

# WESTERN ORGANIZING REVIEW

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## Four things to know about the Farm Bill and how it affects you

Chances are, you've seen a bit of news about the Farm Bill lately. There's also a good chance that, especially if you're not a farmer, you passed it off as another distant Washington fight between Republicans, Democrats, and their respective special interest groups.

And while you're not necessarily wrong on that account, you might be surprised at how much this legislation touches your day-to-day life, and why it's important to educate yourself and stay plugged in. The Farm Bill affects everything from the price of groceries, to the variety and the origin of the food you eat, and the economic health of your community.

For example, did you know that pork and beef are exempt from Country of Origin Labeling requirements? Yes, the Farm Bill dictates whether or not you know where the food you feed your children comes from, among so many other things.

With Congress debating the next U.S. Farm Bill, now's a good time to bone up on the four things you, as a voter and a consumer, need to know:

- What is the Farm Bill?
- Why is it important to you?
- What can we do to improve it?
- How can you get involved?

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### What's a Farm Bill?

At its most abstract, the modern Farm Bill is a package of government programs—everything from crop insurance to food supply infrastructure development to assistance for needy families, to name a few. Funding is packaged often as grants that usually come with requirements aimed at promoting certain activities like crop rotation, grazing habits, and soil and water conservation. It's through this mechanism that the federal government can help direct the face of U.S. agriculture.

The bill itself is a huge piece of legislation—the 2014 version, for example, topped out at 959 pages long and cost \$956 billion over 10 years. A product of the Great Depression and New Deal, farm bills were first designed to manage excess crop supply, ensure food supply safety, and protect markets for farmers reeling from the 1-2 punch of the Dust Bowl and the Depression.

The original Farm Bill also included a nutrition program, similar to what we now recognize as food stamps. In 1938, it gained some permanence, as Congress required that Washington update food and ag policy with a fresh farm bill every five years.

What began, however, as a means for lifting up struggling rural communities and the agricultural fields weaved around them, has since morphed into a tool large industrial agribusiness uses to increase its control of markets and share of the consumer's food dollar, often to the detriment of small, family farms.

Over the past four decades, the agricultural input market has enjoyed staggering consolidation amongst its largest companies. For example, the 2016 merger of Bayer and Monsanto leaves three companies in control of nearly 70 percent of the global pesticide market, and 80 percent of the U.S. corn-seed market.

*"Farm Bill" continued on page 3*

# The View from WORC

By Beth Kaeding, WORC Chair

We have seen a dramatic change in government direction these past 18 months. From foreign relations to domestic social issues to public land management and government regulation – years of tireless work by citizens to create a world that is fairer, inclusive, and focused on the greater good seem to have been turned upside down.

For all our years, WORC and its member groups have focused on ensuring that family farms, ranches, and rural communities survive and thrive; that local foods are championed and available to everyone; and that agricultural producers are treated fairly and their commodities honestly traded.

We have been determined that our precious water is protected and used judiciously.

We have been resolved that the numerous energy resources found in our region are used wisely and cautiously. The consequences of energy development are tremendous, and new energy alternatives are being unjustly maligned and dismissed.

Despite today's politics, WORC's vision for our communities and nation remains viable.

We will continue to champion our local agricultural producers and advocate for just agricultural policies. We will never stop in our efforts to ensure that coal companies truly reclaim the land (and waters) that they have devastated. We will continue to hold the oil and gas industry accountable for the pollution it creates and the resources the industry wastes by flaring and venting gas. We will continue to try to block pipeline plans that are truly just a corporate boondoggle, and we will expose every spill and demand justice.

We are committed to moving our nation to sustainable, renewable energy sources that are cheaper, cleaner, and better for our environment. We are determined that our vision for our communities and the world becomes the "norm." Together we do make a difference. Thank you for all that you do.



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## WESTERN ORGANIZING REVIEW

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

WORC is a regional network of grassroots community organizations, which includes 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

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## CONTACT WORC

220 South 27th Street, Suite B  
Billings, Montana 59101  
406/252-9672  
[billings@worc.org](mailto:billings@worc.org)  
[www.worc.org](http://www.worc.org)

### *“Farm Bill” continued from page 1*

In the livestock sector, four companies control 84 percent of the cattle processing, a serious blow to ranchers seeking options to market their finished cows for a competitive price.

We’ve seen a similar dynamic play out among U.S. farms, where production continues to move toward larger operations. In 1991, large farms (defined as enterprises doing \$1 million or more annually in sales) accounted for 31 percent of U.S. agricultural production. By 2015, that figure reached 51 percent. Crop diversity has taken a hit as well.

Today, more and more operations either specialize in one crop, or grow merely two or three crops—when the same fields used to grow five or six different things. Livestock production has shifted as well. Instead of ranchers growing their own feed, on average, they buy it now.

