

# Down to Earth

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NEWS FROM THE MONTANA ENVIRONMENTAL INFORMATION CENTER



**Board  
Elections  
on page  
8, please  
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# Imperial Oil Withdraws Mega-Load Permit Application

by Kyla Maki

The Blackfoot River valley and Rocky Mountain Front will not be transformed into a permanent industrial route—for now.

The judge agreed with MEIC and the other plaintiffs that the environmental analysis did not consider whether new turnouts constructed along the route would be permanent. Therefore, the judge determined that MDT needed to conduct further



A crew dismantling Imperial Oil's test mega-load vehicle near Lolo Pass. Photo by Steve Seninger of Missoula.

***“Imperial’s decision to withdraw its permit application comes after a Montana district court judge ruled earlier this year that MDT’s environmental analysis of the KMTMP was flawed.”***

ExxonMobil subsidiary Imperial Oil notified the Montana Department of Transportation (MDT) in June 2012 that it was withdrawing its permit application to move several hundred “mega-

loads” along U.S. Highway 12 and Montana Highway 200. Both roads are two-lane highways that traverse narrow winding valleys and steep mountain passes. The name of the project was the Kearn Module Transportation Project (KMTMP) because the final destination for these loads was the Kearn oil sands—a massive tar sands extraction site in northern Alberta.

Imperial’s decision to withdraw its permit application comes after a Montana district court judge ruled earlier this year that MDT’s environmental analysis of the KMTMP was flawed.

analysis of the turnouts before issuing any permits to Imperial. Meanwhile, Imperial had already started reducing the height of its mega-loads so they could travel along interstate highways in Washington, Idaho, and Montana—an alternative Imperial initially claimed was impossible because the loads were too high to fit under interstate overpasses.

Despite Imperial’s decision to use an all-interstate route, the company continues to say that Highways 12/200 remain its “preferred route.” Several other companies have also indicated an interest in transporting mega-loads manufactured in South Korea along those roads to the tar sands.

MEIC will continue to monitor all oversized vehicle permit applications at MDT for Highways 12 and 200. For now, however, we should celebrate our success in protecting the Blackfoot River valley and Rocky Mountain Front from becoming an industrial transportation zone. ☺

Cover Photo: The Helmet and the Sphinx, Madison Range, Montana. Photo by Michael Downey.

# Pennsylvania Power's Colstrip Plant May be Dodging Pollution Laws

by Derf Johnson

Coal-fired power plants are an incredibly dirty way to produce energy. They pollute the air with toxic and haze-causing emissions, contaminate water supplies with toxic coal ash, and push the world further down the path of irreversible climate change. The public depends upon government regulations, and their enforcement, to protect land, air, and water from these negative impacts. Too often, however, the laws and regulations are skirted or ignored by the industry they are designed to regulate. That may be the case at the Colstrip coal-fired power plant owned by Pennsylvania Power and Light (PPL).

MEIC has been scrutinizing State government files, looking at twenty years of records for "behind the scenes" alterations made at Colstrip that could have increased the plant's ability to burn coal and produce pollution. These alterations may have been made by PPL without complying with the regulations that are designed to protect public health, air, and water.

Under the federal Clean Air Act, any coal-fired power plant constructed before 1970 is required to obtain a construction permit and install modern pollution controls when it makes a major alteration to the plant. This regulation assures that plants are upgraded with the latest pollution control technologies, and that any upgrades do not threaten public health and the environment.

MEIC, in cooperation with the Sierra Club, has been looking in to whether PPL made any upgrades at Colstrip that potentially could have increased the plant's pollution emissions. The investigation identified at least eight modifications to the plant that could have resulted in increased emissions of sulfur dioxide,

nitrogen oxide, and particulate matter. The investigation also revealed that Colstrip violated opacity limits over 500 times in a recent three-year period.

Following the investigation, in July 2012 MEIC and the Sierra Club notified the owners (PPL and several other utilities) and operator (PPL) of Colstrip of their intention to file suit for the repeated violations of the federal Clean Air Act over a period of two decades.



