

Powder River Breaks

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Powder River Celebrates 32nd Annual Meeting



Lobbyist training with Tom Throop at Powder River's Annual Meeting.

Powder River's Annual Meeting drew over one hundred members, friends, and Wyoming citizens to the Historic Sheridan Inn on November 6 to participate in an array of events and festivities, including our most successful Great Silent Auction, and dancing to the lively music of "True Blue." Featured presenters included Tom Throop from the Equality State Policy Center (ESPC), who conducted an informal lobbyist training for "citizen lobbyists," and Randy Udall of Colorado's Community Office for Resource Efficiency (CORE) as the evening keynote speaker.

Tom Throop of ESPC began his presentation by saying, "There is a secret conspiracy among professional lobbyists—those hired by private enterprise—that only "professionals" should lobby. Nothing is further from the truth." He then led us through the legislative process, beginning with the makeup of the House and Senate, proceeding to the various "committees" and their role in rewriting the language of a bill, voting it out to the "Whole" (or defeating it in the committee), such essential information as when the committees meet and who chairs them, and finally, how a bill becomes a law. He mentioned a number of resources available to help would-be lobbyists find their way, including an official "rules book", the formal legislative website (<http://legisweb.state.wy.us>), and what is known as the "legislator field guide," a legislative directory with vital background information on all members of the House and Senate (which incidentally is produced as a service of Qwest and the Wyoming Trucking Association, **not** the State of Wyoming!)

"Make sure you contact your local legislators on the floor,"

Throop advised, "But don't take it personally if you send a note in and they don't come out. It depends on what is going on at that moment on the floor." He stressed not underestimating the value of these contacts. "Our entire state has the population of one California House District. In Wyoming there might be 4000 voters in a House district. For a legislator to receive twenty contacts in Wyoming is significant."



Randy Udall, Guest speaker

People wishing to learn more about citizen lobbying can contact the Equality State Policy Center at 307-332-0156, or visit their website at www.equalitystate.org for information on their lobbyist training day, which takes place just before the legislature convenes on the second Tuesday in January.

Randy Udall is not to be missed as a presenter on our dwindling supply of energy resources, both in this country and the World. Unless we alter our course and begin investing seriously in renewable energy, he claims, we will destroy our planet trying to recover the last drops of oil and gas, bankrupt our economies, and still run out of fossil fuels. "Within the next three years we will have to replace half of the gas we are producing today," he said to illustrate his point. "We can't rescue the U.S. from three generations of failed energy policy."

While much of what Udall presents to his audiences consists of doomsday warnings, his delivery, primarily through a constantly evolving slide show, is outrageously funny. (He has a multi-cultural "man of the year" series—one slide shows a woman in brightly colored native dress carrying an enormous bundle of kindling on her back, accompanied by a smiling empty-handed man; then the scene shifts to the U.S. and a woman staggering under the

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Message from the (Outgoing) Chair



Nancy Sorenson

I would like to take a few moments to thank the membership, the Board of Directors, and the staff for all the support that each provided during the two and one half years that I was Board chair. It was a great honor to work with all of you, and I will continue to be active in the organization to support the new Board chair, Bernadette Barlow, and I ask that you all join me in working to make the resource council continue to grow and prosper.

The Powder River Basin Resource Council has been and continues to be the best source of accurate information in the state for agricultural trade issues, private property rights issues, issues surrounding clean air and water, and responsible development of Wyoming's resources. It has provided a structure for uniting those in the community with common concerns to work together to effect change at the local and state and national level. It is the only organization in Wyoming that gives voice to both agricultural issues and conservation issues. Wyoming is at a turning point at this time which could mean positive growth for our state, or it could mean a deterioration of a way of life for hundreds if not thousands of people who love Wyoming for its pristine air and open undisturbed space.

As the Resource Council continues to grow in influence throughout the state of Wyoming, I would invite members to visit our new office at 934 North Main Street in Sheridan and voice your concerns and ask your questions. You will be coming to the right place.