### **Why is it important to me?**

According to the Washington Center for Equitable Growth, farm wages and crop income have stagnated—the average farmer operates at a net loss, per the U.S. Department of Agriculture. And, the next generation of would-be farmers and ranchers have found it increasingly difficult to get a foothold.

Additionally, the monopolization of some agricultural production allows processors to dictate low prices to growers, while setting higher prices to consumers. In a sense, the rancher makes less than she could off her herd, and the grocery shopper pays more than he should at the register—all while the middle man pockets more of the difference.

Given the cultural prominence farmers carved out for themselves in the American political landscape, U.S. ranchers and farmers seem ripe for a frantic bipartisan effort to revitalize their industry and set things straight.

But, that’s not happening. Nope, on May 18, the 2018 House Farm Bill was defeated by a coalition of House Democrats opposed to cutting supplemental nutrition for needy families and the House Republican “Freedom Caucus” trying to leverage votes on unrelated immigration bills.

The bill did nothing to address the negative trends in the ag industry, trends that are devouring rural America. If anything, it encourages them by further subsidizing the biggest players.

### **So what do these trends mean for you, specifically?**

When you buy groceries you’re probably giving more of your money to corporate middlemen than you’d expect.

If you’re a farmer or a rancher, you’re receiving considerably less than the at-market price of your product, and are more and more at the mercy of monopolistic processors that hold almost all the bargaining power.

And, if you’re a resident of a rural community, you’ve watched good, stable food infrastructure jobs leave your town, you’ve seen mom-and-pop businesses shut their doors for good, chased out of town by chain retailers and grocers. In a sense, these negative trends are killing off entire towns.

We can correct this, however, by enacting smart, fair ag policy that strengthens the patchwork of family farms which blanket our country. To do



that, though, Congress must put people before profits. Here’s how:

### **How can we do better?**

An ideal Farm Bill—or at least, a very, very good one—must focus on:

- Investment in local and regional food systems,
- Restoration of competitive markets,
- Fair access to credit and insurance,
- Thoughtful supply management,
- Promotion of conservation,
- Investment in public research or the public good, and
- Investment in sustainable energy.

### **How can you get involved?**

Right now, corporate lobbyists in Washington are hard at work carrying water for big agribusiness. Additionally, industry-backed special interest groups who claim to represent farmers are busy shilling the company line and hoping nobody notices that their boards of directors are flush with representatives from companies like DuPont and Monsanto. They think they can pull a fast one on American voters and buy enough votes to strengthen their bottom lines. But, they only win if you stay silent.

Please, take five minutes to sign up to receive action alert on the Farm Bill at <https://bit.ly/2HJKmCF>.

See WORC’s Farm Bill Platform on page 6.



# Around the Region

## A look around WORC's network

### Dakota Resource Council

Dakota Resource Council (DRC) filed a complaint on June 13 with the state district court alleging that Meridian Energy Group, Inc. plans to construct its Davis Refinery are illegal.



DRC's complaint asserts that Meridian's zoning permit expired on July 26, 2017. DRC's complaint also alleges that the plans for the crude oil refinery have significantly changed and the company has failed to apply for a new permit under the new, revised plans.

Meridian has repeatedly changed its story about the refinery, presenting different sets of facts to permitting agencies. Meridian indicated an output of 49,500 barrels per day (bpd) to the Public Service Commission while asking the Health Department for permission to construct a 55,000 bpd facility.

### Dakota Rural Action

A Canadian company wants to bring large-scale gold mining back to South Dakota's Black Hills. Mineral



Mountain Resources Ltd. (MMR) holds 7,500 acres of mineral rights in the Rochford area that borders on Pe' Sla, a sacred site for the Crow Creek, Standing Rock, Mdewakonton Shakopee and Rosebud Sioux tribes.

The South Dakota Department of Environment and Natural Resources (DENR) issued two temporary water permits for 1.6 million gallons. Members of the Black Hills Chapter of DRA and allies pressured the DENR to conduct a more public process. As a result, the DENR asked the State Water Board to take over processing the water permit and hold a public hearing. MMR, however, pulled the permit request, stating it found an "alternative source" for water.

DRA members remain concerned about the "alternative source" and feel MMR's efforts to avoid a public hearing raise more concerns about the ability of the company to do the exploration without damaging water resources and the environment.

### Idaho Organization of Resource Councils

A community forum, *Are We Protecting Our Drinking Water?*, addressed vulnerabilities of the aquifer supplying Pocatello's drinking water. The Portneuf Resource Council (PRC) and the Pocatello League of Women Voters co-sponsored the April 23rd event.



Shannon Ansley, a PRC member, Sue Skinner, PRC's Environmental Policy Advisor, and Harold Hargraves, Pocatello City Water Operations Supervisor, spoke about where drinking water comes from, how safe it is, and the threats to its quality. The high number of homes on septic tanks is a concern. Among the 50 attendees were four of the six city council members, representatives of the Department of Environmental Quality, the city engineer, and two candidates for county commissioner.

