

Corporations pocket legislature



For the Love of Montana ralliers on February 21 let the Montana legislature and Governor know clean energy, such as wind and solar, is patriotic.

600 ralliers: Create clean-energy jobs, protect resources

About 600 people rallied outside the Capitol on Presidents' Day, February 21. Their rallying cry? "Protect Montana's clean and healthful environment and the laws that protect it."

Citizens from across the state braved icy roads and freezing temperatures to gather in solidarity for clean-energy jobs, enforcement of current state environmental laws, and maintaining clean water, land, and air for present and future generations. The *For the Love of Montana* Rally was organized by Northern Plains and endorsed by 20 other conservation groups across the state.

Myriad bills have been introduced in the 2011 legislature that would deny citizen involvement in major natural resource issues, change the Constitution by watering down Montanans' right to a clean and healthful environment, and

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Robber barons given reins to ravage

Montanans are no stranger to corporate dominance over their politics and economy, and this legislature has brought back the days of powerful corporate lobbyists wielding an inordinate amount of power in the halls of the Capitol.

The state's history reflects the damage wrought by corporations that seek to use our resources and people as they pad their pockets with cash and leave the mess and destruction behind for Montanans to clean up. Our Constitution, passed by the people in 1972, was a direct rebuttal to those days, but the power of corporations over people has returned, at least in the ideologies of many legislators.

Inside:

- Eminent domain debate, p. 4
- Citizen lobbyists, page 4
- Some victories, page 5

Northern Plains has fought diligently during this session to check the power of corporate interests and to stand up for participation, transparency, and the interests of Montana's people.

Changes to MEPA

For the last two decades, anti-conservation legislators have been on the attack to strip environmental laws and favor industry. This attack has intensified in the past decade, but the

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“
The great
centralized
economic entities
of our time do not
come into rural
places in order to
improve them by
'creating jobs.'
They come to
take as much of
value as they can
take, as cheaply
and as quickly as
they can take it.”
- Wendell Berry

Exporting our coal to Asia

Is this what they mean by energy independence?

It's no secret to Montanans that there's a coal boom going on. Since the Powder River Basin is the biggest coal-producing region in the country, Montana and Wyoming are facing huge impacts already, and more is coming as companies prepare to mine even more coal for export to other countries.

Arch Coal, which leased the Otter Creek coal tracts in Montana in 2010, specifically states that the Otter Creek coal is bound for Asian markets. In a 2010 press release, Arch Coal's CEO stated, "We believe these Northern PRB reserves [Otter

Creek] will help us competitively serve U.S. power producers, supply additional coal for export to emerging Asia or possibly house the site of a future coal-conversion facility."

Arch had been seeking Asian customers before the Otter Creek coal was put up for lease by the State Land Board. Since then, Arch has become one of the major investors in a proposed coal-export port in Longview, Washington.

Arch isn't the only coal company eyeing Asian



“The real goal here is to see if we can't get large volumes of Powder River Basin coal to Asia.

- Greg Boyce, Peabody Energy CEO

markets. As the CEO of Peabody Energy told *Bloomberg News* last year, "The real goal here is to see if we can't get large volumes of Powder River Basin coal to Asia."

Factsheet insert:
A Hidden Cost of Coal: Coal Exports
(Third in a series)

Montanans should care about exporting coal because of the impacts on increased rail traffic and the effects of more mining on Montana's land and water.

The impact to Montana and anyone who lives near a railroad route to the west will be enormous. No longer will most of the coal travel to the Midwest. To get Montana coal to Asia, it will travel across Montana to Washington state.

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TO THE MEMBERS

Members shine throughout legislative session

In my last column, my primary message was essentially this: “Don’t get too wrapped up in the legislature – it’s not the be-all, end-all.”

Not that I was trying to be funny or ironic. I was just steeling myself for the tough sledding that I knew we’d be facing in the 2011 legislature, given the election results.

For some issues, I think the legislature doesn’t have a lot of influence, so it’s wise not to put all of our eggs – our effort – into the legislative basket. The issue of energy efficiency, for instance, is something that I work on on the Clean Energy Task Force. While we addressed some bills this session related to energy efficiency, for the most part, our efforts on energy efficiency will be more effective outside of the legislature.

However, I think I may have erred by over-generalizing. Some issues ABSOLUTELY are affected greatly by the legislature’s decisions, such as water rights, water quality,



environmental review process, and eminent domain.

For that reason, I am PROFOUNDLY thankful that we have such dedicated members and super talented staff – here’s a big shout out for our lobbyist Clayton Elliot and our legislative intern Rachael Green! We’ve had great turnout at our Lobby Days, lots of testifying by our

members, and a fabulous turnout at the rally *For the Love of Montana*.

The majority of this legislative body has managed to be even worse than I had feared, blinded by an ideology that cannot comprehend that our economic well-being is better off by protecting our most critical assets – the continued vitality of our land and water, as well as human health.


Yet, even though committees were stacked against us, Northern Plains has made its presence known, and the persistence of our members and staff is managing to hold the legislature accountable. We have seen a few unexpected successes. Your many, many letters to the editor, your tireless work in pulling off a VERY successful rally, and your testimony at hearings have put the legislature on notice that a clean and healthful environment is critical to life and livelihoods of Montanans. You have given the legislators pause when they consider voting against those values.

Playing defense hasn’t always been

the most satisfying work, but it’s something that has to be done. It’s sort of like going to the dentist: not especially pleasant, but much better than the consequences of not going to the dentist.

As I write this, the 2011 session is not over, so I cannot tally the results of our efforts yet. However, I can tell you that because of Northern Plains’ efforts much of the worst of the worst has withered on the vine. It is unfortunate that we have to be content with stopping much of the bad stuff rather than moving forward proactively, but that has been the nature of this legislature.

So, I just wanted to let you all know how PROUD I am of all of our collective efforts! Keep up the good work and pressure for the remainder of the 2011 legislature. It has been a long, hard winter, but we can let ourselves think pleasant thoughts about a bountiful spring!

– Ed Gulick
Northern Plains Chair 



www.northernplains.org

Northern Plains Resource Council is a grassroots conservation and family agriculture group. Northern Plains organizes Montana citizens to protect our water quality, family farms, and unique quality of life.

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THE PLAINS TRUTH

The Plains Truth is published by Northern Plains Resource Council. Northern Plains members receive the Plains Truth as one of the benefits of membership.

Membership Dues

\$500+ Riders of the Big Sky	\$50 Range Rider
\$200 Bottom Line Rider	\$40 General Member
\$100 Rough Rider	\$15-39 Living Lightly

Endowment

The Northern Plains Endowment is a permanent fund established to help sustain Northern Plains’ work into the future. If you want to make a donation, a memorial gift, or a bequest to this fund, please contact the Northern Plains office.

