

WESTERN ORGANIZING REVIEW

VOLUME XXVIII
ISSUE No. I

SPRING
2019

Court Rules for WORC on Secretive Royalty Policy Committee

On January 24th, a federal judge issued an initial ruling in favor of a WORC lawsuit against the Department of Interior over the chartering and operations of its secretive Royalty Policy Committee. The committee, whose membership over-represents fossil fuel development interests while excluding representatives of conservation interests, agriculture, taxpayers, and others affected by federal mineral management, has shut the public out of the process of developing policy recommendations for the Interior Department's management of federal minerals.

In ruling on WORC's motion for preliminary injunction and a motion to dismiss from the U.S. government, Judge Donald Molloy found that the Administration must now explain why the public interest is served by delegating development of public lands and minerals policy to the fossil fuels industry, and demonstrate that it is ensuring adequate public participation in the development of the committee's recommendations.

The judge also identified a surprising gap in Interior's regulations. The Bureau of Land Management has stringent regulations concerning conflicts of interest and balance of advisory committee membership, but the judge found those do not apply to the RPC because the Committee technically advises the Office of Natural

Resources Revenue, a separate Interior bureau from the BLM, which governs federal land and minerals leasing from whence federal mineral revenue is derived. The judge found he lacks an adequate legal basis to rule on whether the balance of the Committee's membership is fair or whether the interests represented on the Committee unduly influenced policy recommendations. Remarking on this, Judge Molloy noted that "it is concerning that the Department can structure an advisory committee whose work overwhelmingly involves the administration of BLM lands as to avoid the more stringent BLM advisory committee regulations."

The judge also compared the arguments made in the case, noting that WORC's allegations rest on the "principle" behind the enactment of federal transparency law for advisory committees, that is, "the requirement that advisory committee work be both efficient and transparent," while "Defendants, on the other hand, base their arguments on the minimum required to comply with the text of the Act. While the dichotomy is not dispositive, it highlights a troubling trend within the current administration's view of governing and the rule of law."

In its filings, the government did not dispute certain facts and injuries that would constitute violations of federal law. For example, the government did not deny that it has excluded conservation-minded viewpoints from the Committee. The government has also admitted that it has not complied with conflict of interest safeguards, arguing only that those safeguards should not apply to the RPC.

It is rare for cases brought under the Federal Advisory Committees Act to survive a motion to dismiss. WORC now awaits the court's ruling on the deadlines that will govern the management of the remainder of the case, including production of an administrative record and motions for summary judgment.

IN THIS ISSUE:

The View from WORC	2
NAFTA 2.0 brings prospective COOL opportunity	3
Around the Region	4
Anti-landowner & free speech bills plaque region	6
Another coal bankruptcy?	7
Polling shows broad support for environmental protections, energy diversity	9
The new faces of WORC	9
Homegrown Economy Workshop coming to Billings	11

The View from WORC

By Linda Weiss, WORC Chair

This is the legislative season but not many carols to sing. Member groups are dealing either with annual or biennial legislatures. Our affiliates, task forces, and campaign teams are busy advancing our issues, and defeating measures that will do harm to our members and the people of the West.

An example of damaging legislation that our states are fighting are laws that hope to criminalize peaceful protesting, especially around oil and gas facilities. These critical infrastructure laws like North Dakota's SB2044 will create stiff penalties for "critical infrastructure trespass". A "conspirator" clause in the law could put nonprofit organizations like ours at risk of fines up to \$100,000 for the actions of any member found to be in violation. This bill was defeated in North Dakota, as well as a similar one in Wyoming, for its impacts on landowners, farmers, and ranchers. Members in Idaho and Colorado are engaged in similar fights.

Several of our states are also working on bills around factory farming and other agriculture issues. Even though 76% North Dakotans voted to uphold anti-corporate farming law in 2016, HB1388 looks to weaken it. DRA is working hard on defeating the "Hoghouse Amendment" which seriously undermines the ability of citizens and organizations to participate in the permitting process. On a hopeful note, Northern Plains is hoping to pass a Country-of-Origin-Labeling (COOL) bill that would likely bring back the high prices cattle and pork producers received when national COOL standards were on the books.

In the turbulent world of coal country, Wyoming's Senate File 118 hopes to ensure that local governments are given first crack at collecting mineral production taxes when a coal, oil, or gas company goes out of business. Extraction companies owe \$55 million in unpaid taxes. Traditionally, when those companies go out of business, the investors collect their investments first and county taxpayers are left high and dry. SF118 seems likely to pass and put Wyoming residents first.

Members of our groups in South Dakota, Colorado, Wyoming, and Montana are calling their legislators in support of Commercial Property-Assessed Clean Energy (C-PACE) legislation. C-PACE would provide business owners and agricultural producers access to 100% up-front financing to make energy efficiency and renewable energy improvements to their properties, allowing them to start saving money on their energy bills from day one.