Nancy Sorenson
Outgoing Chair

Thanks, Farewell and Welcome

The staff of Powder River would like to thank Nancy Sorenson, the outgoing Board Chair for her outstanding work. Her commitment and strength were an example to Powder River staff during one of the most stressful times for the organization in recent memory. Nancy will remain with us for one more year as Immediate Past Chair. The staff would also like to thank Mae Kirkbride and Cathy Wilson for their long service on the Board either as elected members or affiliate representatives. It has been a pleasure to work with them and we will miss their honest, straightforward manner of addressing the issues.

Skip Waters who previously spent several years on the Board, and who has been representing Powder River on the Western Organization of Resource Council for many years has decided to step back for a time. We thank him for his strong support for Powder River on the WORC Board and for his many hours logged in travel and time supporting our agriculture/ livestock issues. He is being replaced by Nancy Sorenson, who will join Donley Darnell who remains as Powder River's other representative to WORC.

We look forward to working with our new Board Chair Bernie Barlow, one of our founding members who has been active on the Board for some time. Returning Board members are Clay and Gayla Rowley, Sarah Mentock, John Heynemann, Marcia Dunsmore, Phil Hoy, and Marjorie West. They have been and continue to be an inspiring group. New Board members we look forward to working with are Dave Haire from Powell, Bob Leresche of Clearmont and Don Smith of Clark, Wyoming. Two affiliates have committed to sending members; Peg Christie will represent Newcastle Action Group and Mary Barreda will attend for Clark Resource Council. With all this talent on the Board we are hoping for a successful year.

Kevin F. Lind
Director

Powder River Basin Resource Council (PRBRC) is a grass-roots organization of individuals and affiliate groups dedicated to good stewardship of Wyoming's natural resources. PRBRC was formed in 1973 and stands for the preservation and enrichment of our agricultural heritage and rural lifestyle; the conservation of Wyoming's unique land, minerals, water and clean air consistent with responsible use of these resources to sustain the livelihood of present and future generations; and the education and empowerment of Wyoming's citizens to raise a coherent voice in the decisions that will impact Wyoming residents' environment and lifestyle.

PRBRC is a member of the Western Organization of Resource Councils (WORC), which is a regional network of seven grassroots community organizations with 7,000 members and 45 local chapters. WORC member groups are Dakota Resource Council, Dakota Rural Action, Idaho Rural Council, Northern Plains Resource Council, Oregon Rural Action, Western Colorado Congress and Powder River Basin Resource Council.

The services provided by PRBRC include public education, community organizing and lobbying as permitted on behalf of its membership. PRBRC is a non-profit, 501 (c)(3) tax-exempt organization.

Membership dues: \$30 for individuals, \$40 for families and \$20 for students and senior citizens. PRBRC is dependent on contributions for its work; contributions, large and small, are welcomed.

Active Affiliate Organizations

Clark Resource Council (CRC)
Mary Barreda, Representative
Concerned Citizens of Platte County (CCPC)

Laramie County Resource Council (LCRC)

Newcastle Action Group (NAG)
Lynnda Schroder, Chair
SE Wyoming Concerned Citizens (SWCC)

Sheridan Area Resource Council (SARC)
Sarah Mentock, Chair
Tri County Resource Council (TCRC)

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Powder River Breaks

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Powder River Members Attend D.C. Hearing on Beef Check-off

Powder River members, Skip and Vanna Waters, who ranch near Moorcroft, were in Washington D.C. on December 8th for a rare opportunity to attend a hearing before the U.S. Supreme Court on the Beef Checkoff Case: Veneman vs. LMA, WORC (Livestock Marketing Association and Western Organization of Resource Councils.) Powder River recently signed onto a friend-of-the-court brief supporting LMA and WORC in the case, as one of seven state organizations that make up the membership of WORC.