A local chapter of the Idaho Organization of Resource Councils, PRC is committed to work with local governments to improve protection of the Portneuf Valley's water.

### Northern Plains Resource Council

On May 23, members of the Northern Plains Resource Council held a rally in Great Falls, Mont., to show support



for protecting Montana's rivers and other waterways from the dangerous and unnecessary Keystone XL tar sands oil pipeline.

Northern Plains member Dena Hoff addressed the large crowd. Her Glendive, Mont., ranch was affected by an unrelated 50,000 gallon oil spill by the Bridger Pipeline into the Yellowstone River in 2015 below one of her sheep pastures. "I have seen what damage the rupture of the 12-inch pipeline caused and can't even imagine risking damage to three of the most historic, iconic, and economically important rivers in the United States by running a 36-inch pipeline under them," she told the rally participants.

The next day, Northern Plains was the lead plaintiff in a federal court hearing arguing that the Trump Administration relied on incomplete and outdated

environmental assessments to grant the Presidential Permit enabling the pipeline to proceed. No word yet on when the judge will rule.

### Oregon Rural Action

This summer, Oregon Rural Action is partnering with Oregon Humanities to bring three conversation pieces to engage its membership and communities.

*Good Food, Bad Food: Agriculture, Ethics, and Personal Choice*, June 20, Ontario Community Library, and June 21, Eastern Oregon University, La Grande.

*Beyond Fake News: How We Find Accurate Information about the World*, July 18, Eastern Oregon University, and July 19, Four Rivers Cultural Center, Ontario.

*Race and Place: Racism and Resilience in Oregon's Past and Future*, Aug. 22, Eastern Oregon University, La Grande, and Aug. 23, Four Rivers Cultural Center, Ontario.

More details at <http://oregonrural.org>.



aquifers identified as potential drinking water sources for Cheyenne, and the proximity of drilling to homes and other occupied buildings. As a result of CALC's work, an operator withdrew an application for an injection well permit earlier this spring.

### Western Colorado Alliance

The Western Colorado Alliance for Community Action is the new name of WORC's member group in Colorado, formerly known as the Western Colorado Congress. The new name and brand came in response to an extensive assessment the organization conducted in 2017 by gathering feedback on its work from members, local elected officials, business leaders, and the public.



"After 38 years of working for social change in western Colorado, we decided it was time to check in with our communities and see what they thought about our work," said Steve Allerton, President of the Alliance. "We received lots of great feedback and concluded it was time to make some changes so our organization could be better positioned to respond to the needs and challenges facing western Colorado now and into the future."

### Western Native Voice

On May 11-12, Native leaders from across Montana, including all seven reservations, came together for the 2nd Annual Indigenous Movements Interchange, in Great Falls. Western Native Voice and Montana Native Vote co-hosted the event. Discussions centered on sharing knowledge and collaboration and strategic planning for action on health care, economic development, the environment, and Native culture.



"Whether it's trying to speak up at the United Nations, protect the water, prevent violence, get out the vote or helping our youth become leaders, whatever you care about, whatever you want to change, go out and do it," said Earthjustice's Cedar Wilkie Gillette in her keynote address. "It is up to you to be a good ancestor. You never know who you might inspire or the impact you can make because you decided to take action."



### Powder River Basin Resource Council

Two groundwater experts spoke to an audience of approximately 60 people regarding potential impacts to Laramie County's groundwater at the Cheyenne Area Landowners Coalition (CALC) Annual Meeting in early May. Area residents are concerned about the increased oil and gas development affecting their drinking water sources.

Mike Wireman, a former national groundwater expert with the Environmental Protection Agency, focused on how communities can protect drinking water. Sue Spencer, senior hydrogeologist with Weston Energy, addressed lessons learned from the Pavillion, Wyo., groundwater investigation. A number of Pavillion-area domestic wells were contaminated from unlined produced water pits and improperly cased oil and gas wells.

CALC, an affiliate of the Powder River Basin Resource Council, has been organizing around proposed injection wells, which would pump produced water into

# WORC's Farm Bill Platform

## Introduction

The Farm Bill is a package of federal legislation enacted every five to seven years to set the general direction for America's farm and food policy. The Farm Bill is much more than an agricultural aid package—in fact, it influences you every day. Policies in the Farm Bill help determine what type of food is available to you, how much it costs, and the tools available to your community to protect farm and ranch land and promote renewable energy and energy efficiency. Farm Bill policy helps ensure fair markets and prices for family farmers and ranchers, and provides nutrition assistance to hungry families and schoolchildren.



Over the last three decades, farm policy has worked well for corporate agribusiness at the expense of family farmers and consumers. At the same time that deregulation put midsized, independent farm families at the mercy of wild market fluctuations, unchecked consolidation compounded the problem. Unrestrained mergers have led to a system in which a few powerful corporations sit between two million American farmers and 300 million American eaters. There are just a handful of companies that buy crops and livestock from farmers, and their disproportionate market power allows them to lower the prices farmers receive. In the retail sector, more than half of the grocery store market is controlled by just five firms—who own all the old regional grocery store chains—ensuring that these lowered farm prices are not passed on to consumers.