Northern Plains Staff

Staff Director: Teresa Erickson
Development Coordinator: Steve Paulson
Director of Organizing and Campaigns: Olivia Stockman

Organizers: Caleb Lande, Becca Fischer, Svein Newman, Clayton Elliott, Rose Moore
Program Support Coordinator: Clementine Lindley
Communications Coordinator: Larry Winslow
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Bookkeeper: Susan Teigen
Legislative intern: Rachael Green

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Northern Plains is a founding member of the Western Organization of Resource Councils. WORC is a regional network of seven grassroots community organizations that include 10,000 members in seven Western states. WORC helps its member groups succeed by providing training and coordinating regional issue campaigns. Visit WORC at www.worc.org.

Northern Plains Resource Council

220 South 27th Street, Suite A, Billings, MT 59101
Tel: (406) 248-1154 Fax: (406) 248-2110
Email: info@northernplains.org



PEOPLE OF THE PLAINS

A tribute to Jeanne

Many of you knew and worked with Jeanne Charter. We were deeply saddened by her untimely death on April 1.


For nearly 40 years she dedicated her talents and leadership selflessly to Northern Plains and our values. Our sympathies go out to her family during this time of sorrow.



Jeanne Charter

Jeanne's brother-in-law wrote the following poem about Jeanne. We believe it's a fitting tribute to her hard work, straight talk, and down-to-earth vision, which we all came to appreciate.

You can read her obituary on our website at www.northernplains.org.

Thank you Jeanne. 

Montana Called

Montana called, to her native sons, who will come and ride with me?
Who will ride my prairies, climb my mountains, come and you will see,
A land like God intended, still unspoiled by human hand,
Come ride with me, all you native sons, it's time to take a stand.

Do you hear it, on the horizon, the sound of coming change?
Men will come, greedy men, they've come to turn my range,
Into money, into profit, into spoil pits, and ruination,
Will we sacrifice Montana, wild Montana for the good of all the nation?

Montana called; you eastern immigrant, come and ride with me,
Can you love Montana, like a native, you eastern refugee?
Will you defend her, be her champion, love her to the end,
Then come you eastern refugee, and I will be your friend.

And they came, and they loved her and they stood there by her side,
And they defended her, when the despoilers came, a wild and stormy ride,
Many native sons turned their backs on her, and went their separate way,
But some did not, and some stood up, and Montana had her day.

Together they joined forces, those refugees and native sons,
They fought those corporate invaders, though not with knife or gun,
But with grassroots organizations, together they made their stand,
They stood tall for the environment; they stood tall to save their land.

Montana called, Jeanne Charter, come and stand with me,
Do you love my grass and waters; do you love each and every tree?
Will you give your strength and vigor, your time, resolve and will, when at
last you've given all you have, I will ask more of you still,
Montana called her champion, her hero, her defender,
Called her home to rest at last, there was no surrender
Montana called: Come home my child, for all can plainly see,
That you've earned the title native son, now rest a while, with me.

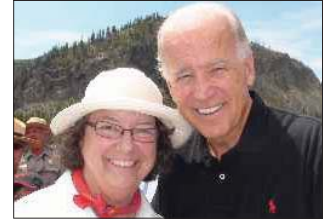
— Joe Charter

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Why I'm a Monthly Sustainer

Carolyn Duckworth: A little each month is year well-spent

Some years before Carolyn Duckworth moved to Montana from Virginia, she spent a summer working for a concessionaire in Yellowstone National Park. That summer, she learned about the numerous development issues confronting Montana's natural resources and rural people.



Carolyn Duckworth with Vice President Joe Biden in Yellowstone Park.

After returning to Virginia, she continued to keep her eye on Montana, and was already familiar with Northern Plains when she visited the University of Montana before applying to graduate school there. She sat in on a writing class where Jeanie Alderson read from a work in progress about the history of her family and the Northern Plains Resource Council.

"That may have been the real 'aha-ha!' reminder that I was in Northern Plains country," Carolyn said.

In 1995, Carolyn was invited to Bear Creek Council's annual Christmas party in Gardiner, and that's when she became a member. Since then, she has participated actively in her affiliate, including serving as Bear Creek's Chair and as its delegate to Northern Plains' Board of Directors.

A few years ago, Carolyn decided she wanted to increase her Northern Plains contribution, and "it was much, much easier to do it on a monthly basis."

It's fast and simple

\$10 a month may not seem like a large donation initially, but to us here at Northern Plains a \$10 monthly donation would help us substantially. Monthly contributions are funds we know we can count on each month, and they allow us to know that we have a set amount of money to use.

Please consider becoming a Monthly Sustainer. It's easy and hassle-free. Visit our website: <http://www.northernplains.org/take-action/donate/> and click the "BECOME A MONTHLY SUSTAINER" button. It's that simple!

Her advice to fellow members who may be considering a monthly membership? "Go ahead and do it... By the end of the year, you can give more than you did before, and you won't even notice it."

— Steve Paulson 

Comments due soon on Keystone XL SEIS

The State Department recently announced that it expects to issue a Supplemental Environmental Impact Statement (SEIS) for the proposed Keystone XL pipeline in mid-April. This announcement follows many critiques of the Draft EIS.

The Environmental Protection Agency said last July, "additional information and analysis should be provided." Topics suggested include "the purpose and need for the project, air pollutant emissions at the receiving refineries, pipeline safety/spill response, potential

impacts to environmental justice communities, wetlands and migratory birds."

The Northern Plains Pipeline Landowners Group looks forward to the opportunity to review and comment on the Supplemental EIS. Members hope it will address our still-unanswered questions on pipeline safety, landowner fairness, and abandonment.

When the SEIS is released, it will come with a 45-day comment period, so get your pens ready!

— Rose Moore 



Honor list of citizen lobbyists

Thank you to the Northern Plains members who made the trip to Helena to testify or lobby during the 2011 session:

Sandra Abraham

Charyn Ayoub

Andrew Chanania

Jeanne Charter

Pat Donnagon

Mark Dostal

DarAnne Dunning

Deb Fischer

Mark Fix

Charlie French

Julie French

Kate French

Jeff Fox

Barb Gulick

Ed Gulick

Walt Gulick

Paul Hawks

Shiloh Hernandez

Jerry Iverson

Katherine Jabs

Gayle Joslin

Beth Kaeding

Connie Keogh

Cole Mannix

Janet McMillan

Clint McRae

Jay Mennenga

Julia Page

Richard Parks

Ellen Pfister

Donna Quick

Lyle Quick

Eric Schoettle

Wade Sikorski

Farwell Smith

Jason Smith

Helen Waller

Cindy Webber

Eminent domain crosses party lines

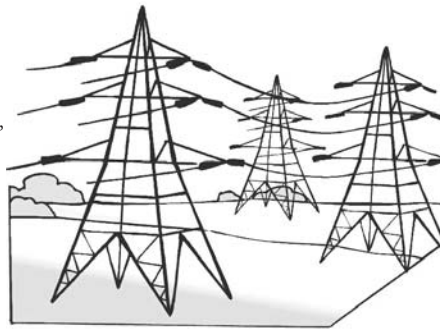
During this highly partisan legislative session, the issue of eminent domain has cut across partisan lines and made for strange bedfellows. This has been at times difficult, but it has also created opportunities.