Ken Toole, a former Montana Public Service Commissioner and longtime MEIC member, said this about the filing: "The companies that own Colstrip made over \$1 billion dollars in profit annually in recent years. Simply complying with the laws that protect our air, our lungs, and our families is not too much to ask. There's no excuse for hiding the alterations made at Colstrip from the public."

The owners and operator of Colstrip have until the end of September to respond to MEIC's allegations. 🌱

*Pennsylvania Power's Colstrip Plant is next to its coal source, the Rosebud Mine. Photo by Anne Hedges.*

# Colstrip Plant Allowed to Continue its Air Polluting Ways

by Derf Johnson

Pennsylvania Power's Colstrip Plant. Photo by Anne Hedges.

On August 13th, the U.S. Environmental Protection Agency (EPA) issued a new regulation containing a Regional Haze plan that should have ended the harmful air pollution that causes haze



in national parks and wilderness areas. Instead, the plan requires little or no pollution reduction at Montana's largest polluters, the coal-fired

***"A Regional Haze plan that required modern pollution controls would not only have brightened scenic vistas, it would also have had meaningful and positive impacts on public health."***

power plants in Colstrip and Billings. This is significant because the Pennsylvania Power and Light (PPL) Colstrip power plant alone emits more pollution than all other sources of haze-causing air pollution in the state combined. EPA's decision also runs contrary to a national trend of requiring industry standard and cost effective pollution controls on over 240 coal-fired units. It leaves Montana in the past when it comes to modern air pollution controls.

power plants in Colstrip and Billings. This is significant because the Pennsylvania Power and Light (PPL) Colstrip power plant alone emits more pollution than all other sources of haze-causing air pollution

A Regional Haze plan that required modern pollution controls would not only have brightened scenic vistas, it would also have had meaningful and positive impacts on public health. Why? If you can see the air, it is probably unsafe to breathe. The major pollutants targeted under the plan – nitrous oxides (NO<sub>x</sub>), sulphur dioxide (SO<sub>2</sub>), and particulate matter (PM) – are known to cause and aggravate respiratory diseases such as asthma and bronchitis, as well as heart disease. In fact, using EPA's own numbers, once the Regional Haze plan is implemented nationally by 2015, it is estimated that it will prevent 1,600 premature deaths, 2,200 non-fatal heart attacks, and over 960 hospital admissions, benefits valued at \$8.4 to \$9.8 billion annually. During the comment period for the plan, over 40 healthcare professionals from across Montana told EPA about the benefits of requiring modern pollution controls at Colstrip.

Requiring PPL to clean up its act at Colstrip would also have been good for the economy. EPA estimated that nearly 1,000 full time construction jobs would have been created at Colstrip to install modern pollution controls, and several full-time, permanent jobs would be created to operate the newly installed equipment. It would have been a win-win situation, helping the state's economy while cleaning up the air Montanans breathe.

It's anyone's guess why EPA decided to sell Montana short, but the costs to Montana are very real and very disappointing. EPA's decision will allow the legacy of air pollution from Colstrip to continue, causing and worsening the health problems that result. Colstrip has been emitting these pollutants for decades, and EPA should have put Montana on the path towards modern pollution controls. Instead, PPL may continue to operate with sub-standard pollution controls, and the dirty air coming out of Colstrip's and Corette's stacks will remain a major threat to public health. 🌍

# Montana Moves Backward as Two Coal Mines Move Forward

by Derf Johnson

## Otter Creek

The Otter Creek coal mine, in south-central Montana, is a newly proposed mine that would be in the heart of an agriculturally rich valley. It involves an estimated 1.3 billion tons of coal. If fully mined, Otter Creek coal would add an additional 2.5 billion tons of greenhouse gases to the atmosphere, and would turn the valley into a giant industrial project. It would also displace wildlife, and be likely to contaminate ground and surface water in the surrounding area.