Over the past five years, there has been record growth in market demand for local and regional food. Family farmers and ranchers of all sizes are eager to produce for these emerging markets but face significant challenges at every step in the value chain to produce, process and bring their products to market. At this critical juncture, targeted policy shifts can go a long way to create a more favorable environment and help family farms, ranches and related businesses thrive and contribute positively to the rural economy.

It is also critical that we support the next generation of farmers through beginning farmer and rancher programs and ensure that the federal Farm Bill policies and programs are accessible to all who qualify. The U.S. needs more than one kind of farmer raising more than one kind of crop or animal. The role of farmers as stewards of the land should be supported and encouraged. Federal farm and food policy should serve the needs of an array of farm sizes, production models, regions, supply chains and diversified crop cultivation.

To achieve this, federal food and farm policy should support and reflect the diversity of our communities. Congress and the U.S. Department of Agriculture (USDA) should ensure full and fair access for socially disadvantaged and other underrepresented groups including beginning and Native American farmers and ranchers.

We urge Congress to pass a Farm Bill before the current one expires on September 30, 2018 that prioritizes and incorporates the following concepts and policies.

## Invest in local and regional food systems

To revitalize communities, increase market access for independent family farmers and ranchers and create jobs, independent markets and distribution chains need to be strengthened and rebuilt. Consolidation in the food system has all but eliminated the local butchers, independent dairies, produce wholesale marketplaces and regional grain milling operations that used to be everywhere. Funding for government grant, loan and credit programs should be preserved and targeted to support the rebuilding of local and regional food production infrastructure and distribution chains. The public sector is a considerable purchaser of food. Governments at all levels should use that purchasing power to leverage positive demand for change and lead the way in re-creating regional food systems. Our policy priorities include:



- Protect and expand funding for the Value Added Producers Grant, Rural Business Development Grant and Farmers' Market and Local Food Promotion Program.
- Ensure that the aggregation, processing, and marketing of value-added food and farming products is an eligible purpose for Rural Business Development Grants (RBDG).
- Ensure Rural Development and Farm Service Agency programs can be used to assist participants in maintaining and increasing the production, aggregation, processing, distribution, and marketing of value-added, niche, or regionally marketed meat and dairy products, with priority given to those that increase and enhance the availability of small and very small processing facilities.
- Expand and fund successful pilot programs that establish and strengthen local and regional farm-to-institution supply chains.
- Expand existing local procurement language and geographic preference language to allow local production as a product specification for school food, provided competitive bidding is maintained.
- Expand and improve the Farm to School Grant Program to include early education and summer feeding programs; increase access to farm-fresh and traditional foods among tribal communities; and improve program participation from beginning, veteran and socially disadvantaged farmers.

### **Restore fair and competitive markets**

Crop and livestock producers require a competitive and open marketplace so they are not forced to be virtual or actual serfs of corporate agribusiness. A fair and competitive marketplace should cover the cost of production, return reasonable profits for farmers and support fair pay for workers. This cannot happen without breaking up the agribusiness cartels who control seed, chemical, meatpacking, poultry and grocery chain markets. This requires vigorous enforcement of existing anti-trust laws. Our policy priorities include:

- Require USDA to publish and finalize the Farmer Fair Practices rules under the Grain Inspection, Packers and Stockyards Administration (GIPSA) and restore the Competitive Injury Rule for farmers and ranchers seeking justice under the Packers and Stockyards Act.
- Restore GIPSA as an independent agency within USDA.
- Amend the Packers and Stockyards Act to prohibit the use of certain anti-competitive forward contracts as proposed in the Captive Supply Reform Act.
- Re-instate country-of-origin labeling for pork and beef.

### **Protect healthy families**

The real earnings of working families in America have been stagnant—or declining—for the past three decades, which has made it harder to put healthy food on the table. Nutrition safety nets need to be protected so low-income families can access healthy, nutritious foods. For both farmers and consumers at all income levels to thrive over the long term, families need the opportunity to earn a decent living so that they can afford their own healthy foods. Our policy priorities include:

- Congress should preserve full funding for Supplemental Nutrition Assistance Program (SNAP) in the Farm Bill.