I get inspired each time I hear a story of our members picking up their phones and calling their legislators, or better yet, making the trip to see their decision-makers in person. Together, we can make amazing things happen. For more updates on what our groups are doing in their legislatures, check out their websites.



Linda K. Weiss

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 15,190 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
Dakota Rural Action
Idaho Organization of Resource Councils
Northern Plains Resource Council
Oregon Rural Action
Powder River Basin Resource Council
Western Colorado Alliance
Western Native Voice*

WORC's BOARD OF DIRECTORS

*Linda Weiss, Chair
Mitch Wolgamott, Vice-Chair
Nancy Hartenhoff-Crooks, Sec/Treas
Steve Allerton
Johnel Barcus
Jean Dahlman
Lisa DeVille
Lacy Folden
Beth Kaeding
Linda Leeuwrik
Bob LeResche
Stacy Page
Paul Seamans
Pat Smith
Christina Stucker-Gassi
Monica Wiitanen*

CONTACT WORC

*220 South 27th Street, Suite B
Billings, Montana 59101
406/252-9672
billings@worc.org
www.worc.org*

*Please consider a donation to WORC.
Your support enables us to work on
tough challenges facing our region*

NAFTA 2.0 brings prospective COOL opportunity

WORC is engaging its members on a campaign centered around the NAFTA renegotiation. Through the negotiation process, WORC sees an opportunity to highlight the need to bring back Country of Origin Labeling (COOL) for beef and pork. Producers saw record prices for beef cattle after COOL was passed and ultimately implemented in 2009. However, large meatpacking conglomerates — just four companies dominate 84% of the U.S. cattle slaughter market — successfully lobbied Mexico and Canada to bring an anti-free trade suit to the World Trade Organization (WTO). The suit claimed that the U.S. COOL law, although it covered all manner of ag commodities, including fruits and vegetables, violated free trade agreements by giving American consumers the opportunity to make an informed choice about where their steak came from. The WTO sided with Mexico and Canada, and threatened monetary penalties for the U.S. Congress flinched and in a 2015 omnibus bill, slipped in language to repeal COOL for just pork and beef.

Since the repeal of COOL, cattle producers saw their prices slip, while meatpackers pocket the difference through market manipulation and integration of domestic and international beef supplies. WORC and its member groups had hoped to see a renegotiated NAFTA bring back COOL, as well as end the practice of investor-state dispute settlements (ISDS). ISDS grant corporations standing to sue governments for prospective trade-related harms. In practice, they grant big companies the ability to ignore centuries-old state sovereignty establishments, and threaten to overrule the will of voters via lawsuit.

In November of 2018 the Trump administration signed a renegotiated NAFTA agreement with Mexico and Canada. The agreement phases out the use of ISDS over three years — save for existing Mexican oil and gas contracts. The renegotiations also achieved some progress on imported wheat grading in Canada. This allows American wheat farmers to potentially achieve better prices in Canadian markets. WORC's Ag and Food Team, however, feels the deal doesn't go far enough as is. Over three separate campaign planning conversations and months of deliberation, WORC members feel a renegotiated NAFTA must include stipulations by Mexico and Canada to drop their COOL dispute, and the two countries must warrant to not bring further trade complaints related to meat and American COOL efforts.

The team also notes our allies on trade, ag and the environment are also asking for further improvements to the existing deal. Chiefly concerning to these groups is the provision that extends American prescription drug monopoly terms to Mexico and Canada — raising the price of pharmaceuticals in those countries. The handout also ties the hands of Congress should it want to revisit the statutory terms as a future plan to rein in health care costs. Additionally, WORC allies want to see stronger monitoring and enforcement terms for labor and environmental protections.

In response, WORC is gearing up to pressure U.S. Senators to request that chief U.S. Trade Representative Robert Lighthizer re-open the agreement with Canada and Mexico and sign a side-agreement on COOL.

While the administration may argue that a signed deal is a done deal, and NAFTA talks cannot be reopened, both President Barack Obama and President George W. Bush had to revisit, and ultimately re-opened signed trade deals, in order to hash out side agreements that would be more palatable for American legislators.

The timetable for acting on this issue is somewhat murky and has been complicated by the recent federal government shutdown. Operating under the Trade Promotion Authority (i.e. “fast track”) Congress is unable to offer amendments to the authorizing legislation to the deal once introduced — the agreement is simply proposed for a straight up-or-down vote. The authorizing legislation is not likely to be introduced until the White House thinks it has enough votes to have the deal enacted by Congress. However, prior to staking a position, some Senators and Representatives have stipulated they want to see government reports on the impact of the deal. Those reports, originally scheduled for a mid-March release, were delayed by the shutdown, and now won't be public until late April. Similar to the Trans-Pacific Partnership signed by Obama and tabled by Trump and Republicans in Congress, NAFTA 2.0 may never see the floor for a vote — given the hyper-partisanship and nature of divided government with Democratic control of the House. Or, it's possible that the agreement is revisited, and renegotiated in 2021 after the upcoming election cycle.