The parties involved in the case are allowed a limited number of representatives at the Supreme Court hearing. Skip and Vanna attended as representatives of WORC. In addition to hearing the arguments before the justices, they were able to sit in on an hour long session before the Court proceedings as well as a de-briefing by the WORC/LMA attorneys after the hearing.

Ranchers were successful in proving that the beef checkoff is unconstitutional when the judge in the U.S. District Court in South Dakota ruled in their favor. Subsequent circuit court appeals upheld that decision, after which the U.S. Department of Agriculture under Ag Director Ann Veneman decided to challenge those decisions to the U.S. Supreme Court, where it is finally being heard.

Ranchers' legal objection to the mandatory checkoff is that it violates free speech protections safeguarded by the First Amendment to the U.S. Constitution. Ranchers are forced to pay a mandatory fee of \$1 per head of livestock sold, but have no say as to how the funds will be managed and spent, in large part under the direction of the National Cattlemen's Beef Association (NCBA).

Half of the money collected goes to the Cattlemen's Beef Board (whose members are appointed, not elected) which then contracts with the NCBA and a few other organizations to spend

the money on beef promotion and research. 90% of NCBA funds come from the check-off. Ranchers oppose subsidizing the NCBA because the organization does not support many of the public policy issues that would help family ranchers and cattle producers like Skip and Vanna Waters, such as Country of Origin Labeling, the Captive Supply Reform Act, and legislation to ban packer ownership of livestock. In addition, the NCBA supports trade agreements that pose serious threats to U.S. family farms and ranches.

Supporters of NCBA tout the pro-beef advertising campaigns. Powder River is uncomfortable with the fact that NCBA promotes any beef, with no regard to whether it is imported or produced in the U.S.A. Hence U.S. ranchers end up in the position of being forced to pay for advertising that promotes the products of their foreign competitors.

The courts have repeatedly ruled against the checkoff, including a U.S. Supreme Court ruling in which a nearly identical checkoff program charged on mushroom producers was declared unconstitutional. Those precedents hold promise for the challengers to the beef checkoff in this latest Supreme Court case. The decision of the Court on the Beef Checkoff Case will probably come in early summer, 2005.

Pennie Vance
Powder River Staff



Skip Waters speaking to the press in Washington DC

Powder River Member Makes Vanity Fair's Best of the Best List for 2004



Eric Barlow

Powder River member Eric Barlow, who ranches on Dead Horse Creek west of Gillette, was recently honored in Vanity Fair Magazine's "Best of the Best" for 2004 in the "Best Stewards" category. Eric and New Mexico's Tweeti Blancett share the notoriety as ranchers that have "joined with environmentalists and Native American groups to force a showdown over the administration's drill-at-any-cost policy." They are joined by

twenty other stewardship awardees, including New Mexico Governor, Bill Richardson, who, according to the magazine, "thumbed his nose at energy interests, encouraged the development of alternative energy, and fought coal-bed methane drilling." Other awardees are Robert F. Kennedy Jr. who wrote "Crimes Against Nature", and Gloria Flora, a previous National Forest Supervisor in Montana who excluded the Rocky Mountain Front from oil and gas drilling during her tenure (and who subsequently left her job and founded "Sustainable Obtainable Solutions.")

The list includes a number of "former" government adminis-

trators, including Carol M. Browner, *former* administrator, Environmental Protection Agency, Bill Wade, *former* superintendent, National Park Service, Eric Schaeffer, *former* director, EPA's Office of Regulatory Enforcement, and John D. Leshy, *former* solicitor, U.S. Department of the Interior, which reminds us that not so long ago principled people held these government positions—people who placed the health and protection of this nation's environmental resources first and foremost, not only because it was their job to do so, but because it was their personal conviction to do so.

"In Bush's America, where profits beat the planet every time," the Vanity Fair piece concludes, "These lawyers, lobbyists, and activists stood up, stood apart, and staked a claim on the future of the Earth." Thank you, Tweeti, for locking your gates and calling attention to the injustices taking place on your land, and thank you, Eric, for your level-headed, intelligent insistence that all of our resources have value, and that some of them cannot be measured in BTU's or purely monetary terms.

