said Sarah Uhl of Clean Air Task Force, which initiated the letter to Jewell and McCarthy.

The letter urged Secretary Jewell to reduce emissions by updating Bureau of Land Management rules to prevent waste of natural gas, which would also increase federal revenues and save taxpayers money.

The letter also asked Administrator McCarthy to curb flaring by using Clean Air Act authority to reduce greenhouse gas emissions.

"Flaring means we get all the pollution and none of the energy," said Donald Nelson, Keene, N. D., chair of WORC's Oil and Gas Campaign Team. "I never thought the air would be a health hazard at our farm for both my family and my livestock, but it is."



Fracking waste fluid pit near Pavillion, Wyoming. Photo courtesy: Ecoflight, ecoflight.org.



Eighty members of WORC's Montana group, the Northern Plains Resource Council, rallied in December to protest oil drilling and fracking in Montana's scenic Beartooth Front.

Wyoming to plug abandoned wells

Powder River Basin Resource Council (PRBRC) supported a plan by Wyoming Governor Matt Mead to step up plugging and reclamation of orphan wells, but also urged increased bonds to avoid future costs.

The Governor said more than 1,200 wells would be plugged in the next four years. The state had only plugged 183 wells in the past decade.

The Governor estimated the cost of the four-year plan at \$7.7 million. But he noted that another 912 wells might be orphaned by Luca Technologies, Inc., which is going through bankruptcy, and he also identified 2,300 "wells of concern."

"We need to not only look at how we are going to fix this serious problem, but how are we going to prevent this from happening again in the future," said Jill Morrison, PRBRC organizer.

She noted that state bonding requirements are inadequate to cover the cost of closing abandoned wells, which can leak contaminants into groundwater over time as their cement casings break down.

Northern Plains urges no drilling in Beartooth Front

About 80 members of Northern Plains Resource Council and Carbon County Resource Council (CCRC) held a rally December 11 to protest drilling in the scenic Beartooth Front of south-central Montana. Protesters submitted nearly 4,700 petition signatures to the offices of Energy Corporation of America (ECA) and spoke for two hours before the Montana Board of Oil and Gas Conservation.

The Board refused to consider the groups' formal protest, however, because their request for a hearing lacked a certificate of service.

"This is going to directly impact our communities, so as a community, we are speaking up. We all deserve to be a part of this conversation, we're the ones who have to live with their destruction," said Deb Muth, Chair of CCRC, a Northern Plains affiliate.

The petition says, "We call upon Energy Corporation of America to discontinue any plans for fracking in the Beartooth Mountains and Bighorn Basin. Our land and water are at stake!"

ECA CEO John Mork has said publicly he would like to "bring something like the Bakken" to the Beartooth and Bighorn basins.

Western Colorado Congress urges air clean-up

Western Colorado Congress (WCC) is bringing its concerns about clean air and climate change to a groundbreaking effort to control air pollution from oil and gas installations in Colorado.

The state Air Quality Control Commission is charged with developing a detailed plan to reduce gas leaks from storage tanks, valves and other equipment, with the input of stakeholders.

WCC is filing for formal party status and gearing up for three days of hearings in February. WCC's alternative proposal calls for increased public health, community and agricultural protections, since air pollution not only harms health but can also reduce production of local crops.

WCC especially wants to see best management practices keeping tanks as close to airtight as possible and emission monitors near homes. WCC has already co-sponsored air quality community meetings in Grand Junction and Glenwood Springs.

WCC is coordinating with other grassroots organizations, including several new Front Range groups. Colorado is the first state to consider direct regulation of methane emissions from oil and gas operations.

—Mark Trechock

Leaders craft new narrative about agriculture

How do we win agricultural policy changes that support diversified farming practices, make nutritious food affordable, protect land and ecosystems, and guarantee farmers and ranchers a viable income? How do we challenge the widely held beliefs about agriculture dominated by ideas like bigger and fewer farms are better, American farmers must feed the world, and there are technological solutions to all nature's problems?