In the meantime WORC's Ag and Food Team will put pressure on legislators to fold COOL into the conversation.

Around the Region

A look around WORC's network

Dakota Resource Council

Dakota Resource Council has been actively involved in the North Dakota Legislative Session. DRC proposed Senate Bill 2332 requiring that oil and gas operators must pay



royalties and production taxes if they flare beyond one year. While this bill did not pass, we feel successful in the introduction of the topic for future consideration and grateful for the support from the number of senators who voted on behalf of the issue.

The proposed Davis Refinery, a mere 3 miles away from Theodore Roosevelt National Park, has been granted their air permit and water appropriation. However, the fight is not over. DRC is campaigning to garner statewide and national support because the outcome of this campaign will affect the sanctity of other national parks and public lands.

Dakota Rural Action

Dakota Rural Action (DRA) has filed objections to a series of water right permits applied for by TransCanada and associates for water to construct the pipeline and supply water to Man Camps.

The petition in opposition to drawing water from the



Cheyenne River says, "TransCanada wants our water for use to construct a hazardous materials pipeline through much of South Dakota. It specifically wants the Water Management Board to authorize TransCanada to permit use of South Dakota water for dust control along the construction route (MP 286 to approximately MP 601), to make drilling fluids for horizontal directional drilling in seven locations to lay pipe under various South Dakota rivers, for construction of three pump stations for the pipeline, and for hydrostatic testing at two locations. TransCanada plans to then discharge the used water back into the Cheyenne River."

One reason DRA is opposing these permits is the water is coming from aquifers and rivers in a state with a history of intense drought. Additional allocations threaten

the ability of ranchers, farmers and communities the traditional uses of this water. In addition this pipeline threatens the long term quality of the water in question. TransCanada has shown through a series of substantial leaks in other pipelines it operates that serious questions should be considered before giving them access to SD's water resources.

Idaho Organization of Resource Councils

IORC is closely tracking a bill sponsored by Senator Don Cheatham (R-Post Falls). The bill creates new crimes with stiff penalties for "critical infrastructure trespass," and "impeding critical infrastructure." According to Senator Cheatham it's needed for safety and to protect infrastructure from attacks. In reality, the bill doesn't

The Idaho Organization of Resource Councils

actually make people safer. It will intimidate law-abiding citizens from exercising their Constitutional right to free speech and allows energy companies to trample the exercise of free speech and assembly protected by the first amendment of the U.S. Constitution.

Northern Plains Resource Council

The Northern Plains Resource Council produced state legislation to bring back transparency about the meat we buy and return fairness to markets for beef and pork producers. Northern Plains' country-of-origin labeling (COOL) bill would reinstate labeling for beef and pork sold in Montana, requiring that placards be placed on grocery store meat counters to inform consumers about where the meat was born, raised, harvested, and processed (thus allowing consumers to support American agriculture through their purchases). Unfortunately, Montana's Senate



Ag Committee tabled the bill on Feb. 19. Northern Plains is now focused on passing a House version of the COOL bill.

Oregon Rural Action

The board of Directors and personnel committee recently hired a new Executive Director, Kristin Ostrom. She comes to ORA with numerous years of community organizing and leadership experience. Most recently Kristin worked as a Campaign Coordinator for Oregon

Governor Kate Brown and Jamie McLeod-Skinner, candidate for Oregon's 2nd Congressional District. She led community organizing; policy and electoral field campaigns; lobbied at the federal, state, and local levels; developed diverse coalitions; and earned media across multiple states. We are very excited to welcome her to the WORC network.



Powder River Basin Resource Council

In February, Powder River Basin Resource Council filed a suit against the Wyoming Department of Environmental Quality (DEQ) alleging DEQ unlawfully withheld land appraisal documents related to Contura Energy's coal mine reclamation bond. Federal and state laws require coal companies to provide financial instruments that will provide funds to complete coal mine cleanup if the mining company abandons its mine. Contura elected to use ranchland as a portion of its collateral. Contura claims the value of these Campbell County parcels is \$27 million, but DEQ's refusal to release the documents makes it impossible to evaluate this appraisal. The suit comes on the heels of Powder River's objection filed with DEQ over the release of the documents in October. Contura is the first coal company in Wyoming to use a real estate bond for reclamation, and if Contura's appraisal evades public scrutiny, it would set a bad precedent for other companies to follow.