Gillian Malone
Powder River Staff

Split Estate Bill Update

Efforts to craft a split estate bill continue to move forward, albeit in fits and starts. For years Powder River Basin Resource Council has been behind the development of a good split estate bill which would protect the property rights of landowners.

After failing to pass a bill in the last two legislative sessions, in January lawmakers will again consider a new bill that resulted from the efforts of a Select Committee which met during the past summer and fall. The committee was made up of legislators appointed by Senate and House leadership, and included individuals from the minerals and landowner communities appointed by Governor Freudenthal.

After the Select Committee drafted and approved a bill, it went before the Interim Joint Judiciary Committee in November. The Judiciary Committee amended the bill to increase the notice period from 30 days to 60 days. The Judiciary Committee also added a clause stating that the use of the land would be considered in compensating a landowner. PRBRC landowners considered these to be good and reasonable amendments. However, in the Joint Judiciary Committee's last meeting on December 9, the committee reconsidered those amendments and deleted them from the bill.

The committee also amended the bonding section of the bill so that consideration is given to the plan of development in establishing the bond amount, for both blanket bonds and per-well bonds. Although this amendment does not change the intent of the bill, it confirms a consistent basis on which a surface owner can protest the bond amount to the OGCC.

Provisions in the most current draft of the bill:

Mineral developers are required to:

- Secure the written consent or a waiver from the surface owner before they enter the land.
- Provide a plan of development to the surface owner before entering the land.
- Notify the surface owner 5 days before they come onto the surface to do non-surface disturbing activities such as surveying, and 30 days before beginning development of the minerals.
- Attempt good faith negotiations with the surface owner to reach a surface use agreement.
- Offer to meet with the surface owner regarding proposed changes to the initial plan of development.
- Compensate the surface owner for damages.

If the developer and surface owner negotiate a surface use agree-

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weight of three twelve-packs of beer, again with a smiling, companion!) The audience at the Sheridan Inn found Randy's presentation both sobering and highly entertaining.

Rather than focusing on the depressing reality of the current energy crisis, Udall heralds the few small steps that some of this country's leaders are taking to shift people's thinking (and their own) on energy issues, such as Senator Pete Domenici's recent request that we begin looking for ways to "save" natural gas. As Chairman of the Senate Energy and Natural Resources Committee, Domenici, is inviting everyone—from industry and government to public interest groups and private citizens—to send in their legislative proposals. Domenici wants innovative ideas that offer long-term solutions to what he and other national energy pol-

ment (surface use agreements are not required, only good faith attempts to reach an agreement), the agreement must cover damages sustained by the surface owner for loss of production and income, loss of land value and loss of value of improvements. The developers are not required to pay the surface owner any compensation for using the surface owner's property to conduct their oil and gas operations.

If the developer is unsuccessful in getting a surface use agreement with the surface owner, the developer can post a bond with the Oil and Gas Conservation Commission (OGCC) which will allow development to begin. The minimum bond is a one time amount of \$2000 per well site. The developer can also request the option of posting a blanket bond for the project, the amount of which is determined by the plan of development.

The purpose of the bond is to "secure payment of damages." Should the surface owner feel the bond is inadequate to secure payment of damages, there is a thirty day window to file an appeal with the OGCC. Either party can appeal the OGCC's final decision to district court. If the bonding option is granted to an operator, there is no schedule or provision in the bill as to how payment of damages will be covered during the duration of development, only that the bond will not be released until damages are paid.

What landowners are gaining in the present bill and what they are losing will probably be determined case-by-case: Having no time limit for negotiations (provided the company chooses to negotiate), for example, versus a requirement for the company to negotiate (but for no more than 30 days) depends upon the stakeholders, and how they choose to play the game. A Powder River member once described it as "the luck of the draw." Requiring a bond on split estate fee minerals is a definite improvement over no bond at all.