Nearly 100 farmers, ranchers and consumers in WORC member groups grappled with these and other questions throughout the second half of 2013 as part of an effort organized by a new multi-state Ag and Food Justice collaborative. The collaborative, which includes WORC member groups and three grassroots family farm organizations in the Midwest, came together in 2013 to explore how we can build the power necessary to win the major changes toward stewardship, justice, and prosperity in our food and agriculture system.

With the guidance of Dave Mann of the Grassroots Policy Project, 164 leaders and staff met in joint meetings across nine states in a process to help members identify the dominant narrative in agriculture, understand its impact on policy and organizing, and collectively develop a new narrative based on our shared values.

Mann trained one leader and staff from each participating organization on how to facilitate the conversations with members to bring out deeply held values and a vision for how our food system could and should be. Facilitation leaders included Mabel Dobbs of Idaho, Ed Dykstra of Dakota Rural Action, Bette Stieglitz and Jeri Lynn Bakken of Dakota Resource Council, Ressa Charter of Northern Plains and Jerry Neri of Western Colorado Congress. The leaders attended two multi-day trainings and each led two of the 4-6 hour meetings in their state.

Paul Seamans, a farmer and rancher in Draper, S.D., participated with Dakota Rural Action members. "I was kind of skeptical at our first session in Rapid City," Seamans said, "but became more of a believer during our second session. I think it just takes a little time for people to realize the importance of doing something about changing the narrative."

The one-page shared narrative created from the conversations describes a food production system that connects people to each other and the land, the need to marry the wisdom of the past with the ingenuity of today, informed consumers making thoughtful choices, and a call to action to fundamentally transform our food production systems.

The new narrative serves to frame the different issue campaigns and organizing strategies of the 10 groups in the collaborative in terms of consistent, foundational values shared by our members. Each group is working on a plan for how to start using the new narrative.

—Liz Moran



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Exposing secret trade pacts

By Ron Carver

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NAFTA. CAFTA-DR. TPP. TTIP.

That numbing spoonful of alphabet soup represents four so-called free trade pacts that benefit global capital at the expense of everyone else.

The North American Free Trade Agreement came first, and NAFTA will soon mark its 20th anniversary. The Dominican Republic-Central America Free Trade Agreement, known officially as CAFTA-DR, went into effect a decade later.

The Trans-Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (TTIP) are in the works now. President Barack Obama wants Congress to grant him “fast track” authority to expedite these deals.

Thanks to firm opposition by progressive and tea-partying activists and legislative gridlock, it’s looking like his administration won’t get this power.

Are you one of the hundreds of thousands of manufacturing workers who lost their jobs when U.S. factories moved to Mexico or China? If so, you’re probably more aware of these deals than most Americans.

But all of us should care. You may not believe trade agreements affect you — but they do, profoundly. They also endanger our democracy.

A few cases making their way through shadowy World Bank and UN tribunals should help everyone see what’s dangerous about these deals.

Do you care about the environment and clean water? El Salvador did, and instituted a moratorium on new mining operations after a popular uproar. People there are living with the consequences of gold mining, including the contamination of more than 90 percent of El Salvador’s surface water by cyanide and arsenic.

However, citing the CAFTA-DR trade agreement, a Canadian mining company called Pacific Rim Mining Corporation brought a case before the World Bank’s “investor-state” tribunal. Pacific Rim claims El Salvador has no right to restrict mining on its own soil or to require that disputes be resolved in its own courts.

Never mind that the proposed mine is located by a river supplying two-thirds of El Salvador with drinking water. Or that Canada wasn’t even a party to the CAFTA-DR accord. Pacific Rim simply moved its Cayman Islands office to Reno, Nevada. Then, it declared it had jurisdiction under that pact. When that ploy failed, Pacific Rim cited an obsolete law that has since been rejected and replaced.