### **Ensure fair access to credit and crop insurance**

Farm lending, crop insurance and disaster programs are critical to the survival of family farms. However many of these programs are designed to benefit the largest corporate commodity growers, and they can work to the detriment of mid-sized independent family farms and ranches. Federal crop insurance programs should impose limits on insurance subsidies to farmers, require conservation compliance, and better target affordable policies to the farmers who need them. Farmers need to have access to credit, both through traditional banks and through public loan programs at USDA. Farm lending, crop insurance and disaster programs need to reflect and be equitably available to the full diversity of farmers—beginning and socially disadvantaged farmers, Native American farmers and ranchers, small and mid-sized farmers, and farmers transitioning to organic or more sustainable production. Farm families also deserve the same access to loan restructuring that distressed homeowners received during the recent credit crisis. Our policy priorities include:

- Support a comprehensive study by USDA Risk Management Agency (RMA) on the potential long-term risk and program cost reduction benefits of multi-year conservation and intensive management grazing practices for inclusion in actuarial analysis of crop insurance policies, cost-effective premium reduction or other incentives.
- Expand collection of data on wholesale meats sold under grass-fed, pasture-raised labels—as well as meats sold through direct markets—for use in lending, disaster assistance and risk management programs, or any program where product price is used to determine benefits.
- Actively support sustainable management by ensuring that all Natural Resources Conservation Service (NRCS) conservation practices are approved Good Farming Practices under Federal Crop Insurance Corporation policies.
- Ensure transparency in USDA lending. USDA should be required to release detailed information on the size and types of operations receiving USDA direct and guaranteed loans. This information should be available to the public.
- Congress should not dramatically raise the limits on federally guaranteed loans. Proposals to nearly double the current limit will exacerbate the problem of loans being used to fuel the construction and expansion of large scale contract confinement farming operations.

### **Institute sound supply management policies**

Basic supply management tools like agricultural reserves can help stabilize commodity prices. The United States used to have a commodity reserve for grains—like the strategic petroleum reserve—that could help ease price hikes while still providing farmers with a needed safety net. Fairer prices for U.S. farmers and a more stable supply of U.S. farm products would also prevent excess, low-priced export commodities from being dumped abroad, undercutting markets and prices in the developing world. Our policy priorities include:

- Increase market prices to producers by setting a floor price or loan rate at farmers' cost of production.
- Reestablish a farmer-owned grain reserve with storage payments at the commercial rate.

### **Protect and target conservation funding**

Conservation programs for working lands and the use of rotational production methods can provide market and environmental benefits. Conservation funds should be preserved and should subsidize the transition to and maintenance of farm management strategies that improve biodiversity, minimize air and water pollution, and conserve soil, water, and other essential resources. Conservation programs should help farmers identify crops and techniques appropriate to their region's water resources and climate. Our policy priorities include:

- Ensure the Conservation Stewardship Program (CSP) provides equal incentives for pastured-based soil health-beneficial activities, as are currently available for cropland activities.
- Provide more sustainable grazing options through the Conservation Reserve Program (CRP), including priority and incentive payments for beneficial grazing and ensure that incidental grazing payment reductions do not serve as a barrier to buffer installation within CRP.
- Increase the opportunity and acreage available for grazing within the Grasslands Initiative.
- Protect and expand funding for the Environmental Quality Incentive Program (EQIP).
- Prioritize grazing management within EQIP to recognize the benefits and incentivize beneficial grazing practices such as high level rotational management.
- Cap the amount of EQIP funding available to an individual operation at \$150,000 in order to ensure that EQIP funds reach a greater number of applicants.
- Prohibit EQIP funding for all new and expanding large scale contract confinement farming operations.
- Require transparency on how EQIP funds are used. USDA should release detailed information on the use and amount of EQIP contracts, including the size and types of operations receiving funding through EQIP. This information should be available to the public.



## Reinvest in public research for the public good

The national network of land-grant universities and extension services has the potential to be mobilized in support of a fairer and more diversified food system, but not without significant reinvestment in their work. Funding for research to improve productivity and environmental stewardship on small and mid-sized farms, facilitate value-added processing and the construction of regional distribution networks, and explore other regional market-building opportunities is a public good. This research funding should be continued through public sources with the knowledge that results from it being publicly controlled. Our policy priorities include:

Authorize increased extension funding for adaptive grazing management planning, integrated crop-livestock systems, sustainable feed production, and sustainable livestock and poultry practices and include these practices among the areas covered by high-priority research and extension initiatives.

## Invest in truly sustainable energy solutions

To meet our climate and energy goals, farmers and rural communities will need to be a big part of the solution. Rural energy programs should focus on real rural energy solutions that also contribute to other environmental and community goals. The emphasis must be on more robust rural energy conservation efforts that can help farmers, ranchers and rural residents reduce their energy use and their monthly energy costs. Support for renewable energy production should be focused on locally-owned, scaled and beneficial projects that are based upon sustainable resource planning and use, and enhance, rather than diminish our natural resources and economies.

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# As Westmoreland teeters toward bankruptcy, WORC ensures bonds are sufficient

**W**estmoreland Coal Company may not have sufficient financial guarantees to cover cleanup of its coal mines, according to a letter sent to federal coal regulators in May.

The letter, sent by WORC, Northern Plains Resource Council, and Powder River Basin Resource Council, highlights disclosures in Westmoreland's annual report to investors that suggest the company may be under-bonded for mine cleanup, known as reclamation. The company estimates that it would incur \$772 million of coal mine cleanup costs, but reveals that it has only \$672.9 million of reclamation bonds.