The Board of Directors of Powder River, at their December meeting, passed a motion to support the Joint Judiciary Interim Committee's version of the bill. The board also voiced their support of efforts by Powder River staff to continue monitoring the progress of the bill as it moves through the legislative process, provide input to lawmakers regarding landowner concerns, and inform concerned citizens of any changes.

Pennie Vance
Powder River Staff



CBM Development on ranchland in PRB

icy leaders consider a looming crisis in natural gas supply and demand.

One of the simplest ways to approach the problem is through efficiency and energy saving measures, according to Udall. "There are 62 million gas fired water heaters that waste half the gas coming into them and lots of very inefficient gas fired furnaces and powerplants," he says. "I take it to be a sign of hope that he (Domenici) is beginning to think this way."

Gillian Malone
Powder River Staff

Editors note: Please see p. 5 for Powder Rivers 2004 Resolutions

Clark Resource Council News

A December 2nd public gathering of the Clark Resource Council featured a presentation by Peter Aengst of the Wilderness Society. Peter is Energy Campaign Coordinator for the Northern Rockies, and he works out of Bozeman. He has spent the last three and a half years working on oil and gas campaigns focused on Montana's Rocky Mountain Front and Wyoming's Upper Green River Valley. Peter has an undergraduate degree in geology and a Masters degree in environmental policy. From 1991-1996, he was the Mining Issues Coordinator for the Greater Yellowstone Coalition, and headed a successful campaign to stop the permitting of the proposed Noranda New World Gold Mine northeast of Yellowstone National Park.

Peter addressed a group of around 60 people at the Clark Rec. Center, sharing some of the strategies used and lessons learned from the Rocky Mountain

Front and Upper Green campaigns. He also discussed with the group some of the factors that led to the Department of Interior's decision to disallow the development of valid gas leases in the Blackleaf area of Montana's Rocky Mountain Front. He pointed out the similarities and differences between the Rocky Mountain Front, and the Beartooth Front, saying that definite parallels could be drawn between the two areas, for their spectacular scenery, hunting, fishing and outdoor recreation opportunities, and richness and diversity of wildlife.

In the meantime, the explorational drilling that has been occurring in Clark has moved from a State section to a private section, with one permit in place. The BLM still has not completed an Environmental Assessment for a 47-square mile proposed 3D seismic, nor have they done the Environmental Assessment for a proposed pipeline to a gas plant being proposed by Windsor of Wyoming, the company doing the drilling.

Clark Resource Council has asked Governor Freudenthal to use his leadership to bring all parties involved in the Clark development to the table. We have asked that a Task Force be established to address the many concerns surrounding this issue, including protection for surface landowners and impacted citizens, recognition for the Beartooth Front and its unique cultural and natural values, and the requirement that Windsor Energy, LLC use Best Management Practices in any exploration and development taking place in Clark and along the Beartooth Front. The first meeting will be held on Thursday, December 16th, at 1:00p.m., at the Park County Courthouse in Cody.

Deb Thomas

Powder River Staff (for Clark Resource Council)



Beartooth Front with Clark's Fork River in foreground

2004 Resolutions

United States Animal Identification Program (USAIP)

WHEREAS, the United States Animal Identification Program (USAIP) does not address the most immediate needs in the wake of the discovery of BSE of preventing introduction of foreign animal disease to the U.S. food supply, and informing consumers of the country of origin of their food; and

WHEREAS, the USAIP provides for trace-back of animals once an outbreak occurs, and it does nothing to prevent introduction of BSE or other animal diseases in imported meat and livestock, and it ignores the risks of foreign animals already in the U.S.; and

WHEREAS, development of a new, large, bureaucratic program would be more expensive for taxpayers, more expensive and intrusive for family farmers and ranchers, and would take longer to put in place than minor modifications to existing animal identification and trace back programs; and