Philip Morris took a similarly low road when it tried to stop Australia from requiring tobacco companies to sell cigarettes in plain brown paper packages — minus the cowboys and camels.

After unearthing an old Australian accord with Hong Kong that allows dispute resolution before tribunals, the tobacco titan shifted some investments to Hong Kong. Then it claimed to be an investor there and filed a complaint through its Hong Kong office.

Phillip Morris is now trying to force Australia to abandon its public health initiative or pony up billions to cover the loss of future profits.

Even U.S. regulations are vulnerable. Apotex, a Canadian drug manufacturer, is suing the United States government for \$520 million. Why? FDA inspectors temporarily cut off the company’s U.S.-bound exports a few years ago due to manufacturing woes. Apotex now claims that enforcing U.S. drug safety regulations threatens its potential profits and violates NAFTA’s terms.

How can this be?

Our leaders sell trade deals to the public as a means of building our economy by boosting exports. They don’t talk about big business’s desire to topple national regulations and laws that protect public health, labor rights, and the environment.

That’s because the negotiations are held in secret.

Well, they aren’t entirely secret. The corporations who benefit are invited to participate. After Congress made a stink, its members were finally briefed on the ongoing talks as long as they promise not to divulge anything.

The rest of us are kept in the dark.

And those fast-track votes Obama wants on the TPP and TIPP? They’d deny Congress a chance to add or delete provisions along the lines of the ones companies are using to challenge consumer-protecting laws in El Salvador, Australia, and right here in the United States.

It’s time we demand that trade deals be negotiated in the light of day. To paraphrase a Civil Rights movement’s anthem: “We’ve got the light of freedom — let it shine, let it shine, let it shine.”

Ron Carver is an Institute for Policy Studies associate fellow (IPS-dc.org).

“Watered Down” continued from cover

“Along with many others in western North Dakota, I drink water from Lake Sakakawea,” said Theodora Bird Bear, a Dakota Resource Council member from Mandaree, N.D. “With 13 oil pipelines and over 200 laterals crossing the bottom of the lake, I expect it is a matter of when, not if, there is a major spill.”

Indeed, just prior to the release of *Watered Down*, a Tesoro pipeline leaked over 20,000 barrels of oil underneath farmland near Tioga, N.D.—the equivalent of 29 railroad tank cars. The leak was not discovered by either Tesoro or state or federal regulatory agencies, but by a farmer harvesting wheat.

Besides threats of new spills due to increased oil and gas production, the WORC region remains marred by numerous “legacy” spills, some caused by ill-informed waste management strategies.

For example, *Watered Down* notes that until about 1980 North Dakota allowed disposal of produced saltwater in “evaporation ponds.” Far from evaporating into the atmosphere, the salt continues to leach out into farmland and down towards the Fox Hills aquifer. A 1988 study by state officials outlined a possible program of remediation, but the state has taken no action to implement it.

“The extraction processes, transporting methods, and disposing of the associated waste are an imperfect process that will eventually result in more cases of contamination and pollution,” said Terry Punt, a rancher from Birney, Mont., and a member of Northern Plains Resource Council. “This is why our states must have stricter standards, increased transparency, and less self-monitoring.”

The key findings of *Watered Down* are:

- Oil and gas drilling uses massive volumes of water and produces massive volumes of waste.
- No federal law sets comprehensive standards for oil and gas production.
- State regulation is piecemeal.
- A movement toward local ordinances to provide better protections could be useful to address local concerns, but the oil and gas industry generally prefers state oversight. Many states discourage or prevent oil and gas regulation at the local level.

The report recommends:

- Setting clear and enforceable performance standards, such as wellsite construction, waste stream testing, and waste disposal.
- Providing and funding comprehensive monitoring and testing systems, including pipelines.
- States should not permit more wells than they can properly oversee. State legislatures should provide regulatory agencies with the personnel and authority to manage oil and gas development.