Western Colorado Alliance

Western Colorado Alliance has been busy — from courtroom chambers to the legislative floor. Among their recent efforts: They are assisting Battlement Concerned Citizens and Grand Valley Citizens Alliance in suing the Colorado Oil and Gas Conservation Commission (COGCC) in Denver District Court to request the court intervene on the controversial "A Pad" proposed by Ursa Resources within the retirement community of Battlement Mesa. The suit follows exhaustive efforts to have the A Pad problem



addressed by the COGCC. WCA is also ramping up efforts to protect up to 400,000 acres of public lands by building support for the new Colorado Outdoor Recreation & Economy (CORE) Act.

Western Native Voice

Western Native Voice held Native Days of Action from January 30 to February 1. Members testified on MMIW, Medicaid expansion, Indigenous People's Day, Keystone XL and other bills.

WNV staff were successful in advancing their Medicaid expansion story collection project by interviewing tribal health officials, tribal government representatives, and a few medical practitioners.



Overall, the experience was inspiring for our attendees and one in particular, Diana Burd, had this to say:

"I am thankful for the opportunity to speak on behalf of our Native People. I have learned so much about the Legislative process thanks to Western Native Voice. I have so much respect for our Legislators and what they do. I realized if we want our voice to be heard this is the place to do it. I would recommend to everyone pay attention to what bills are being introduced that (affect) our communities or you personally. Get hold of Western Native Voice I am sure they would be able to help you or point you in the right direction."



Nugget Mad Plume, Diana Burd, Mike DeRosier, Joycelynn DeRosier, Lisa Evers, Ervin Carlson, Senator Susan Webber and WNV staff, Cinda Burd attend Native Days of Action in Helena January 30 - February 1.

Anti-landowner & free speech bills plague region

In 2016, the Dakota Access Pipeline, a proposed crude oil pipeline which would run from the Bakken to the Gulf of Mexico, sparked a fire. Led by Native tribes, opposition to the project coalesced and was seen on TV screens across the world. Nightly news brought images into homes of protestors being hosed down by police in freezing weather, guard dogs biting at protestors dressed in traditional clothes, and a small functioning town set up in the way of the pipeline in the freezing North Dakota winter. As of now, there has been an estimated \$7.5 billion loss for companies involved in construction, over 700 charges filed against law enforcement involved, and the project remains on shaky ground.

Haunted by the specter of potentially costly and internationally notorious pipeline protests in their own state, in May of 2017 Oklahoma's Governor quickly signed a bill into law which increased penalties for protestors who trespass on or damage "critical infrastructure." Their broad definition included everything from a power plant to a telephone pole. Under the new act, an organization that is found to be a "conspirator" in any of the crimes can face a fine of up to \$1,000,000. Inspired by the Oklahoma legislation titled "Crimes Against Critical Infrastructure" (CACI), in December of 2017 the American Legislative Exchange Council (ALEC), a wide-reaching free-market "bill-mill," released model legislation for other states to adopt. In addition to other anti-protest legislation, CACI copycat or verbatim bills quickly popped up across the country, including in Colorado, North Dakota, and Wyoming.

Jill Morrison, Staff Director of Powder River Basin Resource Council (PRBRC), has seen this bill introduced twice now in her home of Wyoming. As an organization primarily of ranchers and farmers, she had deep concerns that the broad and vague language could be construed to prosecute farmers and ranchers who oppose development on right-of-ways on their own property. The potential for this legislation to work as "a lever to take private property rights away was a powerful argument that resonates in Wyoming," Morrison said.

Membership organizations such as PRBRC have a particular stake in this fight. Holding an organization accountable for the actions of any member, known as "collective liability," could lead to fines of up to \$100,000 for the actions of any loosely affiliated member or supporter of the group. As the International Center for Not-for-Profit Law put it, "The application of collective liability in the context of protests is a troubling development. Such prosecutions can chill participation in demonstrations if potential protestors think they may face severe sanctions by just taking part in a protest." Indeed, anecdotal evidence in states with CACI bills on the books shows that non-violent demonstrations have lost participation as well as organizational support.

Relationships and coalitions are key, Morrison says. The ACLU of Wyoming, the Eastern Shoshone, and Northern Arapaho tribes presented persuasive opposition to the bill. Tribal members in the state noted that they are not always the owners of the land they live on, leaving them vulnerable to prosecution under the proposed bill. Together with their partners, PRBRC organized, packed committee hearings, and presented hours of testimony against the bill.

Ultimately, long term relationships with key legislators, often in the conservative House Majority, helped derail the bill. "There were so many concerns swirling in the public sphere that the bill left a bad taste in everyone's mouth," Morrison said.