Despite these very serious impacts, in July 2012 Arch Coal submitted a mine permit application to the Montana Department of Environmental Quality. The application was submitted without any public announcement on the part of Arch Coal, and thus escaped public scrutiny until it came to MEIC's attention. The application was submitted in spite of serious doubts about the legality of the State Land Board's decision in March 2010 to approve the Otter Creek lease without preparing an environmental impact statement to fully analyze the major impacts of the mine. Because of a lawsuit brought by MEIC, the Sierra Club, and other plaintiffs, this issue is currently before the Montana Supreme Court, with a decision expected this Fall.

MEIC will continue to keep you informed about the permitting process for the Otter Creek mine, and how you can become involved.

## Signal Peak

An expansion of the underground Signal Peak coal mine, near Roundup, MT, is also moving forward, thanks to a recent vote by the State Land Board. The Board, which is comprised of the five statewide elected officials, agreed to consider a shamefully low bid of \$3.6 million by mine's owners. During its meeting, the Board also attempted to prevent public comment on the lease vote, although concerned Montanans spoke out at the end of the meeting about the serious environmental consequences of leasing more Signal Peak coal.

It is clear that the coal to be mined at both the Signal Peak and Otter Creek mines is destined for export to Asian markets. Coal companies expect to reap astronomical profits, and are working aggressively to open new mines, to expand existing mines in the Powder River Basin, and to increase coal port capacity on the West Coast.

The State Land Board will be accepting comments on the upcoming decision on the Signal Peak mine lease until September 4, 2012. Please add your voice to the growing chorus of Montanans who are asking the Board to reject the proposed sale because it doesn't account for the true, and devastating, costs of mining, transporting, and burning coal. ☺



Otter Creek valley.  
Photo by Kestrel Aerial  
Services, Inc.

## Comment today on the Signal Peak mine Expansion

By E-mail:

landboard@mt.gov

By USPS Mail:

MT-DNRC

P.O. Box 201601

Helena, MT 59620

You can also comment by using MEIC's online "Take Action" tool at <http://meic.org/category/get-involved/take-action/>

## High Gold Prices Result in Remining at Historic Sites

by Jim Jensen

With the price of gold staying above \$1,500 an ounce, there have been proposals to rework old, so-called legacy, mines to reprocess their tailings and other waste materials. This activity is now happening at several locations in western Montana.

For the last few years the Golden Sunlight mine, a huge open-pit, cyanide-leach gold mine

*Mines near Twin Bridges, Radersburg, and Mammoth are among those being remined under the program. Fortunately, under Montana's modern mining laws, these old mine sites will be reclaimed after the tailings are removed."*

near Whitehall, has encouraged owners of small mines in the general area to sell it rock containing trace amounts of gold (ore) for processing. This "third party ore" is an interim activity for

Golden Sunlight to cut its losses while it is stripping massive amounts of waste rock to expose gold-bearing rock for future mining.

Mines near Twin Bridges, Radersburg, and Mammoth are among those being remined under the program. Fortunately, under Montana's modern mining laws, these old mines sites will be reclaimed after the tailings are removed. In many cases this will result in an improved environment.

The high prices for minerals have also created a desire to re-open historic mines. The newest is a proposal to mine underground for silver, gold, and zinc in uptown Butte. Tucson-based International Silver, a small start-up company has been quietly acquiring property in Butte and has now asked the Butte-Silver Bow Commission to

lease it several hundred acres in order to operate at the large scale it says is necessary.

U.S. Silver and Gold (formerly RX Gold) is operating under a small miner permit at the storied Drumlummon Mine in Marysville, northwest of Helena. Now, after much pressure from citizens and the State, RX has finally applied for a full operating permit. The Department of Environmental Quality's first review of the application resulted in a 40-page "deficiency" letter containing many questions, especially about water quality and quantity at the mine.

This project has generated heated opposition in the now quaint ski town. The noise, bright lights, truck traffic, and depletion of ground water have many residents questioning how their property values and quiet enjoyment of their homes will be affected. DEQ seems to agree, at least thus far, that the concerns are legitimate.

MEIC is following the oversight and permitting by DEQ of all these projects. We will report important changes or milestones on our website ([www.meic.org](http://www.meic.org)) and in future issues of **Down To Earth.** ☺



Golden Sunlight mine. Photo by Kestrel Aerial Services.