At the beginning, HB 198 (Rep. Ken Peterson, R-Billings), the bill to expand private companies' power to condemn private property, had support from Republicans and Democrats. But, as the session has progressed, it has divided both parties and resulted in an earnest discussion of landowner rights.

Northern Plains' position on eminent domain, the government's authority to take private property, is that it should only be used as a last resort for public projects that advance the public good. The process must include fair and just compensation and treatment for landowners.

In a hearing during the session, member Clint McRae of Colstrip said, "Eminent domain should be used as a last resort – not as a threat or a club."

This session's debate around eminent domain was spurred by the Montana Alberta Tie Limited (MATL) transmission project, proposed for north-central Montana. After a state district court ruled against the use of eminent domain by a power line that wouldn't fill a public need for Montanans, proponents of the project went to the Governor and the Legislature seeking to expand the powers of private corporations seeking the power of eminent domain to be able to condemn private land for "merchant" use. The MATL line has been tied up in court



because of objections of landowners along the route. During his State of the State address, Governor Schweitzer listed fixing the eminent domain "problem" as a key objective for the legislature.

The issue is complicated because Montana needs to build new transmission infrastructure to transport new, clean, wind energy. However, eminent domain should be reserved as a last resort and not as a quick fix to deal with "pesky" landowners along the way, most of whom raise crops or livestock on the debated strip of land. And, retroactive legislation, like HB 198, sets a dangerous precedent for landowners.

Member Lyle Quick of Circle minced no words in his testimony to the Senate Energy and Telecommunications Committee, describing power line proponents to lawmakers: "They're cheapskates and a foreign company trying to beat these farmers and ranchers."

Northern Plains members along the proposed routes of the Keystone XL tar sands pipeline and the Tongue River Railroad have grave concerns that HB 198 would eliminate their last line of defense

in the face of these projects.

Democrats were initially split on HB 198 by the apparent choice between landowner rights and promoting clean-energy projects by developing transmission lines, but as of April 7 when this went to print, the caucus had split from the Governor and stood entirely opposed HB 198. Under industry and political pressure, Democrats will potentially drop their opposition to the bill during the ending days of the session, opening the door to passage of HB 198. The Republican caucus has been split throughout the session between the pro-industry interests and the landowner-rights philosophies of their caucus.

Another bill, HB 240, sponsored by Rep. Kelly Flynn (R-Townsend), would have – as originally written – ensured landowners the fair protections and just compensation that are currently lacking in eminent domain law. Unfortunately, this bill was threatened with amendments that would have undermined its intent, and the sponsor and Northern Plains switched positions from support to opposition. Rep. Flynn eventually asked the House to kill his own bill, which House members did.

Finally, legislators passed a resolution, SJ 21 sponsored by Senate President Jim Peterson (R-Butte), for an interim study on the issue of eminent domain and just compensation. Northern Plains will be on the front lines of this interim discussion to ensure that recommendations to the 2013 legislature reflect the concerns of the state's landowners and agricultural community.

– Olivia Stockman

Citizen lobbyists come out of the fray better educated

Members from around the state converged on Helena for Northern Plains' two Lobby Days this session on January 26 and February 9. They were there to support our two highest priority proactive bills – fracking fluid disclosure (SB 86) and increasing the Renewable Energy Standard (SB 332).

Special congratulations go out to the many first-time lobbyists! What a session to try this out for the first time. All of our members were trained the evening before each Lobby Day with talking points about the bills and a rundown of "lobbying best practices."

"I found the time I spent in Helena to



From left, Walt Gulick, Sandra Abraham, and Beth Kaeding participate in the February 9 Northern Plains Lobby Day at the Capitol.

be a great learning experience," said first-timer Walt Gulick. "While I have testified on several bills and sought out a few legislators in the past, never before

did I engage in the sort of well-organized, systematic approach to lobbying as I experienced on Lobby Day. I learned about a lot of things: about the provisions in bills we from Northern Plains support and oppose, more about the law-creating process, and about the political realities in Helena today. I loved working together with both staff and members."

Legislators ranged from gracious and engaging to snippy and rude. Reactions on both ends of the spectrum are proof that citizens actively and visibly participating in their state government have an effect (whether the legislators like it, as some do, or not!)

– Olivia Stockman



2011 LEGISLATURE

Legislature

Continued from Page 1

most egregious attack yet upon these laws surfaced in 2011. The Montana Environmental Policy Act (MEPA) is the state's signature environmental law that protects Montanans' constitutional rights to a clean and healthful environment, as well as their right as citizens to know what is going on and to participate in the decision-making process.

The 2011 legislators pushed a pair of bills, SB 317, sponsored by Sen. Chas Vincent (R-Libby) and SB 233, sponsored by Sen. Jim Keane (D-Butte), that aim to overwhelmingly weaken MEPA.

Both bills will significantly affect the ability of citizens to participate in the decision-making of their government, and would mean that landowners and communities would be left holding an empty bag as corporate interests steamroll past them with new projects in the state. They also weaken the ability of citizens to seek remedy in court should agencies conduct insufficient analysis. Both bills are sailing through the legislature at the request of corporate interests. As Wendell Berry put it: "The great centralized economic entities of our time do not come into rural places in order to improve them by 'creating jobs.' They come to take as much of value as they can take, as cheaply and as quickly as they can take it."

What you can do as a citizen is to call the Governor and ask him to stand up for our Constitution and the right of citizens to participate in the decisions of their government by vetoing SB 233 and SB 317.

Fracking disclosure moves to agency rule-making stage

With all of the bad ideas coming out of the legislature these days, it's hard to look on the bright side. Much of our time has been spent playing defense. It's good to remember that the legislature is not the end all be all in terms of our issues.

Specifically, hydraulic fracturing (fracking) disclosure is looking up. Although two of our bills on the issue (SB 86 and HB 586) both died, the idea of disclosing these toxic chemicals used in drilling is still alive.

SOME OF THE BAD LEGISLATION NORTHERN PLAINS HELPED KILL DURING THE SESSION:

- HB 237**, proposed repealing the community provision of the Renewable Energy Standard;
- HB 244**, would have repealed the Renewable Energy Standard;
- HB 292**, a referendum to amend our constitutional right to a "clean and healthful environment" to include the phrase "economically productive";
- HB 412**, would have required an organization to disclose its member list during civil suits against industrial operations;
- HB 433**, threatened senior water rights by expanding the legal definition of combined appropriation;
- HB 434**, aimed to weaken Montana's Comprehensive Environmental Cleanup and Responsibility Act;
- SB 104**, attempted to reduce incentives for energy conservation by eliminating the Public Service Commission's authority to set up inverted-block electric rates;
- SB 226**, would have placed an extra tax burden on net-metered backyard renewable energy projects.

A FEW OF THE GOOD BILLS NORTHERN PLAINS WORKED ON TO GET PASSED THIS SESSION:

- HB 59**, will include upgrades to hydroelectric facilities as a renewable energy resource;
- HB 78**, clarifies the definition of a "local owner" in the community provision of the Renewable Energy Standard;
- SB 19**, a resolution to support Montana farm-to-school programs and designate the first week in October as farm-to-school week.