The right to peaceful protest is a tenet of American democracy and values, and CACI bills represent a troubling trend in legislation designed to curb the participation and rights of peaceful protestors. The model legislation continues to pop up in legislatures across the Mountain West, but as of Monday, February 4th, HB 10 was refused consideration in the Wyoming House of Representatives, effectively killing it. "We'll be surprised if they bring it back a third time - they've been beaten soundly twice now," Morrison said.

To see the status of these bills in your state visit:

**US Protest Law Tracker,
International Center for Not-for-Profit Law at**

<http://www.icnl.org/>

Another coal company bankruptcy? WORC is on the case

It's been a long, slow decline for Westmoreland Coal Company. Since its founding in 1854, the company has seen ups and downs. It is now in its third bankruptcy. This time, the company's mines will change ownership, but the company will probably not survive.

Westmoreland sells fuel to coal-fired power plants across six states and two Canadian provinces. Their mines include the Kemmerer mine in southwest Wyoming, the Beulah mine in North Dakota, and the Rosebud (Colstrip), Absaloka (Sarpy Creek), and Savage mines in Montana.

Westmoreland's business model is to own mines adjacent to power plants. For many years, this limited the risk that the customer power plant would switch to a different fuel, such as natural gas. But it also created a dependence on individual aging power plants, many of which are no longer economic to run. It has been reported that a very large portion of the company's coal production is delivered to power plants that will end their use of coal in the next decade.



WORC and its member groups have been watching Westmoreland's bankruptcy proceedings closely since the early days of the case, and have hired bankruptcy counsel from Moye White LLP in Denver. Regular readers of this publication may recall that WORC leaders and staff previously engaged in the bankruptcies of the nation's three largest coal companies, Peabody Energy, Arch Coal, and Alpha Natural Resources, in 2015-2017, retaining lawyers from the same firm.

The overriding issue in those cases was replacing the billions of dollars of "self-bonds" backing coal mine cleanup. That is, the companies had promised to reclaim their massive strip mines but had not posted any reliable form of collateral with the state regulatory agency. The agency had determined that the companies were, essentially, "too big to fail," and approved the companies' self-bonds, which are essentially an uncollectible IOU.

Were Peabody, Arch, or Alpha to liquidate instead of emerging from bankruptcy, coal mine cleanup would have been funded by the public purse to the tune of billions of dollars. If mines go unreclaimed instead, the long-term damage to the land would be a burden to coal communities that are looking to diversify their economies, and it would eliminate the potential bridge employment opportunity for workers vulnerable to layoffs when a mine shuts down. Secure, reliable, and liquid reclamation bonds are key to completing reclamation and preserving the reclamation jobs entailed.

As Bob LeResche of Sheridan, Wyo., wrote at the time in an editorial printed in the Sheridan Press, "If uncertainties and a down market continue to plague the coal industry as economists nearly unanimously predict, self-bonds will remain worthless promises and Wyoming will pay the price. Unless Wyoming prohibits them now, the next time mines change hands and weaker and weaker mine owners go bankrupt, we will not be so lucky."

Although some of Westmoreland's mines operate in states that accept self-bonding, Westmoreland fortunately does not make use of the practice. Even so, there are plenty of risks to coal mine cleanup in the bankruptcy process. Bankruptcy court is presided over by a federal judge, and the judge is given broad latitude under bankruptcy law. A bankruptcy judge could allow a bankrupt coal company to get out from under its mine cleanup obligations, or require state regulators to approve operations by a new owner who does not or cannot meet the state's health, safety, or operational criteria for coal mine operations. A judge could also permit a bankrupt coal company to withhold taxes owed to the counties in which it operates.

In their report, “Ad Valorem Taxes in Wyoming: Proposed Improvements,” Powder River Basin Resource Council documents this very circumstance in Wyoming. Between January and August 2018, “[m]ineral production debts reported by participating counties has climbed from just over \$42 million to almost \$55 million.” This is a very consequential sum of money owed by bankrupt coal, oil, and gas firms that will only be partially recouped, if at all.

Suffice it to say that these risks were sufficient reason for WORC’s participation in the bankruptcy proceedings, following the guidance and leadership from Powder River Basin Resource Council, Northern Plains Resource Council, and Dakota Resource Council.

Westmoreland’s bankruptcy case is nearing its conclusion at the time of writing. As of February 19, every mine has a designated new owner, and the new owners will be bound to complete all reclamation at the mines. In addition, state regulators will not be prohibited from ensuring that mine operations minimize pollution and remain safe.

The bad news is that after weeks of struggling to sell its Kemmerer mine in southwestern Wyoming, Westmoreland has accepted a bid from a company controlled by former nursing home operator Tom Clarke of Virginia, who has begun buying bankrupt mines in recent years. His nursing home business, Lenox Healthcare, scooped up financially troubled nursing homes throughout the 1990s before ending up in bankruptcy court itself.