WHEREAS, the USAIP would collect proprietary information creating potential privacy risks for financial information of farmers and ranchers; and could collect other information about how animals are produced such as genetics, management, and other information that could be used by meatpackers or other entities to discriminate among producers or dictate production practices to livestock producers if it is not strictly controlled; and

WHEREAS, the USAIP could foster profiteering by allowing livestock commodity organizations and for-profit entities to manage or subcontract for implementation of animal identification systems; and a rush to create a new system could create unnecessary costs,

paid to private companies and special interest groups, for duplicative systems; and

WHEREAS, the USAIP could expose family farmers and ranchers to unwarranted liability through shifting of liability for food contamination incidents from packers and processors back to farmers and ranchers.

THEREFORE, BE IT RESOLVED that the Powder River Basin Resource Council urges that all livestock should be permanently marked by country of origin before entering the U.S., and an investigation begun to identify and mark imported cattle already in the U.S.; and any identification and trace-back system must apply to imported livestock and meat, and track country of origin information through to consumers on retail products.

THEREFORE, BE IT FURTHER RESOLVED that the Powder River Basin Resource Council urges that any trace-back and identification system is best administered by existing state agencies and should build on existing animal health and ownership brand identification programs, rather than duplicating and complicating them; and all additional costs of any system should be borne by the Federal government.

THEREFORE, BE IT FURTHER RESOLVED that the Powder River Basin Resource Council urges that data collected under any animal identification and trace-back system should be accessible only to state animal health agencies, tribal governments, APHIS, and Homeland Security, and only for the purposes of official disease investigation; and any system should be carefully managed and implemented by federal agencies in full partner-

ship with state animal health agencies and tribal animal health agencies; Livestock producers should not be liable for claims other than those made by the governmental agencies authorized to access data collected under the system.

Clark/Beartooth Front

WHEREAS, Windsor of Wyoming, LLC, has submitted an application for 3-D seismic testing along the Beartooth Front, including at the mouth of the Clark's Fork River, and further proposes a gas plant, compressor station, and pipeline in the project area; and

WHEREAS, the Forest Service has designated the Clark's Fork as a Wild and Scenic river; and

WHEREAS, the Beartooth Front contains crucial winter range for elk, mule deer, antelope and Bighorn sheep and is highly valued for its hunting, fishing and recreational access to public lands; and

WHEREAS, the project area contains known Native American cultural resources and historic trails including the Nez Perce National Historic Trail; and

WHEREAS, the community of Clark includes 397 private landowners that would be impacted by the proposed project; and

WHEREAS, the BLM's Resource Management Plan (RMP) for the Beartooth Front is 14 years old and fails to address the potential impacts from such a project;

NOW THEREFORE BE IT RESOLVED that the Powder River Basin Resource Council supports the Clark Resource Council's opposition to the proposal at this time;

LET IT FURTHER BE RESOLVED that before any further exploration or development occurs, the BLM should update the outdated RMP, and require a full Environmental Impact Statement to address all potential impacts of this project.

Good Neighbor Policy For State Lands

WHEREAS, increasing numbers of Wyoming state lands are being leased and permitted for mineral and oil and gas exploration and development; and

WHEREAS, many of these state lands are surrounded or adjoined by other public and private lands; and

WHEREAS, noise, emissions, discharge waters, light pollution, human garbage, industrial by-products and waste can negatively impact neighboring lands and property values; and

WHEREAS, under current Wyoming law companies permitted for exploration and development on state lands bear no responsibility to neighboring lands; and

WHEREAS, under current Wyoming law no agency monitors or controls above effects;

NOW THEREFORE BE IT RESOLVED that the Powder River Basin Resource Council calls upon the Wyoming Legislature to enact a law or laws, or calls upon the State Lands Office to adopt rules or regulations to hold companies operating on state lands financially liable for damages to adjoining public and private lands.