"Coal mine reclamation creates jobs, and adequate reclamation bonds guarantee those jobs will exist regardless of what happens to a particular coal company," said Beth Kaeding, Chair of WORC. "Westmoreland has said they may file for bankruptcy in the near future. If they don't emerge from bankruptcy and the public finds out they are underbonded, then taxpayers would be stuck with the bill for cleanup. That's a big, unexpected financial burden on states and coal communities, and it's not right."

The letter requests that the Office of Surface Mining Reclamation and Enforcement investigate whether Westmoreland's bonds are adequate. Coal mine reclamation

bonds are required by the Surface Mine Control and Reclamation Act of 1977. If a coal company abandons its mine without finishing reclamation, regulators tap reclamation bonds to finish the job, ensuring no public money is used to clean up after a private business.

Unreclaimed coal mines present safety hazards of deep pits and unstable terrain, and can degrade streams, groundwater, and air quality. Mines are required to fill in pits and replant vegetation that can support wildlife or livestock. Reclamation bonds are an essential emergency fund for state and federal coal regulators as well as the taxpaying public.

"Westmoreland estimates that reclamation at their mines will cost more than they have bonds to back it," continued Kaeding. "Reclamation bonds are an emergency fund to ensure coal mines get cleaned up after mining, even if a coal company disappears. We're asking for an investigation from the Office of Surface Mining to make sure Westmoreland's bonding is in order, especially since the company might file for bankruptcy in the very near future."

*"Westmoreland" continued on page 12*

# Aaron Johnson: Organic Producer

## Homegrown Stories

**A**aron Johnson is an organic producer south of Madison, South Dakota in Orland Township. He's been farming since 2009 and is a third generation farmer. He farms on land that has been in the family since 1939. He sits outside his home on a hot September day with his wife Kirstin. His 89 year old father drives up and down a soybean field on a green John Deere tractor just across the street.

"I produce corn and soybeans, oats and alfalfa and stock cattle. Those are basically my five enterprises. Out of 560 acres, there's about 400 acres of tillable land and 83 acres of pasture. I'm able to farm and raise cattle with my cousins," said Aaron.

The Johnson Farm was built on the affinity for the land and the bond between family. "Working with my family is one of the best blessings I could think of. Of course we're always gonna have some issues here and there, but those are just minor compared to what it's like to work with family. We're all in here for the greater good. And we look out for each other."

Aaron gets choked up when he talks about the story behind the Johnson Family Farm and their transition to organic farming.

"We were the laughing stock of the county, this was before I was even born so I can't imagine what they went through. Having to put up with being an outcast like that...and then now where we are today. I feel very fortunate."

Switching from conventional to organic farming practices was challenging at first, but over time the Johnsons found their footing. "We've taken great advantage of using crop rotation to keep our fields very clean compared to any other operation. I feel our yields, and the quality of our grain, are second to none."

Today the biggest challenge that the Johnsons face is maintaining their organic status. Inadvertent spraying of conventional crops can threaten the status of the organic crops should the Johnson fields be contaminated. "Whether they spray their own crops or they have an applicator do it for them it's not intentional by any means," said Aaron on spraying in the area. Luckily, the Johnsons are mostly surrounded by extended family who are also organic producers.

Aaron and his family have found great success in using a distributor, NF Organics, to market and spread their product. "They are great, they take a small commission but they line up all the buyers and they line up the trucking. If there was a buyer that couldn't pay us for some reason or another, NF Organics has lawyers on retainer. They also have money set aside to pay the farmer. So there's a lot of comfort knowing that when a load of grain leaves I'm going to get paid," said Aaron.

The Johnson family tends to their crops closely. "On our farm every 60 inches there's a human footprint on our row crops. We take very good care of controlling weeds. And having that close connection to the land like that, I think sets us apart from many others."



***"We were the laughing stock of the county, this was before I was even born so I can't imagine what they went through. Having to put up with being an outcast like that...and then now where we are today. I feel very fortunate."***

"I think it's quite nice to be able to come home and not have to worry about chemicals on you. My three-year-old son loves to ride with dad and I don't have to worry about him. The worst thing that we deal with out here is diesel fuel. So that's really nice to be able to go to work and come home like that. I'm pretty fortunate."

Part of the farm's success is also due to the help of Dakota Rural Action. "We joined in 2009, actually before I came back to the family farm. My cousin, Charlie Johnson, introduced me to Dakota Rural Action."

Aaron is thankful for the Farm Beginnings course provided by Dakota Rural Action for educating him on farm planning. "I took a farm beginning class with them actually called "Farm Beginnings." It was a real eye opening experience for me and my future wife at the time. It created a lot of conversation and helped us come up with a lot of questions we would never have come up with. We learned what to expect out of the family farm and what we expect out of each other. And what we can anticipate happening in the future. We learned how to deal with the day to day, season to season, year to year, changes in the farm."