Clarke has participated in at least nine different bankruptcy cases in recent years, including six where he bought mines or mining-related facilities (Patriot Coal, Walter Energy, Cliffs Natural Resources, a subsidiary of Indian conglomerate Essar, Magnetation LLC, and now Westmoreland), one where he has bid on coal mines (Alpha Natural Resources), and two where he filed bankruptcy for companies whose assets he recently bought at a bankruptcy auction (Mission Coal and ERP Iron Ore).

The holdup in the sale of the Kemmerer mine was said to be due to the refusal by potential buyers to assume the collective bargaining agreements between Westmoreland and the United Mine Workers of America. The collective bargaining agreements establish good wages, health care coverage, and pensions for active miners and retirees, and require new owners to accept the same terms.

Westmoreland has made numerous attempts to slash its obligations to Kemmerer miners and retirees, and the UMWA has fought back in court. Dozens of UMWA retirees appealed to the bankruptcy judge in personal letters to protect their pensions and health care. The Kemmerer Gazette quoted former Kemmerer miner Jim Vilos’ letter: “We the miners kept our end of the deal and Westmoreland needs to keep their promise, too!”

Bankruptcy law allows collective bargaining agreements to be voided with the approval of a judge. Westmoreland has received approval to do so. There has been talk of a strike at the mine, and workers must no doubt be weighing the decision to fight for respect, dignity, and protection of their benefits won by decades of collective bargaining.

The decision to strike will no doubt be influenced by the anti-union history of new owner Tom Clarke. One of Clarke’s companies that bought coal mines out of bankruptcy, Mission Coal, is currently seeking approval to void the collective bargaining agreements and retiree obligations it owes its unionized workforce and retirees. Regarding the Westmoreland worker and retiree obligations, Clarke was quoted in Wyoming’s Casper Star-Tribune saying the “changes to employee benefits are ‘painful’ but necessary.”

Although the story at Kemmerer has just begun, the brunt of Westmoreland’s bankruptcy proceedings are scheduled to conclude with a court hearing on February 26. If there are any surprises between now and then, leaders and staff from around the WORC network will be on the case.

Questions, comments, or interested in learning more? Contact Dan Cohn, WORC Regional Organizer, at (406) 252-9672 or dcohn@worc.org.



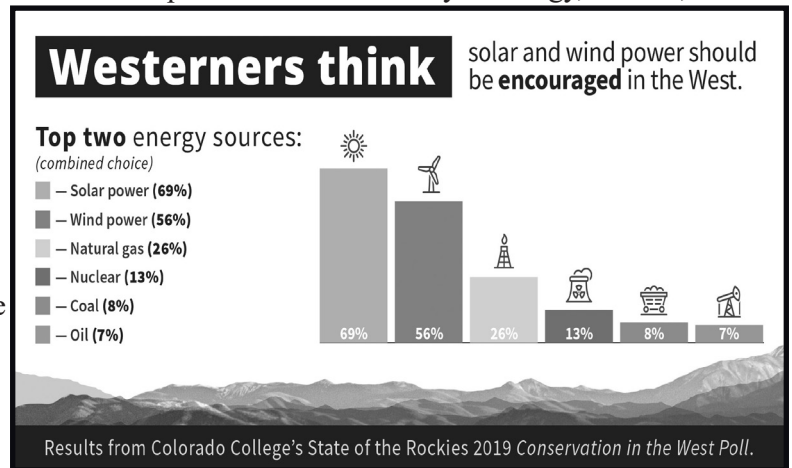
Polling shows broad support for environmental protections, energy diversity

A Colorado College poll of voters across the West found that they strongly favor conservation efforts and environmental protections which balance development. The poll asked voters in Colorado, Utah, New Mexico, Arizona, Nevada, Montana, Wyoming, and Idaho for their opinion on a wide variety of energy, climate, and environmental policy issues and found broad support of nearly every conservation policy.

Voters polled in WORC states (Colorado, Montana, Wyoming, and Idaho) view the effects of climate change to be significant, with an average of 66% of those polled responding that “wildfires in the West are more of a problem than ten years ago,” and an average of 60% responding that “water supplies in the West are becoming more unpredictable each year.” Notably, voters in our states saw growing wildfires and shrinking water supplies to be as pressing an issue as unemployment.

Additionally, when asked which two energy sources they would most like to encourage the use of, voters in Colorado, Idaho, and Montana were similarly excited about wind and solar energy, with about 63% and 65% of voters putting each of these in their top choices, respectively. Voters in Wyoming responded with nearly equal preference to natural gas (38%), coal (37%), wind (39%), and solar (38%) use.