To contact the Governor

EMAIL: Use the online form on the state website to send a message <http://governor.mt.gov/contact/commentsform.asp>

PHONE: Call (406) 444-3111 and leave a message.

Cyanide is back

Despite a clear message from the people of Montana – in 1998 and again in 2004 – that the dirty and expensive era of cyanide heap leach mining should be over, legislators went to work this session on a cynical plan to overturn the will of the people. SB

306, sponsored by Sen. Terry Murphy (R-Cardwell), seeks to undermine the will of voters by excavating a giant loophole, perpetuating cyanide heap leach mining by allowing ore from new open pit mines to be processed at the existing grandfathered mines that use cyanide, namely the Golden Sunlight mine in Whitehall. This bill would allow for new open pit mines within a radius of Golden Sunlight that would be economical to ship ore to the site for processing.

Northern Plains and allies are asking members to call the Governor and ask

him to veto the ill-advised SB 306.

Glimmers of hope

Legislators also pushed a number of bills aimed at dismantling the state's growing clean-energy economy. The conservation community fought these bills diligently, and killed a number of them. HB 237, sponsored by Rep. Mike Menahan (D-Helena), would have stripped the community provision from the state's Renewable Energy Standard (RES). The bill died on the Senate floor, 33-17. SB 226, a bill by Sen. Jason Priest (R-Red Lodge), to strip incentives for net-metering, was killed in the House Federal Relations, Energy, and Telecommunications Committee (FRET). HB 244, sponsored by Rep. Derek Skees (R-Whitefish), would have repealed the RES. It also was killed by FRET.

If you contacted legislators or testified against any of these bills, I hope you will take a moment to appreciate the difference you've made. In a legislative session stacked against us, your voice – and the voices of your fellow Montanans – are the one thing that can sometimes turn the tide.

Much work to be done

As the clock ticks to a close on this session, the actions of this legislature should help us focus in the months to come. A vibrant democracy depends on a citizenry that is engaged, diligent, and involved. Northern Plains' history demonstrates that our members have a long track record of standing up to large absentee corporate interests, and we each must dedicate ourselves in the months and years ahead to get public servants working in the interests of the people once again.

– Clayton Elliott 

As a refresher, these bills would have protected private property rights and required landowner notice 20 days in advance of fracking only to the landowners adjacent to the gas well, allowed emergency medical personnel responding to emergencies related to fracking incidences to request chemical formulas (ratios) only in the event of an emergency, and protected public health by requiring disclosure of fracking fluids used in each well by posting that information on the Board of Oil and Gas website. Only two states

(Wyoming and Arkansas) have any sort of disclosure rules. Montana would be ahead of the curve in protecting public health, landowner rights, and our general right to know.

Tom Richmond, administrative head of the Montana Board of Oil and Gas Conservation (BOGC) testified at the hearing for HB 586 as an informational witness and stated that the BOGC would begin rule-making on fracking disclosure at the board's April meeting. We think it is safe to say they wouldn't be doing this if we

hadn't raised the issue publicly.

Rule-making is a process to develop how a law is to be implemented. In this case, new rules would help protect landowners and the public.

So far, no sign of proposed rules have been forthcoming. We need your help to make this a public issue that stays on the BOGC's radar. Call Becca at (406) 248-1154 to find out how you can help move this positive issue past partisan politics and into action.

– Becca Fischer 



Otter Creek fight, court victories, co-op

In our determination not to be a national sacrifice area for the rest of the country and world, Northern Plains members have become deeply engaged in the processes that determine how, what, when, and where energy gets developed in Montana.

DECLARING INDEPENDENCE FROM FOSSIL FUELS

Otter Creek coal

In March 2010, the Montana Land Board voted 3-2 to accept an offer by Arch Coal of St. Louis for the right to mine the State's coal deposits at Otter Creek. Northern Plains urged the Land Board to "look before you leap" and conduct a study of the environmental consequences of mining that coal. In the end, there was no study, and it only took those three votes to make this lease a reality. If it's built, Otter Creek will be the largest new coal mine in the contiguous United States, and this one open-pit mine will nearly double Montana coal production. Still, the Land Board thought studying its impacts would be unnecessary.

In May, Northern Plains, joined by the National Wildlife Federation, sued the Land Board for leasing the Otter Creek tracts with no environmental study whatsoever. Our case has been joined with a separate case filed by the Montana Environmental Information Center and the Sierra Club because both cases pertain to the Montana Environmental Policy Act. The State of Montana and Arch Coal filed a motion to dismiss the case, but on December 29 a state district judge ruled against the State and Arch Coal, allowing our lawsuit to proceed.

Tongue River Railroad

Following nearly a century of similar efforts, a proposal for the ill-conceived Tongue River Railroad was resurrected in 1980. It has stayed alive on paper by changing its plans, its proposed routes, and its sales pitch to investors. All this time, it has hung over the heads of Tongue River farmers and ranchers whose property will be cut apart if the railroad is ever built.

SOME KEY ACCOMPLISHMENTS IN 2010

- We won two major court rulings to protect our water and land from coal bed methane development;
- We challenged the State of Montana for refusing to analyze the impacts of the single largest new coal mine proposed for the lower 48 states;
- We began a campaign to move rural electric cooperatives toward more transparency, more openness, and more use of energy efficiency and renewables;
- We celebrated the 10th anniversary of the landmark Stillwater Mining Good Neighbor Agreement;
- We stood up for the rights of landowners facing the threat of condemnation for big energy;
- We worked locally to advance the position of local foods in our marketplace;
- We worked on the national stage to ensure that federal agriculture policies don't drive family-scale farms and ranches out of business;
- We advanced policies to expand energy efficiency and renewable energy while we stood in the way of reckless fossil fuel development;
- We built our membership and expanded the reach of our message on issues important to Montanans;
- We remodeled our website. If you haven't yet seen it yet, go to www.northernplains.org.

Last July, Northern Plains re-petitioned the federal Surface Transportation Board to assess the way a railroad dedicated to hauling coal will affect the region, considering methane and other development that has arisen since the old EIS was written. Our petition also seeks analysis of the Tongue River Railroad's likely contribution to climate change.

We held the 19th annual Birney Barbecue, a fundraiser for our opposition to the railroad, at the FL Ranch in the valley in August.

Members continued work to prevent the Tongue River Railroad from gaining an easement through the Montana Fish Hatchery at Miles City. Considerable political pressure is being applied to the Fish, Wildlife and Parks Commission to grant this easement, for TRR promoters hope it will make it harder for landowners to resist if the State caves in.

Additional coal work

In the fall, Northern Plains submitted official comments, as did our affiliate Rosebud Protective Association, urging the EPA to regulate coal ash to a level commensurate with the toxicity of that ash. We also generated public comments through our own outreach.

At our Annual Meeting in November, we held a panel discussion on the hidden costs of coal, featuring a Montana rancher affected by coal mining and Ted Nace, author of *Climate Hope*. We began publishing a series of factsheets on the hidden costs of coal development.