# House Passes Mining Industry Giveaway

by Jim Jensen

On July 12th the U.S. House of Representatives passed, by a vote of 245 to 180, the latest giveaway to the highly profitable mining industry – while allowing the industry to avoid tax and royalty payments to the American people. The bill (H.R. 4402, called the National Strategic and Critical Mineral Production Act) was sponsored by Rep. Mark Amodei (R-NV). It would short-circuit proper environmental review and provide a financial windfall for large companies mining for gold, silver, uranium and potentially even coal on public lands. Montana's lone Congressman, Republican Dennis Rehberg, voted for the measure.

The bill defines sand, gravel, clay and other common products as "strategic" minerals for the United States. It would thus make any domestic mine containing "strategic and critical minerals" an infrastructure project, in accordance with a definition laid out in a March 22, 2012, executive order issued by President Obama. This would fast track any permit with only cursory environmental analysis and public disclosure.

Before the vote the White House released a statement strongly opposing the measure: "Protection of the public through sound federal decision making would be circumvented by the bill's provisions, which include, among other things, the elimination of appropriate reviews under the National Environmental Policy Act and the circumvention of public involvement in and the formulation of alternatives to any mining proposals."

The House voted down an amendment that would have required a royalty

payment of 12.5% of the value of minerals such as gold, silver and uranium mined on federal lands. Under the archaic 1872 Mining Law, mining companies pay no royalties to mine these minerals. They also can buy the land outright through a process called "patenting" for \$2.50 to \$5.00 per acre.

During floor debate on the bill, the Republican-controlled House also voted down an amendment that would have prohibited mining companies from patenting land if they were behind on their federal tax payments.

Rep. Ed Markey (D-MA), the ranking Democrat on the House Natural Resources Committee said: "In this latest giveaway to corporations, Republicans claim that sand, gravel, stone and clay are 'strategic' minerals, ushering in a new 'Stone Age' in the United States. This bill isn't giving us the futuristic technologies of the Jetsons, it's giving us the prehistoric technologies of the Flintstones."

The bill is unlikely to pass the Senate this year. ☹️



Montana Tunnels mine. Photo courtesy of Lighthawk.

## MEIC's 2012 Board Elections

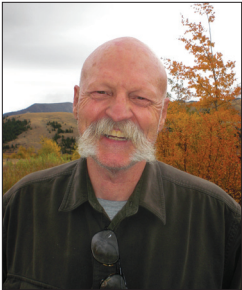
### *Cast your ballot today!*

It's time for the annual MEIC Board of Directors election. This year we have six incumbent directors running for re-election. Please vote. It may seem like a formality, but it is an important part of keeping MEIC a viable and legal organization.

Instructions: 1) Only MEIC members can vote; subscribers and business corporations are not eligible. 2) Mark a "yes" or "no," or abstain from voting, for each candidate on the enclosed postage-paid card. 3) Mail the card back to MEIC in time to arrive by September 30, 2012.

*Thank you for your participation.*

#### **Paul Edwards, Helena**

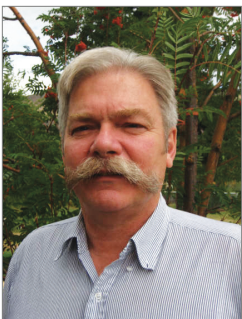


I am running for another term on MEIC's Board to actively support the most aggressive, principled, uncompromising environmental watchdog organization in the state.

I am a voice for strict enforcement of laws and regulations that exist to prevent criminal enterprises and corrupt, unethical industrial corporations from defiling and despoiling the air, land and water of the people of Montana.

I believe there can be no compromise with rogue industries where public health and well-being are concerned, and I believe in punishing such entities to the fullest extent of law wherever and whenever possible.