Finally, about 70% of voters in our states described themselves as “conservationists.” Democratic and Republican pollsters collaborated to issue the survey, which included at least 400 voters in each of the seven participating states. See more by searching online for the “2019 Conservation in the West Poll.”



The new faces of WORC

The past year has seen a lot of changes to the WORC staff. We've had retirements of long-time employees, and staff who have gone on to take positions at our member groups. We've also brought on new employees to further build our capacity to help our member groups win on their issues. If you get the chance, stop in and introduce yourself and say hi!

ANGEL AMAYA, COMMUNICATIONS DIRECTOR

Angel Amaya is a Mexican-American documentary filmmaker and media specialist from Corpus Christi, Texas. Angel has a BA in English from Texas A&M-Corpus Christi and a MA in Media Studies and Documentary Studies from The New School in New York, New York. She started documentary filmmaking at a young age, with local civil rights marches for immigrant rights in South Texas. During her Masters studies, she directed and produced two documentaries, 06 Female Wolf, and The World is Yours. The World is Yours premiered May 2016 in the Truth Be Told NYC film festival. She has also worked as a professional documentary film critic for the 2016 Peabody Awards. Her focus in media has been on human and environmental rights efforts through storytelling. This is reflected in her communications work at Human Rights Watch, Vote Smart, Proof: Media for Social Justice, and Public Citizen. She was an associate producer on the Showtime documentary film called Beyond the Opposite Sex, which premiered on Showtime in 2018. She is also currently a producer on the full feature documentary Elephant Keeper. Angel joined WORC as Communications Director in November 2018.

SARA CAWLEY, WASHINGTON, DC REPRESENTATIVE

Sara Cawley joined the WORC team in April 2018, after completing a two-year Wyss Fellowship at the National Wildlife Federation, where she handled public lands defense issues and advocated for increased conservation funding and land protections. As the DC Representative, Sara works to develop and implement policy campaigns on WORC's federal priorities. Sara earned a B.A. in Political Science and Environmental Studies from Gettysburg College and an M.S. in Environmental Policy and Planning from the University of Michigan. Prior to graduate school, Sara spent a year in Copenhagen on a Fulbright grant studying Danish collaborative natural resource management.

KATE FRENCH, REGIONAL ORGANIZER

Kate French is focusing on issues of Just Transition, clean and renewable energy, and homegrown prosperity work. Before joining the WORC staff team in 2018, Kate volunteered with Northern Plains Resource Council, primarily on coal mine and transport campaigns. She previously worked in international travel, specializing in adventure and community-run tourism in South America. Kate earned her bachelors degree from the University of Colorado at Boulder and her Masters of Public Administration from Montana State University.

NATALIE HARDWICKE, CREATIVE CONTENT PRODUCER

Natalie joined the WORC staff in July 2017 after graduating from the University of Oregon with a degree in Journalism and Environmental Studies. She is a Chicago-native who fell in love with the west. Natalie produces photographs, articles and videos for WORC's Homegrown Stories, Homegrown Prosperity and Living with Oil and Gas projects. She is a passionate storyteller and advocate for human rights and environmental justice.

JOHN RYAN, REGIONAL ORGANIZER

John joined WORC in May of 2018. A veteran of political campaigns from California to Virginia, he most recently spent the past two election cycles running field offices in Denver, Colorado, and Hampton Roads, Virginia. John earned his juris doctorate from the University of Minnesota Law School in 2014. At Minnesota he earned statewide accolades for his writings on contaminated property development. John also served as a student-negotiator during the 2012 United Nations Framework Convention on Climate Change. Although a Montana native, John grew up in Colorado, Oregon and California. He graduated from Sacramento State in 2011 with a bachelor's degree in Government and a minor in Economics. Before finishing undergrad, John spent seven years as a reporter for a mid-sized daily newspaper in Redding, California.

ERIC WARREN, COMMUNICATIONS COORDINATOR

Eric grew up in Billings, Montana, but has since lived all over the mountain west including northern Wyoming and Colorado's western desert. He majored in photography at Northwest College and creative writing at the University of Montana. He combined his visual and storytelling skills for almost a decade as a documentary filmmaker focusing on the environment, education, and rural issues. Before joining WORC in 2018, he produced films for Western Native Voice and Northern Plains Resource Council, including *Mixing Oil and Water*, which screened at dozens of film festivals on three continents.

DAVID WIELAND, REGIONAL ORGANIZER

David joined the WORC Staff in January 2019. He studied Political Science at the University of Washington and has worked in youth organizing, lobbying, and candidate recruitment and development. After several years of organizing in Alaska and moving across the West to work on trails and environmental restoration on public lands, he is excited to be the WORC network's lead on oil and gas issues and campaigns.