Coal bed methane

In May, Northern Plains and the Tongue and Yellowstone Irrigation District won a state court case that outlaws evaporation pits and atomizing of water for evaporation. The court agreed with us that these measures –

evaporating water instead of reinjecting it or putting it to a beneficial use – is a waste of water that is banned by the Montana Constitution.

The Montana Supreme Court unanimously ruled against the State's permitting of direct discharges of wastewater into rivers and streams. Northern Plains was an intervener in this case filed by the Northern Cheyenne Tribe, and the decision was bolstered by Northern Plains' 2003 case which established that methane well wastewater is indeed a pollutant under the Clean Water Act.

Northern Plains members and staff joined forces with the Powder River Basin Resource Council for two days of meetings in Denver with region-level EPA officials and scientific staff. We arranged and hosted a field tour of methane drilling areas, which gave us a good opportunity to show EPA firsthand the impact of untreated methane wastewater discharges in Wyoming streams that flow into Montana. EPA is finally recognizing that it is its job to protect agriculture from pollution.

Deep gas drilling

The natural gas industry is spending heavily to position itself as a "bridge" fuel to replace coal. The kind of deep gas drilling, with its use of hydraulic fracturing and toxic chemicals that have brought such nightmares to property owners elsewhere in the U.S., is now nosing its way into Montana.

Affiliate Cottonwood Resource Council commissioned a study of likely impacts



Stillwater Protective Association Chair Norm Tjelteit toasts the past 10 years of the Good Neighbor Agreement during a special gathering in Dean last summer.



AL REPORT

reform, GNA anniversary highlight year

on Sweet Grass County. Volunteers and staff took part by gathering and mapping leasing information.

Tar sands pipeline

TransCanada's Keystone XL Pipeline still has none of the permits it needs to build in Montana. Our members in the Northern Plains Pipeline Landowners Group (NPPLG) called out the agencies for even allowing a foreign company to apply for a pipeline safety waiver in areas of "low consequence" (i.e., rural Montana). The company subsequently withdrew its application. As a result, TransCanada must either use thicker pipe or reduce the volume of tar sands the XL pipeline could move through the thinner pipe in order to keep pipeline pressure below legal limits.

In March, we published and mailed our pipeline safety handbook – *Keystone XL Tar Sands Pipeline: Lessons and Recommendations to Improve Safety* – to hundreds of landowners, county commissioners, and other local officials along the planned route of the Keystone XL Pipeline.

NPPLG members testified at hearings on the Environmental Impact Statement; government officials called their testimony "the most helpful they've had at any of the hearings." NPPLG members also testified at the final EIS hearing in Washington, D.C., met with the staffs of Montana's congressional delegation, and met with officials of federal agencies. Members also developed a list of 45 conditions to ensure public safety and the rights of landowners, and demanded that the Montana Department of Environmental Quality impose those conditions on TransCanada's permit.

AGRICULTURE

Northern Plains members met with Sen. Jon Tester, asking him to introduce amendments – which he did – to the Food Safety and Modernization Act in order to protect small-scale farmers and food processors from an otherwise well-intentioned proposal. The bill, with Tester's amendments, was passed in December and signed into law in January 2011.

In February 2010, the U.S. Secretary of Agriculture announced the end of federal efforts for a mandatory and



Photo courtesy of Kent Moeckly, South Dakota Tar Sands Pipelines

Construction progresses on TransCanada's Keystone I tar sands pipeline in eastern South Dakota in October 2009. There have been nine known spills since Keystone I began operating in July 2010. The Canadian company's proposed 3-foot-diameter Keystone XL tar sands pipeline would cross 250 miles of eastern Montana. While the Northern Plains Pipeline Landowners Group was formed to negotiate right of way, the pipeline continues to attract international attention because of the destruction of boreal forests and waterways in Alberta, safety concerns along the proposed route, and the increased cost Americans will pay for gasoline refined from the expensive, corrosive bitumen.

highly intrusive National Animal Identification System. Northern Plains had worked for several years with other ag groups from across the nation to fight off this proposal.

Northern Plains members testified at a joint USDA-Department of Justice hearing in Colorado in favor of WORC's proposals to restore competition to the meatpacking industry by ending certain anti-competitive practices by the industry.

Affiliates Yellowstone Valley Citizens Council and Sleeping Giant Citizens Council have advanced the development of school gardens and local foods in Billings and Helena. YVCC and the Bull Mountain Land Alliance also hosted the Billings Local Food Buying Club.

REFORMING RURAL ELECTRICS

Northern Plains, with affiliates Stillwater Protective Association, Carbon County Resource Council, and Yellowstone Valley Citizens Council, moved forward with campaigns to reform two rural electric cooperatives in southern Montana. We sponsored two energy fairs for members of the Yellowstone Valley Electric Co-op, and our members worked for bylaws reform to increase member participation at

Beartooth Electric Co-op.

HYDROELECTRIC DAMS

Affiliate Stillwater Protective Association led a program bringing needed information to Stillwater Valley residents about two hydroelectric dams proposed on East and West Rosebud creeks, projects which threaten fisheries and recreation in these two watersheds.

GOOD NEIGHBOR AGREEMENT

We joined with affiliates Cottonwood Resource Council and Stillwater Protective Association to celebrate the 10th anniversary of the Stillwater Good Neighbor Agreement and to chart the course for the landmark agreement into the future. Press coverage of the Agreement came from newspapers, *Montana Mining* magazine, and Yellowstone Public Radio. In September, Stillwater Mining Company's CEO delivered a keynote speech at the National Mining Hall of Fame in Leadville, Colorado, in which he told his fellow mining executives that the Agreement is an excellent example of cooperation with local citizen groups, urging fellow mining executives to embrace such cooperative arrangements in the future.

The Councils conducted water sampling and biological monitoring in

both affected watersheds during 2010.

ORGANIZATION-BUILDING

In September, Northern Plains again hosted a Billings showing of the Wild & Scenic Environmental Film Festival, attracting a large crowd and informing people about our issues.

We launched a "remodeled" website, which will improve our members' and the public's access to information about Northern Plains and our work.

In December, we introduced another member benefit: a monthly electronic newsletter sent via email to members updating them on Northern Plains news and events. Besides keeping you up-to-date, we want to cut down on email fatigue and reduce the number of emails you receive from us. This does not affect Action Alerts nor news that is of a more immediate nature.

The Northern Plains 39th Annual Meeting hosted Sandra Steingraber, author of *Living Downstream*, as our keynote speaker.

Northern Plains reached a milestone by retiring our last outside loan for Home on the Range in 2010. The final debt for our office is owed to the Northern Plains Endowment Fund.

– Steve Paulson



2011 LEGISLATURE



Montana singers/songwriters Greg Keeler, above, and Stephanie Davis kept the *For the Love of Montana* Rally crowd warmly entertained.

There was no shortage of ideas among the signs at the rally. The main message to the legislature and Governor was: Create clean-energy jobs, protect the laws that preserve our water, air, and land, and don't diminish Montanans' right to "a clean and healthful environment."