Today Aaron helps teach some of the courses in the Farm Beginnings program. "I actually help teach a financial planning 201. I get to talk to the students about a more in-depth financial analysis mainly, and what bankers are looking for if they need to secure any loans through an outside lender. There's a lot of unknowns in that realm and so there really isn't one particular question that comes up. They have a lot of questions, they just don't know how to ask them."

In the course new farmers learn business strategies, financial planning and information that's needed to start farming and making a life out of it.

"Farming is my calling and I feel very fortunate to have the opportunities that were given to me. I can only hope others find this calling, and if they do, I hope they find a beginning farmer and rancher program. I feel these programs will set not only this generation but future generations on a successful path. We need new farmers and ranchers since the average age of today's farmer is 60 years old. The opportunities are there and a good program, like "Farm Beginnings" is the first step."

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Westmoreland operates 23 active mines across 9 states and Canadian provinces, including Montana, Wyoming, North Dakota, and New Mexico. The company is poised to enter bankruptcy this year, as it does not have enough money to pay its outstanding debts due at the end of the year.

"A lot of coal communities are at a fork in the road," said Kaeding. "If the strip mines get fully cleaned up, there could be life after coal, not only for community residents, but for the wildlife and people who use that land. If they don't, how easy will it be to attract new industry and young families? We believe reclamation must get done. It takes just as many people to reclaim a strip mine as it does to mine it."

## ORA Hosts WORC's Summer Conference and Board Meeting



*Jennifer Sconyers conducts diversity, equity and inclusion training during summer conference.*

*Five WORC staff were recognized for years of service.*



*Leaders and staff of the WORC network took a break from the summer conference to tour the Tamástslikt Cultural Institute in Pendleton, Oregon on June 8. The Institute is an enterprise of the Confederated Tribes of the Umatilla Indian Reservation.*

# What's up with methane rules?

**T**he status of the methane rules issued by the Bureau of Land Management (BLM) and the Environmental Protection Agency (EPA) has evolved throughout 2018. Keeping the facts straight on these rules has been challenging. The following summary should help clarify where each rule stands at this point.

## **BLM methane rule in courts**

The BLM methane rule would reduce the leaking, flaring, and venting of natural gas on federal public lands and tribal lands. Due to a recent ruling in Wyoming District Court, the BLM methane rule is not in effect, but WORC is appealing this ruling. How did we get here?

It started when Secretary of the Interior Ryan Zinke suspended the rule in June 2017. WORC and allies challenged this decision in the California District Court. The court agreed with our challenge and rejected Zinke's delay, finding that BLM was "only considering one side of the equation"—relief to the oil and gas industry. Zinke attempted to appeal the court ruling, but quickly dropped it.

Next, Zinke moved to neutralize the BLM methane rule by proposing a "suspension rule," which went through the standard public notice and comment process. The suspension rule would delay implementation of significant parts of the BLM rule for a year. WORC and allies challenged the suspension rule in the California District Court. In February 2018, the judge issued a harsh scolding to Zinke and BLM, saying its plan was "untethered to evidence."

Following WORC's victory on the suspension rule, the oil and gas industry reopened its case challenging the rule in Wyoming District Court. Judge Scott Skavdahl stayed the rule on the basis that BLM was working to rescind the rule. His main justification was that industry should not be forced to comply with a regulation when a replacement rule is going through the rulemaking process. Following the ruling, WORC and its allies filed an appeal in the 10th Circuit Court of Appeals. A ruling is expected shortly.

Lastly, Zinke is appealing the ruling striking down the suspension rule in the 9th Circuit Court of Appeals. This appeal may not be necessary if BLM is able to move forward with its proposed rule to rollback the methane rule.

## **BLM methane rescission rule comment period**

Outside of the courts, the BLM methane rule is still under attack through a proposed rescission rule, which will either kill the rule or completely rewrite it. WORC and its allies delivered more than 400,000 comments telling Zinke not to rescind or rewrite the rule. The rescission rule is expected to be released this summer.

## **What about the EPA methane rule?**

EPA's methane rule would restrict methane emissions from new or modified oil and gas facilities. The White House Office of Management and Budget (OMB) is reviewing two separate EPA proposals attacking the rule—a reconsideration of the rule and a rescission of the rule. The reconsideration rule would help EPA roll-back the standard because it would justify reconsideration of key provisions of the rule. The reconsideration rule would strip key leak detection and repair provisions from the rule. A draft reconsideration rule is expected this summer, followed by a comment period and a hearing in Washington, D.C.

The rescission rule is expected to undo regulation of methane from oil and gas operations and may only control volatile organic compounds. A draft rule is expected by January 2019, which will also trigger a comment period and, likely, a hearing.

Methane is a potent greenhouse gas (GHG) with 25 times greater potential to add to climate change than carbon dioxide. Methane is the second most prevalent GHG emitted in the United States from human activities. Nearly one-third of those emissions comes from oil production and natural gas production, transmission, and distribution.