#### **Mark Gerlach, Missoula**



I have had an association with MEIC in one fashion or another since 1975. I lived in the Blackfoot River Valley for 35 years, the first 20 years near Lincoln at the headwaters, and then 15 years near Greenough in the middle reaches of the Blackfoot. Twenty-five of the years were spent as a ranch hand and ranch manager, while the other 10 years included working for the U.S. Forest Service, as a logger and horse logger, and as a sawmill owner and operator.

As anyone who chooses to live in rural Montana knows, the quality of life is the first paycheck. From my experience, MEIC is at the pinnacle of all environmental organizations in helping to restore and maintain the elements of my definition of quality of life. I have often called upon MEIC's resources and expertise to help with current and historic mining issues, with water quality issues, and in the arenas of State and federal politics. I am hopeful that by holding an MEIC board seat for another two years I will be able to pay the organization back for some of the benefits I have received over the past 35 years.

#### **Stephanie Kowals, Seattle**



There is something about place. In the summer of 1975 I came to Montana for the first time. I had never been somewhere that felt so comfortable. The Blackfoot Valley just felt like home. Upon my return to Seattle (and college matriculation), I related the story of my Summer in that idyllic place to my grandfather (who was not much of a talker). His response was: "I'm from there." I went on to learn that our family had homesteaded, mostly in the Ovando area from about 1870 to 1930, but life was hard and eventually the thousands of acres of ranchland were sold off, leaving just one lot in the town of Ovando.

So, despite the lack of significant acreage, and even my knowledge of the family history, the attachment was still there. My forebears rest in the Ovando cemetery and I feel a connection to



the place that is re-inforced every visit. For me, the Blackfoot Valley and Montana are, indeed, home. Protecting, preserving, and restoring this special place is not something that can wait. It has not been an easy fight and promises to get only more difficult as corporate pressure for resource extraction escalates in the guise of economic promise and we are asked to trade our offspring's legacy for a few shortsighted dollars.

**Steve Scarff, Bozeman**

In the four years I've served on the Board, global warming has continued to accelerate. MEIC continues to fight the most significant battles available to minimize the use of fossil fuels, especially coal. We also continue to promote energy conservation as a cheaper and cleaner alternative in producing energy. A growth-based economy cannot continue indefinitely on a finite planet. Unfortunately, most corporations are shortsightedly focused on profit, and now, thanks to the U.S. Supreme Court, can buy all the politicians they can afford. We must continue to educate people about the truth of our situation. We must engage all the people and organizations we can reach in the struggle to save civilization and Earth's biological diversity from global warming.

Although I see global warming as public threat #1, I'm happy that MEIC works on many state and local issues as well, such as clean air, clean water, and mining. I joined MEIC because it was the most effective environmental organization in Montana. It still is today, so I'd like your support for one more term on the Board.

**Roger Sullivan, Kalispell**

Service on the MEIC Board of Directors has been enormously meaningful to me, and I have devoted substantial time and energy to our tasks over the last four years. I will gladly serve another term if the MEIC membership desires. Here are some of my reasons for wanting to do so.

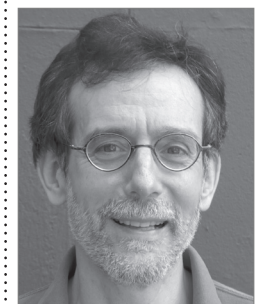
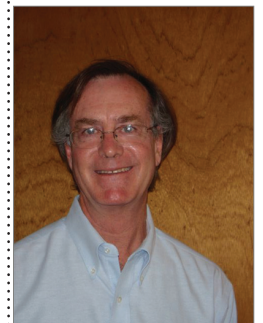
It has been my pleasure and honor to work with MEIC's dedicated staff. They have helped shape MEIC into a vital public interest organization, and Montana would be impoverished environmentally and culturally without us. I have also been inspired by the hard work of many of our members. Although our political institutions and agencies seem almost incapable of taking the actions necessary to protect our environment, we the people remain ultimately responsible for the fate of the Earth, and MEIC is the gathering place for many of Montana's most concerned citizens.

The looming environmental crisis caused by global warming is of particular import to MEIC, and also to me as a father and grandfather. MEIC has shown tremendous leadership in addressing this crisis on many fronts, as described throughout the year in *Down to Earth*. If elected, I will continue to be personally involved in supporting this critically important work.