Global Climate Change

WHEREAS part of PRBRC's mission is to promote the responsible use of natural resources and to sustain the livelihood and quality of life of present and future generations, and

WHEREAS in the absence of scientific certainty, the preponderance of independent, peer-reviewed research supports a connection between the rapid growth in greenhouse gas emissions and a rise in average global temperatures, and

WHEREAS global warming could potentially disrupt the earth's hydrologic and ecological balance, leading to catastrophic changes such as more violent weather systems, rising sea levels,

and the already observable melting of the polar ice caps and the continental alpine glaciers, and

WHEREAS the United States is the world's largest contributor to greenhouse gas emissions such as carbon dioxide, yet remains the only developed nation without a formal commitment to reducing such emissions, and

WHEREAS waiting to act until the evidence is irrefutable could render such action futile, and

WHEREAS the curtailment of greenhouse gas emissions would bring with it ancillary reductions in other gaseous pollutants known to harm air quality and human health,

THEREFORE BE IT RESOLVED that PRBRC supports responsible legislation and policy initiatives that seek to control and reduce greenhouse gas emissions.

International Trade Agreement

WHEREAS, Trade policy over the last 10 years has failed with the loss of thousands of manufacturing and high tech jobs, a decline in farm income and a record trade deficit; and

WHEREAS, trade agreements give away our sovereignty and our ability to make local decisions to protect human health, safety, workers, clean air and clean water; and

WHEREAS, the North American Free Trade Agreement (NAFTA), the Central American Free Trade Agreement (CAFTA) and many other trade agreements include "investment" provisions that allow foreign corporations to legally challenge state and local authority for zoning; land, water and other natural resource protections; public safety and health, and stifle efforts to promote economic development and encourage local procurement; and

WHEREAS, the discriminatory nature of many of these "investor rights" provisions indicate that the prime beneficiaries are the transnational investors, not the uninvested citizens of any participating country or political subdivision, and

WHEREAS, American trade policy should strengthen, not weaken, the public health, environment, food sovereignty, working conditions, labor rights, and transparent competitive market principles of this country and all countries; and

WHEREAS, trade policy must respect the right and ability of any nation and its political subdivisions to maintain and operate policies and programs that protect the interests of public health, safety, welfare, and service.

WHEREAS, the "service rules" in trade agreements could force local, state and national governments to privatize public services like water, utilities, education, social services, and corrections, leading to lack of local control and accountability; and

WHEREAS, current trade agreements do not have enforceable standards for labor and environmental protections, escalating a race to the bottom in which countries compete for foreign investment by offering the lowest cost production.

NOW, THEREFORE, BE IT RESOLVED, that the Powder River Basin Resource Council opposes the approval of any U.S. trade agreement that challenges the right to protect the public safety and welfare of our communities; and

BE IT FURTHER RESOLVED, that the Powder River Basin Resource Council will petition all relevant decision makers, including the U.S. government, to secure informed and explicit consent from state and local officials prior to negotiating any trade agreement in order to ensure that trade negotiators do not undermine the scope of local, Constitutional government authority, while assessing the impact of any proposed agreement on state and local economies and laws, and future law-making authority, and when necessary, providing general exceptions to safeguard local sovereignty and protect effective local economic programs and initiatives.

Powder River Purchases Office

Powder River Board and Staff admiring the new office located at 934 North Main. (From Left to Right) Skip Waters, Sarah Mentock, Kevin Lind, Clay Rowley, Gayla Rowley, Jill Morrison, Marge West, Nancy Sorenson, Bernie Barlow, Marcia Dunsmore, Dave Haire, John Heynemann Jr., Gillian Malone, Peg Christie, Pennie Vance, Stephanie Avey and Deb Thomas.