Superintendent of Public Instruction Denise Juneau called the majority anti-environment, anti-dispossessed 2011 legislature a "political circus that will have repercussions for generations."

Rally

Continued from Page 1

otherwise attack clean-energy jobs, the health of Montana's environment, hunting, fishing, outdoor recreation, and citizen participation.

Montana singers and guitarists Greg Keeler and Stephanie Davis warmed the crowd with songs about resource extraction, the beauty of Montana, and a sing-along to "This Land is Your Land."

Several speakers emphasized that clean-energy jobs can be created now in Montana, and public officials have a duty to lead the way and not dismantle laws that have helped keep Montana a good place to live and work for 40 years.

Past Northern Plains Chair Mary Fitzpatrick didn't need a bullhorn to lead the crowd with chants of "Hey, hey, ho, ho – conservation is the way to go" and "MEPA, MEPA, MEPA can – protect our water, air and land."

Past Chair Beth Kaeding found herself at the other end of the microphone, fielding questions from newspaper and TV reporters. "We oppose legislation that would weaken the Montana Environmental Policy Act, a tool that helps Montanans keep our state clean and beautiful," she told them. "For decades, Montana communities have relied on Montana's basic environmental protection law to keep our air and water clean as we build power plants and gravel pits,



"Challenge anyone who makes the claim that our environment must be sacrificed for jobs," Northern Plains Chair Ed Gulick urges the 600 ralliers in attendance.

string power lines, mine for coal, and drill for oil and gas."

Superintendent of Public Instruction Denise Juneau took a courageous stand to speak before the crowd and the crowd appreciated it. "There's a political circus going on inside that building," she said, referring to the Legislature. "And it's a circus that will have repercussions for generations." She then cited a litany of cuts in service to the poor, the elderly, children, the environment, and others dispossessed. "They're making this state I love a laughingstock of the country. If this legislative session is about values, there is value in conservation." She urged those present to start organizing at the grassroots in communities across Montana and return some sanity to government.

Emcee Josh Slotnick, a Missoula farmer, kept the rally moving. Other speakers included Els Van Woert, community outreach coordinator for Exergy Development Group, a Montana-based wind energy company; Jim Posewitz of Helena, who spoke for Montana's hunters and

anglers; and Tom France, Montana director of the National Wildlife Federation.

Northern Plains gathered more than 500 signatures calling on Governor Brian Schweitzer to veto bills that: subvert the creation of clean-energy jobs, impair laws already protecting the environment, and water down Montanans' constitutional right to a clean and healthful environment.

At the start of the rally, Northern Plains Chair Ed Gulick laid down a challenge to the gathering:

- "Challenge anyone who makes the claim that our environment must be sacrificed for jobs.
- "Hold our governing powers accountable. They are supposed to work for the interests of Montana, and it's our job to ensure that they do. Call them out when they don't.
- "Work together. If you're not a member of one the organizations who've helped pull together this rally, then join.... Together, we can make a difference."

– Larry Winslow

Videos online

View photos and videos of the rally speakers, musicians, and participants by visiting the Northern Plains website: www.northernplains.org. Click on the *For the Love of Montana* Rally button in the dropdown window under Legislature.

Rally groups

Organized by:

Northern Plains Resource Council

Endorsed by:

- Montana Environmental Information Center
- Montana Conservation Voters
- Alternative Energy Resources Organization (AERO)
- Earthworks' Oil and Gas Accountability Project
- Montana Wilderness Association
- Montana Wildlife Federation
- National Wildlife Federation
- Montana Audubon
- Clark Fork Coalition
- Montana Sierra Club
- Helena Hunters and Anglers
- Environment Montana
- MontPIRG
- University of Montana Climate Action Now
- Park County Environmental Council
- University of Montana Environmental Law Group
- The Wilderness Society
- Greater Yellowstone Coalition
- Wildlands CPR
- League of Women Voters of Montana



LAND AND WATER

WORC conference coordinates citizen action on coal

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

The Powder River Basin in southeast Montana and northeast Wyoming is the largest source of coal mined in the United States. The Otter Creek coal tracts are part of this basin.

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

Participants represented various aspects of work on coal issues, including grassroots organizing, legal, policy, and corporate campaigns. WORC Director Pat Sweeney and Ellen Pfister, a founding member of Northern Plains and Chair of WORC's Coal and Climate Campaign Team, kicked off the Summit by highlighting the history of coal work at WORC, Northern Plains, and Wyoming's Powder River Basin Resource Council.

Another session focused on trends in the Powder River Basin and a discussion on the biggest challenges facing our work in the region. High

The WORC white paper on coal exports is available at www.worc.org

on the list were the political power of the coal industry, the perception of the benefits of coal, and necessity of domestic production of electricity. Other sessions included coordination of work on leasing, mine permits, advocacy, and strategic research.

As a result of the meeting, the group outlined more than 40 areas in which to improve coordination, ranging from pushing the Bureau of Land Management and the Department of the Interior on federal leasing reforms to forming a working group to coordinate research and action on railroad infrastructure.

The Summit followed release of a WORC white paper titled *Exporting Powder River Basin Coal: Risks and Costs*, which outlines the impacts to western communities if U.S. coal companies increase exports of coal. Those impacts would include diminished health of coalfield residents, displacement of farms and ranches, air pollution, disruption of water flow, and increased rail traffic.

– Michael Ritter, WORC 

Coal

Continued from Page 1

The increase in rail traffic created by the additional coal trains heading to the port could seriously disrupt vehicle traffic, slow emergency response vehicles, and cause more pollution and public safety problems in cities and towns on railroad lines across the Northwest. The Western Organization of Resource Councils (WORC), in its white paper titled *Exporting Powder River Basin Coal: Risks and Costs*, estimates that upward of 50 additional trains per day could be making the trip (a six-fold increase over current levels). This added traffic will increase pollution from diesel exhaust and coal dust along the route.

All this adds to the personal impacts to Tongue River landowners whose property could be condemned and ranch operations cut in half by the Tongue River Railroad.

Almost all this export traffic will be built upon new coal mining, such as Otter Creek. This will mean more damage to watersheds, surface and ground waters, air quality, ranch operations, and wildlife habitat.

Reclamation is also a serious problem. In Montana, more than 37,000 acres have been disturbed by coal mining, but mining companies have demonstrated complete reclamation of the land and replacement of water resources – as evidenced by final bond release for reclamation – on only 50 of those 37,000 acres or .01%, according to the Office of Surface Mining and Reclamation. Coal mining in the West often destroys groundwater resources as well as disturbing the surface. The jury is still out on the long-term success of coal strip-mine reclamation.

Finally, corporate and political promoters of coal exports pretend the burning of this coal in Asia – never mind the energy consumed in getting it there – won't have an impact on the air we breathe in Montana. Anyone who watches the weather forecasts on TV knows the jet stream will carry that coal smoke, along with its mercury, carbon, and other pollutants, to us in North America.