**Zack Winestine, New York**

My family came to Helena in the late 1870s, and the extraordinary uniqueness of Montana's wild places was made vivid to me as a child. My wife and I have a cabin north of Helena, and spend as much time in Montana's backcountry as we can. I've been a member of MEIC since 1993 and was one of two people to walk the entire MEIC "Hike for the Front" in 2000.

A strong MEIC has a crucial role to play in the fight to protect all of the qualities that make Montana great. One of the organizational challenges we face is to expand our membership base, particularly among groups that are likely to agree with our goals but don't currently know about MEIC or have an inaccurate impression of what we do. We've made some progress on this front, but there is certainly a lot more to do. I've learned a great deal during my four years as a board member, and hope to contribute my skills for one more term.



# MEIC's Montana Futures Raffle: Do YOUR Part and Make Us All Winners!

The 2013 legislative session isn't far away. That means it's time to get ready for MEIC's Montana Futures Raffle! The Raffle is the principal source of funding for MEIC's work during the session. Major environmental challenges loom on many fronts and MEIC needs to be at the Capitol every day, ensuring that your voice is heard to protect the Montana we all hold dear.

*Artwork  
donated by  
Sarah Jaeger.*

To conduct the Raffle we need many prizes, so that we can sell many tickets! Our goal is to sell 250 \$100 tickets, and raise \$25,000 to fund MEIC's three lobbyists during the session.

*You can help by:*

## 1) Donating a prize to the Raffle.

We know there are many talented and generous MEIC members out there who could contribute a prize (and many already do). But we need more! Prizes run the gamut: artwork, gift certificates, float trips, sides of beef, baskets of produce, massages, concerts, outdoor gear, guided tours. We suggest a minimum value of \$50 and we aim for an average prize value of \$100.



Prize donors receive publicity on our web site and in the several mailings we make to our members. Those who are not already MEIC members receive a two-year membership.

## 2) Purchasing Raffle tickets now!

The raffle drawing is in December (you do not need to be present to win), but buying tickets now is greatly appreciated. If we could sell all our tickets through **Down To Earth**, it would save trees and money!

Supporting the Raffle makes us all winners – you, MEIC, and Montana's environment.



*Raft trip donated by Glacier Guides.*

Please fill in the forms below and return in the enclosed postage-paid envelope to:

**MEIC**  
**P.O. Box 1184**  
**Helena, MT 59624**

Or you can call Sara Marino at MEIC at **406-443-2520** or e-mail her at **smarino@meic.org**.

**YES! I'll help protect Montana's environment at  
the 2013 session by donating a Raffle prize.**

Description of Prize (Please be as specific as possible): \_\_\_\_\_

Estimated Retail Value (\$50 or more): \_\_\_\_\_ Date Prize is Available: \_\_\_\_\_

Donor's Name: \_\_\_\_\_

Contact Person (if a business): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**YES! I want a chance to win a great prize AND  
the certainty of helping the environment!**

I'll buy \_\_\_\_\_ Montana Futures Raffle Tickets @\$100 each. Amount enclosed: \$ \_\_\_\_\_

Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**Please make your check payable to MEIC. Because the funds are raised to support MEIC's  
lobbying efforts, the cost of the Raffle ticket is not tax-deductible.**

## Longtime Member Includes MEIC in his Will

by Molly Severtson

Wade Sikorski has always been what he calls “something of an environmental dissident.” As a young child in Sunday school, Wade was asked by the nuns to draw a picture of people doing “something good and moral.” Wade drew a picture of himself, taking care of animals.

“Looking back, I’m guessing the nuns probably wanted something to do with people, like giving to the poor or healing the sick, but my first thought was about my relationship to nature,” Wade said. “I didn’t realize it then, and neither did the nuns, who praised my creativity, but this was a dissident position as far as the Catholic Church was concerned.”

Over the years, Wade says, as he’s learned

more and more about environmental pollution and degradation, he’s even more convinced of the relationship between nature and morals. “We have a moral obligation to take care of nature, to nurture its health, to heal it when it is sick, just as we do with each other,” he said.