After 32 years of operation, the Powder River Basin Resource Council has purchased a permanent home for its office. One week after the Nov. 6th annual meeting, the staff moved to 934 North Main in Sheridan. The office was purchased in mid September using endowment funds donated by members and authorized by the Board of Directors for the down payment. The house, built in 1910, had previously been used as a law office, but needed some repair and additions to make it useable for Powder River. Ralph Avey was hired to put the house in working condition. The formerly unusable porch was converted to a library and copy room, the basement has become a viable records storage area, and the upstairs storage room was renovated as an office for two. Both levels were repainted. All work spaces are now wired for computers, phones and intercom, and all the rooms have been retrofitted with low energy fluorescent light fixtures. Powder River now has a very comfortable office space for 7 people. The lot has a lawn with underground sprinklers, and is planted with

lovely perennial flowers.

The Board's decision to purchase the property for \$110,000 was based largely on the very low rate of return on safe investments such as CD's, and the need to build equity for the organization. Powder River assumed a loan of \$61,000 at 5.4% for the first five years at which time it will be adjusted to the prevailing rate. The Board intends to have the mortgage paid at the end of those five years. An informal capital campaign was started when a member donated \$5,000 as a challenge to be met by other members before the end of the year. We are hoping that members will take up the challenge as 2004 comes to a close. All donations to paying off the mortgage loan will be incorporated into the formal capital campaign that will start in early 2005.

Kevin Lind
Powder River Director

Members Featured on 60 Minutes

Powder River Basin ranchers and landowners will be featured on the CBS news program, "Sixty Minutes II" with Dan Rather, Wednesday, December 29th, at 7:00 p.m. The show will air on all CBS stations and their affiliates.

The Powder River Basin Resource Council was instrumental in getting Rather to Wyoming to explore the impacts of coalbed methane development, and the effect the development is having on private property rights. "How can it be?" Rather queried during the interview with landowners, that in a state like Wyoming, where people value private property rights above almost any other value, a company can come on private land and "have their way with it" to develop the gas, and there isn't a darned thing the landowner can do.

Rather and his crew spent three days in the Powder River Basin, seeing the sights, visiting ranches that have been drilled for CBM, and talking to people on both sides of the issue. Among the individuals interviewed for the show were Bill and Marge West, Don Spellman, and Steve Adami, whose ranches have been extensively developed for methane. Also interviewed was Allison Cole, who along with several other families in a Beatty Gulch subdivision, has lost her water well because of CBM drilling, Eric Barlow, whose family has staved off the development up to now, but is being impacted by upstream water discharges, and George Smith, a Lower Prairie Dog landowner who had a company blade a road through his property in a snow storm in order to punch a hole and

hold their lease.

Jill Morrison of the Powder River Basin Resource Council provided her perspective as an experienced oil and gas organizer, speaking to the fundamental inequity of the "split estate"—whereby a company is not required by law to involve the private property owner in any phase of CBM development if that property owner does not own the mineral rights. This is not the case with coal mining, she pointed out, because federal legislation (passed over thirty years ago with impetus from Powder River's founding members) requires surface owner consent before any development can proceed on private property. "We're not going to get that kind of legislation from Washington," she said, "Which is why we're working at the state level. We just want to level the playing field so that CBM companies have to play by the same rules coal companies play by."

At one point during the interview, Rather targeted Morrison, saying that "a person in Gillette" had characterized her as an "environmental wacko," and asking how she would respond to the accusation. He went on to say that "this same person" had claimed the Powder River Basin Resource Council received funding from Saudi Arabia and Libya. "What say you?" he asked.

For the whole story, T.V. viewers may tune in to "Sixty Minutes", Wednesday, December 29, 2004, at 7:00 p.m., where the interview will air on all CBS channels in the region.

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Every year, Powder River staff travel to Cheyenne to monitor legislation as it develops. After identifying bills relevant to our mission, policies and resolutions, alerts are sent out informing members of the details of the bills. Powder River staff also lobby lawmakers directly. These efforts are made possible through the dedicated support of our members.

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Return to: Powder River Basin Resource Council
Legislative Action Campaign
934 N. Main St.
Sheridan, WY 82801

Merry Christmas and a Happy New Year

Stephanie
Pennie
Gillian



Kevin
Jill
Deb