It is time we started a serious transition to clean, renewable energy alternatives and set an example for the rest of the world to do so as well.

– Becca Fischer 

FWP Commission faces critical decision on hatchery easement for railroad

Montana Fish, Wildlife and Parks commissioners are under a lot of political pressure from coal promoters (political and otherwise) to grant the Tongue River Railroad (TRR) an easement across the Miles City Fish Hatchery.

The TRR would turn the agricultural Tongue River Valley into an industrial corridor.

FWP commissioners were scheduled to decide on whether to grant an easement (which would be the first easement for the proposed Tongue River Railroad) on March 16 at their meeting in Helena. The meeting was poorly publicized and ended up being canceled with only six days' notice before the meeting. The easement issue was rumored to be rescheduled for the April meeting; however, as of this writing, it has not appeared on the published agenda.

What you can do

The best things to do at this point are to (1) contact the FWP Commissioners or (2) write a letter to the editor on the issue. Some of the commissioners are leaning in our direction, but they need support from the public in order to stand against the political pressure being brought to bear on them.

**Fish, Wildlife and Parks Commission
P.O. Box 200701
Helena, MT 59620-0701**

Also, if you want to write a letter to the editor, please contact Becca at (406) 248-1154 for talking points.

Meanwhile, the Governor re-appointed Commissioner Dan Vermillion and replaced

Commissioner Willie Doll with Rusty Stafne, a tribal chairman at the Fort Peck Indian Reservation. Doll supported Northern Plains in opposing the TRR easement across the fish hatchery. Stafne's position is unclear at this time.

The easement being requested by the railroad would cut through Montana's only warm-water fish hatchery. The Miles City hatchery plays an important role in stocking large mouth bass, walleye, and sauger for 68 warm-water reservoirs and 67 cool-water reservoirs. In addition, the hatchery provides critical spawning operations for the endangered pallid sturgeon.

The impacts of an easement could affect the fish hatchery's performance. In terms of land area, the hatchery would lose almost 10% of its acreage, and the main water line from the Yellowstone River that fills the fish ponds would have to be relocated.

Also, the easement would mean that 18 to 25 trains a day would cross the hatchery and disrupt its operations, as well as the Spotted Eagle Lake recreational area adjacent to the hatchery. The pallid sturgeon that are reared by the hatchery are especially sensitive to vibrations. In addition, hatchery ponds could be devastated if there is derailment.

The main problem with the proposed easement is the precedent it will set for the landowners down the line of the proposed 130-mile Tongue River Railroad. If the FWP Commission grants the easement, the political pressure would dramatically increase for landowners to sign an agreement to allow their own land to be bisected by the railroad. There is no doubt that the Tongue River Railroad Company would quickly resort to condemnation if landowners resist.

– Becca Fischer 



Members go west with zeal

In early February, Northern Plains members from eastern Montana traveled to Missoula to discuss with university and high school classes such topics as the impact of coal development – Otter Creek and the Tongue River Railroad – along with tar sands and the Keystone XL pipeline, coal bed methane, and food and agriculture.

This series of presentations echoed a program in the 1980s, when Northern Plains members delivered annual presentations to University of Montana classes to increase awareness of eastern Montana issues across the state.

“Impacts of energy development are felt across the state,” said rancher Clint McRae. “We want the new generation in Montana to understand how this development is affecting agriculture and parts of the state these students may have never been to.”

McRae and Brad Sauer spoke to university classes and a high school group – Students for Social, Economic and Environmental Justice (SSEEJ) at Big Sky High School – about coal, coal ash, coal bed methane, and the proposed Tongue River Railroad. SSEEJ is the same group of high school students who testified against the leasing of Otter Creek coal during the Land Board hearings last year.

Members Julia Page and Ressa Charter and Northern Plains Staff Director Teresa Erickson conducted a lobbying training for undergraduate and graduate students. The students seemed to enjoy the role play and were ready to put their practice to work during an upcoming trip to Helena.

Other classes included an environmental law class where students were challenged to use their law degrees for good by picking a career in environmental law; a feminist theory class where we presented on Northern Plains’ democratic processes; and a potluck hosted by a UM student group, Climate Action Now, which is active on climate change issues.

– Rose Moore 

‘Green’ library on horizon for Billings?

When the City of Billings decided it was time to consider a new public library, Yellowstone Valley Citizens Council leaders were quick to realize it would make an ideal public demonstration project for the “green building” movement to save water, energy, and resources.

YVCC quickly pulled a team of members together to ensure that the library achieves LEED (Leadership in Energy and Environmental Design) Gold or Platinum status. Platinum is the highest standard awarded by the U.S. Green Building Council, the nation’s premier sustainable design rater. If the Billings library achieves Platinum status, it will be only the fifth library in the country to do so.

Northern Plains’ Home on the Range was the state’s first LEED Platinum building.

Toward that end, YVCC has actively lobbied every decision-maker in the process: library staff, library and library foundation board members, city council members, city staff, the library architect, and every city committee that has been created along the way.

YVCC made a presentation to the city committee initially formed to determine the location of the new library, and encouraged conservation-oriented Billings residents to take a city survey on what they wanted in a library site.

As a result, bicycle racks and bus

accessibility were two of the top four public requests. The city council decided that, if built, the new library would be in roughly the same location as the current one downtown.

When the city and library created a committee to oversee the building itself, they gave YVCC a seat at the table, which was taken by member Blaine Jensen. Through Blaine, YVCC has persistently lobbied for the highest green-building standards. It has also continued to motivate the general public to call for LEED certification.



Blaine Jensen

YVCC promoted public participation in a second city survey, as well. The results prompted library architect Will Bruder to say at several public meetings, “I don’t know what they wrote in the paper, or what they put in the water in Billings, but we have been deluged by sustainability challenges.”

As a result, Bruder added sustainability to his presentations. His staff examined the LEED process, and he said he believed they can achieve LEED Platinum, with points to spare. YVCC made sure to have members at each public meeting to ask for LEED as well.

Though a formal decision has yet to be made, YVCC is confident and will follow through at every possible turn to bring the city to a wise investment in a green library.

– Svein Newman 

YVCC again promoting school gardens

The Yellowstone Valley Citizens Council remains active in promoting school gardens.

Members recently met with the president of the Parent Teacher League and the food service director at Trinity Lutheran School in Billings to help them establish a plan for a garden (both in terms of the garden itself and how to get it approved). YVCC has agreed

to work with Trinity Lutheran to host a public meeting at the school to drum up community support and volunteers. YVCC’s school garden venture with Canyon Creek School continues to flourish as well. The school recently decided to expand its garden and add a greenhouse. YVCC is working to provide curricula resources there.

– Svein Newman 

SPA in driver’s seat of co-op, GNA efforts

Stillwater Protective Association held a fundraising event around the *For the Love of Montana* Rally on February 21 by donating the use of a Powder River Stages bus from Billings to Helena and back. Proceeds from ticket sales will support SPA’s work, including a donation back to Northern Plains’ legislative efforts.