Crude oil leaking near the South Platte River along the Front Range of Colorado, in September 2013. Photo courtesy: Ecoflight, ecoflight.org.

- Agencies should establish, promote, and adequately staff hotlines enabling residents to report problems at oil and gas sites and should respond promptly to calls from residents.

“What is needed are strong, clear, comprehensive and enforceable national performance standards for oil and gas drilling, production and delivery—standards that would help us to protect our communities from the kind of damage outlined in this report,” LeResche said. “Critical to the success of such standards are effective monitoring systems, the capacity to enforce the law with fines that will deter carelessness, and outreach programs that encourage the public to report spills and other violations in their often remote communities.”

Setting national standards is a “tremendous challenge,” LeResche said. “For that reason, we are urging state and local governments to act now to protect their constituents and their natural resources,” he said. “Levels of oil and gas production are rising in our region. We cannot afford to wait.”

— Mark Trechock

***Watered Down*
is available at
www.worc.org.**

Organizing Nuts & Bolts

Volunteers and members – is there a distinction?

I was asked recently if there is a difference between volunteers and members. The answer is it depends on the organization and its beliefs, mission, culture and structure.

Many, dare I say most, nonprofit groups utilize volunteers. According to the Corporation for National and Community Service and the National Conference on Citizenship, 64.5 million Americans volunteered 7.9 billion hours through an organization in 2012, with an estimated economic value of \$175 billion.

Volunteers are often the reason that so much work gets done in lightly staffed organizations, whether it's stuffing envelopes, showing up at hearings, organizing events, writing letters to the editor, and so on.

To borrow a page from author Charles Dickens, let me share with you a tale of two hypothetical, yet believable, nonprofit organizations. Both organizations do good work, but in quite different ways.

One organization's mission is to protect the environment. It employs professional staff recognized as experts in their field to advocate on behalf of the membership. The organization mobilizes and involves volunteers, many of whom are dues paying members, primarily on issues and activities determined by the board of directors and staff.

The second organization's mission is to give people a voice in decisions affecting their lives. It employs community organizers who know how to build an organization that maximizes the participation and power of members. The organization strives to involve as many members as possible in deciding the organization's priorities, although not every member volunteers time.

The first organization utilizes a task approach to involving people. It engages people in tasks the paid staff decides need to be accomplished with little attention devoted to asking people what they care about and are willing to do, let alone involve them in defining the tasks in the first place. Paid staff is the public voice of the organization.

The second organization utilizes a relationship approach to involving people. Members perform many tasks, but, as members, they also have a say in and ownership of where the organization is going and how it gets there. They pick issues and plan and implement campaigns that resonate with them. They elect leaders for the organization, help hold them accountable and speak for the organization as they develop their own leadership skills.

In other words, members in groups like those in the WORC network are not just volunteers who help get the work done, but our heart and soul. They provide power, credibility, input, direction, financial stability, and leadership.

According to the Institute for Conservation Leadership (ICL), there is a trend in the nonprofit world to develop more important and meaningful roles for volunteers in "marketing, program delivery and support, writing, researching, fundraising, and high-level financial, legal and technical assistance."

For more information, see ICL's report, *Volunteerism 2.0: Skilled Volunteers Bring New Talent to Organizations*.

—Kevin Williams

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Sheridan, WyomingJune 12-14

PRINCIPLES OF COMMUNITY ORGANIZING
Billings, MontanaJuly 23-26

PRINCIPLES OF COMMUNITY ORGANIZING
Boise, IdahoAugust 13-16

ADVANCED PRINCIPLES OF COMMUNITY ORGANIZING
Billings, MontanaSeptember 15-17

DAKOTA RESOURCE COUNCIL ANNUAL MEETING
Location TBAOctober 25

NORTHERN PLAINS ANNUAL MEETING
Billings, MontanaNovember 14-15

WORC BOARD AND STAFF MEETING
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