So Wade, just as he did when he drew that picture as a child, has put down on paper a powerful expression of his morals. Wade has included MEIC as a beneficiary in his will – a simple, but profound action that will help protect the natural environment in Montana for many years to come.

Wade said of his gift: “Right now, before it is too late to prevent absolute tragedy, the Earth needs everything we can give. Its future hangs in the balance, and I feel I need to do everything I can to prevent the worst from happening. Part

of that includes supporting organizations that have a proven track record of fighting for the Earth. I hope that you will do as I have done and consider including MEIC in your will.”

For more information about how you can include MEIC in your estate plans, please contact Molly Severtson, MEIC’s Director of Major Gifts. ☺

Wade Sikorski’s fields on his farm near Baker, Montana. Photo by Pat Luoma.



# A Variety of Ways You Can Help MEIC

## 1. Join MEIC's monthly giving program

The Pledge Program is a simple but very effective way you can support MEIC. You design the program to best fit your budget and lifestyle. You can pledge any annual amount you choose and make payments in 12 or fewer installments. You could pledge \$240 for the year, and pay just \$20 a month—**that's only 66 cents a day!** And it gets even easier. You can sign up to pay monthly with your credit card, or by automatic withdrawal from your bank account, and MEIC will take care of the rest. Pledge members help provide the staying power that keeps MEIC at the forefront of environmental advocacy in Montana.

## 2. Leave a bequest to MEIC

You can provide the financial security and long-term stability MEIC needs to weather unpredictable and cyclical funding by contributing to MEIC's Permanent Fund, our endowment. All gifts to the Permanent Fund are invested. Only the income earned on these investments is spent, and all of it goes to MEIC. Here are two ways you can contribute to MEIC's endowment:

- 1) The Permanent Fund accepts cash or property including stock, real estate, and life insurance. These contributions can be made directly to MEIC and are deductible as charitable contributions.
- 2) MEIC also has an endowment account at the Montana Community Foundation, which greatly expands the ways you can help MEIC while taking advantage of a Montana State income tax credit. Call the Montana Community Foundation at 406-443-8313 for more information.

## 3. Encourage others to join MEIC

Members are the heart and soul of MEIC, and who better to spread the word than you. Tell your friends and family why you joined MEIC and about the difference they can make for Montana's environment by joining with you. Every member means a lot. **Ask about our 2-for-1 gift membership program when you renew your MEIC membership!**

I want to help protect Montana's environment by:

- Joining MEIC.
- Renewing my MEIC membership.
- Donating to MEIC's endowment.
- Giving a gift membership.
- Making a special contribution.

Here are my dues or gift membership:

- \$250 (Sustainer)     \$45 (Contributor)
- \$120 (Donor)         \$30 (Basic)
- \$60 (Supporter)     Other \$ \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail \_\_\_\_\_

Mail this form to:

MEIC  
P.O. Box 1184  
Helena, MT 59624

**Thank you!**

## Join or Renew Today.

**(406) 443-2520 • [www.meic.org](http://www.meic.org)**

Or use the postage-paid envelope enclosed.

Donate NOW by  
Smartphone:



## President's Letter



by Roger Sullivan

### Global Thinking About Global Warming

Recently, I was required to prepare an affidavit summarizing my legal experience for an environmental damage case I'm working on. This caused me to reflect on the many meaningful experiences I have had over several decades. Ironically, the most memorable case was also my first, as a legal intern for the Natural Resource Law Clinic at the University of Montana Law School. Several utilities submitted an application to dam Kootenai Falls on the Kootenai River in northwest Montana, so they could produce their own electricity instead of purchasing it from the Bonneville Power Administration. In the

vast four-state region of the Pacific Northwest there were once 22 waterfalls with flows of at least 3,000 cubic feet per second. There remains but one that is undammed, Kootenai Falls. Environmentalists opposed the dam on numerous important grounds, including its impacts on fisheries, the destruction of recreational opportunities, and the economics of the project. The Kootenai Indians, relying on the American Indian Religious Freedom Act (AIRFA), opposed the dam on the basis that Kootenai Falls was a sacred site essential to their spiritual practices and cultural heritage.