SPA members Burt Williams and Charles Sangmeister participated in the Beartooth Electric Co-op bylaws committee, where progress has continued toward modernizing the organizations’ bylaws. The committee submitted proposal for mail-in ballots to the co-op’s board for consideration.

Other SPA members have been working to support financial transparency and urging the board to conduct due-diligence analysis on the co-op’s investment in the Highwood Generating Station.

Additionally, SPA members serving on the Good Neighbor Agreement Task Force analyzed and commented on the Stillwater Mining Company’s Revised Water Management Plan EIS.

– Caleb Lande 

GNA reviews plans for water discharges

Good Neighbor Agreement Task Force members completed the three-month process of analyzing and extensively commenting on the Stillwater Mining Company’s Revised Water Management Plans and Boe Ranch mine-water discharge Draft Environmental Impact Statement.

The often-delayed document was released in November, and members of Stillwater Protective Association and Cottonwood Resource Council successfully requested a comment-period extension to allow for proper review of the nearly 1,000-page document.

Council members were impressed with the level of detail in the document, and concerns were limited in scope.

Comments submitted by the Councils focused on proposed duration of water treatment and disposal activities.

– Caleb Lande 



COUNCIL ROUNDUP

DRC advances family agriculture

Members of Dawson Resource Council (DRC) participated in the annual Glendive Agri-Trade Expo (GATE) on February 11-12. GATE features booths, exhibits, and workshops emphasizing agriculture in Dawson County and the surrounding area. DRC asked visitors to their booth to call the U.S. Department of Agriculture and ask them to adopt strong rules to prevent monopolistic practices in the meatpacking industry. They also raised awareness in the community about DRC and Northern Plains.

On March 24, DRC hosted a showing of the film *Good Food* at the Glendive Public Library. *Good Food* documents the growing local food movement in the Pacific Northwest by highlighting producers, farmers' markets, distributors, stores, restaurants, and public officials who are developing a more sustainable food system.

"Good Food shows small family farmers in the Pacific Northwest who, like some of the farmers in our area, are dedicated to producing healthier food while using less water and energy than factory farms," said DRC Chair Amy Myran.

– Rose Moore 🌿

CRC sees progress on fracking rules

Cottonwood Resource Council has been quite involved with the 2011 legislative session, providing the impetus behind Senate Bill 86 and House Bill 586. Both bills seek to require oil and gas drillers to publicly disclose the chemicals used in hydraulic fracturing (fracking).

Thanks go to all CRC members and others who went to Helena to testify for these bills. From this legislative push, the Montana Board of Oil and Gas has proposed developing rules to address this issue. CRC is working on ways to push this forward.

Additionally, CRC members of the Good Neighbor Agreement Task Force developed official comments on the environmental impact statement for the water treatment closure plan for the Stillwater Mine in time for the February 24 deadline.

– Becca Fischer 🌿



Geoff Faerber of Gardiner and son, Myles, 3, are appropriately attired for the Jardine Cross-country Ski Race.

BCC a magnet for wild bunch

February 27 marked the 24th annual Jardine Ski Run hosted by Bear Creek Council.

More than 70 people participated in the event, which was a successful fundraiser for BCC and was as an opportunity to raise awareness about BCC issues.

The Council continues to support the efforts of Bear Awareness Gardiner, and plans to support the installation of a new trash compaction system for the town. The Greening Committee of BCC also hopes to see this facility powered with renewable energy which would be an extension of its successful campaign to install solar panels at the Gardiner School.

Members of the BCC bison committee have also been working hard to keep track of recent activities related to the disease-carrying animals. In early March, Yellowstone officials announced that bison will be allowed to roam freely in the Gardiner basin on the north side of the park, which is a step in the right direction according to committee members.

– Caleb Lande 🌿

Sleeping Giant helps with legislative tasks

Members of Sleeping Giant Citizens Council spent the first months of 2011 working hard in the Capitol, testifying on bills, talking with elected officials, and helping Northern Plains members from other towns feel at home in Helena.

Sleeping Giant also helped make the *For the Love of Montana* Rally at the Capitol a success by organizing phone-banks to boost attendance at the rally and by posting fliers all over town.

While members have worked on the broader issues of Northern Plains during the session, they have been particularly involved in a legislative resolution (SJ 19) to create an official farm-to-school week in Montana's schools. Sleeping Giant has been communicating to legislators about their experience working on local foods in the Helena public schools and advocating for more support from the state on these projects.

– Clayton Elliott 🌿

Eminent domain concerns MAPO

Members of McCone Agricultural Protection Organization have been focused on the legislative debate over eminent domain law the last couple of months.

Lyle and Donna Quick went to Helena so Lyle could testify against House Bill 198, the bill to expand private corporations' ability to condemn land. During the hearing, committee members thanked Lyle for travelling so far. Many other MAPO members called and emailed committee members as well, in the effort to stop this bad bill.

– Olivia Stockman 🌿

CCRC sponsors green building talk

Carbon County Resource Council's Annual Meeting in Red Lodge was followed by a packed public presentation on green building. CCRC leaders made a point of inviting key community stakeholders – city council members, developers, contractors, architects, and engineers – in an effort to begin changing the building norms in

Carbon County.

Using national, regional, and local examples, Northern Plains Chair Ed Gulick of High Plains Architects educated the crowd of 50 attendees about the low up-front costs of energy efficiency improvements, as well as their long-term lifecycle savings. Ed also provided examples of what property owners could do and answered audience questions.

– Svein Newman 🌿

BMLA seeks change in rangeland policy

Bull Mountain Land Alliance members have been working to reform state rangeland taxation policy. Recent changes in grazing land valuation have resulted in many ranchers' land taxes rising by 25% or more last year. This poses severe consequences for the economic well-being of family ranchers and for the land they graze.

The Department of Revenue's new procedures can result in estimating the production capacity of grazing land at more than 2-1/2 times the levels recommended by the Natural Resource Conservation Service, the Bureau of Land Management, or private, prudent land stewards. This policy effectively compels ranchers to overgraze because they would be taxed as if they are overstocking their land, whether or not they would ordinarily do so in managing their operations. This raises the risk of substantially impairing wildlife habitat as well.

BMLA worked with members of the state House and Senate Taxation committees on legislative language to remedy the situation. The result became a part of House Bill 616, which has 15 Republican sponsors and is sailing through the House. While other ag groups sent their lobbyists, BMLA landowners were the only ranchers to testify on the bill in committee.

In other news, BMLA member Jeanne Charter recently met in a small group with U.S. Senator Jon Tester and Deputy Secretary of Agriculture Kathleen Merrigan, expressing members' concerns about abusive and monopolistic practices in the meatpacking industry, as well as genetically modified alfalfa.

– Svein Newman 🌿



Check the date on the upper right of your address label to see when your membership is due for renewal. Please notify us of any change of address.



THE PLAINS TRUTH

VOICE OF THE NORTHERN PLAINS RESOURCE COUNCIL

In this issue:

- A tribute to Jeanne Charter
- Northern Plains factsheet: *Coal Exports*
- 2010 Annual Report

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