*Sara Kendall, WORC DC Office Director, and leaders Wayne Lax of the Powder River Basin Resource Council, Sue Bueg of the Northern Plains Resource Council, and Lisa and Walter DeVille of the Dakota Resource Council rounded up support for the Bureau of Land Management's 2016 Methane Waste Prevention Rule in Washington, D.C., April 17-19.*

# Living with Oil and Gas

**M**y name is Laura Grzanic. I live in Belfield, North Dakota. I've lived here for 31 years. In the past couple of years, Meridian Corp, proposed putting an oil refinery one mile from my home and less than three miles from North Dakota's only national park, Theodore Roosevelt National Park.

Before all of this new development started this area felt peaceful. But ever since industry came to town, our decision-makers seem to think it is more important to support industry. It feels like myself and all of the people who have lived here for years are being squeezed out. The area feels less rural from all of the development. And if they build the proposed refinery, it's going to be even worse. That's why I'm fighting it.

I am concerned about all of the pollution that would come out of a refinery, I really am. More pollution is never a good thing. If the refinery gets built, it will hurt our air, soil, and water. This will hurt the people who live in this area, especially children and other vulnerable people with health issues.

This refinery project has really divided the community. Some families are going to make money off the project and naturally they are for the project, whereas others are against the project because they have concerns. I have heard of long time friendships that have ended because of differences in opinion regarding the refinery.

-Laura Grzanic  
Belfield, North Dakota



*Check out our Living with Oil and Gas Storytelling Series at [www.livingwithoilandgas.com](http://www.livingwithoilandgas.com). Living with Oil and Gas tells the stories of impacted individuals, in their own words, from the heart of the Bakken oil fields in Montana and North Dakota, to the natural gas fields and the frontline communities of Wyoming and Colorado's Western Slope.*



# How to Hold an Accountability Session

**A**n accountability session is a meeting between citizens and public officials. The purpose of an accountability session is to hold a decision maker – someone with the power and authority to give you something you want – accountable for the decisions he or she makes.

An accountability session is an opportunity to ask questions, raise issues people care about and exchange ideas. Most of all, it's a way to make public servants responsible to their constituents.

Accountability sessions don't have to be hostile shouting matches. To hold someone accountable is to get clear answers about what that person will do or has already done, and to tell that person clearly what you want. Accountability sessions are designed to get decision makers to take positions and make commitments.

The best way for most organizations to raise issues and hold officials accountable is to meet at a time and place chosen by the group, because more people will come and participate. Decision makers – the public officials whom you want to hold accountable – know this, too, so negotiations over the place and time of accountability sessions can be intense.

In any accountability session, community organizations want to maximize the control their members have over the event. That takes planning – lots of planning.

## What do you want out of the meeting?

Make lists of two kinds of objectives:

- Specific issues and concerns you will raise with the decision maker, and things you want (often called demands).
- Your group-building objectives, such as the number of members you want to participate, getting the right kind of media coverage, and showing the decision maker that he or she must deal with you, because your organization is powerful.

## How will you get what you want?

An accountability session in your community is a showcase for your group. There's a lot to gain – and a lot to lose. Anticipate the decision maker's behavior. Based on past experience with this public official, will she or he play it hard or soft? Straightforward, or evasive? Will the decision maker bring along someone to help – to play flak-catcher? Are you clear about how much power the decision maker really has to address your demands? Make a list of all the ways the decision maker may try to avoid giving you what you want (Ask yourself: What would I do if I was the decision maker?)

Think about the members of your group. Are they angry? Passive? Is that good or bad? If they're angry, do you want to channel that anger to impress the decision maker with the seriousness of your group and your issues? Or do you want to suppress the anger to facilitate negotiations? If they're passive, will you pump them up? Think it through.

For more on How to Hold an Accountability Session, visit <http://www.worc.org/media/Accountability-Session.pdf>.



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## PUBLICATIONS

**NOW IS THE TIME TO END SELF-BONDING** Makes the case for why Congress and states should act now to protect coal communities from picking up the bill for coal mine cleanup.

**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 find 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

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

## 2018 EVENTS

*Principles of Community Organizing Training*  
*Souix Falls, South Dakota.....July 17-20*

WESTERN COLORADO ALLIANCE ANNUAL MEETING  
*Grand Junction, Colorado ..... August 25*

DAKOTA RESOURCE COUNCIL ANNUAL MEETING  
*Location TBA .....October 26-27*

POWDER RIVER BASIN RESOURCE COUNCIL ANNUAL MEETING  
*Sheridan, Wyoming ..... November 3*

DAKOTA RURAL ACTION ANNUAL MEETING  
*Ft. Pierre, South Dakota.....November 16-17*

NORTHERN PLAINS RESOURCE COUNCIL ANNUAL MEETING  
*Billings, Montana.....November 16-17*

WORC Board and Staff Meeting  
*Billings, Montana..... December 7-8*