***Show your support!
Become a Monthly Sustainer***

Small monthly payments go a long way! And, it's so easy! A small monthly amount is much easier than writing a larger check once a year, and you know you are contributing to building homegrown prosperity throughout the year.

Call us at 406-252-9672 or drop us an email at billings@worc.org and we'll get you set up.

Homegrown Economy Workshop coming to Billings

On March 27th, WORC will hold a popular education workshop in Billings with Northern Plains Resource Council affiliate, Yellowstone Valley Citizens' Council. The two and a half hour Homegrown Economy Workshop, will center on understanding state-level economic indicators and how renewable energy work strengthens Billings' local economic resilience. This is the first of a series of community-based, economically focused workshops that WORC will be holding throughout our region in 2019.

These workshops are designed to investigate complex subjects in a democratic group setting and empower citizens. Popular Education workshops were pioneered by UK labor unions as a way to convene and educate members on topics that powerfully impact lives, and yet feel too abstract to properly address in everyday campaign work.

The workshops will focus on how local economies function, how to build sustainability and resilience, and how these concepts influence our campaign work. For these new workshop curriculums, we looked to those created by the Highlander Research and Education Center. Since 1932, Highlander has provided gathering spaces to support grassroots citizen efforts in the Southern US. Their curriculum builds upon this legacy of people and communities confronting harsh social, racial, and economic realities and finding ways to move through collectively.

Activities in the workshop have three main objectives. First, to have attendees think about economics and governance and how these play out in their community while recognizing that people come from very different situations and backgrounds. Second, to share examples of alternatives that move forward a solidarity economy. And finally, to share resources, data, and plant the seeds for future action. The workshop is designed in such a way that learning is not a one-way street from lecturer to passive listeners. Participants are encouraged to interact with the material presented and share their own experiences and reactions, which adds depth and clarity to each topic area. Presenters share economic data, such as local employment trends and income inequality, and initiate discussions about the assumptions about these data

that underlie governmental and social decisions. The objective is that participants leave feeling empowered to utilize economic data in their own campaigns and seek out innovative solutions to build sustainable communities.

Pilot workshops in Montana, Colorado, and North Dakota in 2018 were met with enthusiasm from WORC members. Longer workshops will provide attendees more time to discuss and study the concepts and data presented, as well as reflect on how to incorporate the ideas into campaign work.

Be on the lookout
for workshops
happening in your area
throughout 2019

Contact
Kate French at
kfrench@worc.org for
more information

PRINCIPLES OF COMMUNITY ORGANIZING

July 31 - August 3, 2019 in Boise, Idaho

Sign up at <https://www.worc.org>

"WORC offers one of the VERY BEST workshops on the strategy and the nuts-and-bolts of community organizing (and more)."

—Jim Pissot, WildCanada Conservation Alliance

WORC

220 SOUTH 27TH STREET, SUITE B
BILLINGS, MT 59101



ADDRESS SERVICE REQUESTED

PRSRT STD
U.S. POSTAGE PAID
PERMIT NO. 352
BILLINGS, MT
59101

PUBLICATIONS

TOO GOOD TO BE TRUE: THE RISKS OF PUBLIC INVESTMENT IN CARBON CAPTURE AND

SEQUESTRATION Pulls back the curtain on the role that CCS is likely to play in reducing global greenhouse gas emissions and profiles the difficulties that companies have encountered in designing carbon capture plants

NO TIME TO WASTE Examines standards and disposal practices around radioactive oil and gas waste in Colorado, Idaho, Montana, North Dakota, South Dakota, and Wyoming

UNDERMINED PROMISE II Examines coal production in the West and finds that mining companies and regulatory agencies are falling short on keeping promises made in the Surface Mining Control and Reclamation Act

FLARING BOOM Explains the underlying causes and the problems caused by flaring and venting methane from oil and gas fields in six western states

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

Download these publications at www.worc.org

2019 EVENTS

OREGON RURAL ACTION BOARD MEETING
La Grande, Oregon.....March 9

POWDER RIVER BASIN RES. COUNCIL BOARD MEETING
Cheyenne, Wyoming.....March 15

IDAHO ORGANIZATION OF RES. COUNCILS BOARD MEETING
Boise, Idaho.....March 16

WESTERN COLORADO ALLIANCE BOARD MEETING
Grand Junction, Colorado.....March 25

DAKOTA RESOURCE COUNCIL BOARD MEETING
Bismarck, ND.....April 6

NORTHERN PLAINS RESOURCE COUNCIL BOARD MEETING
Billings, MontanaApril 27

WORC SUMMER CONFERENCE
Bismarck, North DakotaJune 10-12

WORC WINTER BOARD AND STAFF MEETING
Billings, MontanaDecember 6-7