I was thrilled when the dam application was ultimately rejected for all of the above reasons. The final Federal Energy Regulatory Commission decision was issued in June 1987. The utilities did not appeal. In April 1988, the U.S. Supreme Court, in a split decision with Justices Scalia and Rehnquist in the majority, declared AIRFA unconstitutional. The Court reasoned that spacious tracts of public

## Thoughts from the Executive Director



by Jim Jensen

### Something's Fishy, Fishy, Fishy

The submission of a permit application is a very big deal in the development of a new, very large, controversial natural resource exploitation project. Companies want their shareholders and political supporters to know the project is on track—that a major milestone has been reached. They send out press releases highlighting the wonders of the project and why everyone should support it. They summarize the details of how the project will avoid any environmental problems. They tout the jobs and taxes that will be created.

So Arch Coal's silence when it submitted its application for a permit to mine the Otter

Creek coal tracts was more than deafening. It was an indication that something is not as it appears with the project.

We will be watching closely and delving into this very peculiar situation.

### Glacier Park Without Glaciers

I first came to Montana because of Glacier National Park. I did not come to see the humbling beauty, like most people, but instead to get a badly needed water pump for the 1936 Yellowstone Park "jammer bus" I was restoring back home in Utah.

But the reason became incidental as soon as I entered the Park on that glorious August afternoon in 1972. Even though I was headed to the East Glacier Park shops of the Glacier Park Transport Co., where the foreman had an entire engine waiting for me, from the time I entered at West Glacier I quit thinking about myself and simply became awed by the place. I will never

property could be withheld from beneficial use, including commercial timber harvesting and construction of roads, if Native Americans were able to designate sacred areas on public lands.

Fast forward to August 16, 2012, when a story in *The New York Times* described the split among tribal members over an oil drilling boom just beginning on the Blackfeet Reservation adjacent to Glacier National Park. Those tribal members who oppose the drilling and fracking "speak about the streams and meadows and mountains as if they were family members." On the other hand, the tribal government and many tribal members welcome the economic development that the drilling portends and, as one tribal member put it, "mountains . . . are just mountains."

I think it's fair to say that this is the dominant American attitude about economics and the environment. Lost is a balanced concern for both (economy and environment), let alone a sense of stewardship for places held sacred

by some. In a report released in August 2012 we learned that the amount of carbon dioxide being released into the atmosphere in the United States has fallen dramatically, to its lowest level in 20 years. The stated reason: cheap and plentiful natural gas has led many power plant operators to switch from dirtier-burning coal, demonstrating that "ultimately people follow their wallets" on global warming.

As a culture, we seem trapped in the false dichotomy of "either/or thinking." The Gallup Poll steadily tracks whether Americans prioritize economic growth over environmental protection, or *vice versa*. Forgotten in the dominant haze of materialism and economic insecurity is that both economic well-being and environmental health are fundamental to a sustainable culture. Certainly they are essential parts of the legacy that every civilization should strive to bequeath to its future generations. ☺

forget that powerful and humbling feeling.

But now these memories are tempered with sadness. Because of global warming, the Park's scientists now project that all the glaciers will be gone by 2020, a mere 8 years from now. It will become "Gone to the Sun" National Park.

The icy remnants that now cling tenuously to their rocks in the upper elevations cry out for an explanation: Why did we let this happen? ☺

## Join our list!

Want to know the latest way you can help protect Montana's environment? Want to take action during the upcoming 2013 Montana legislative session, and help MEIC defend Montana's environmental laws? Join MEIC's Action Alert Network, stay tuned in, and make a difference. Visit the following URL, and sign up today: <http://meic.org/get-involved/join-our-network/>



## Get social with MEIC!

MEIC regularly updates its social media with the latest news about Montana's environment. We also offer unique action items for ways that you can help protect Montana's air, land, and water. Friend or follow us, whichever you prefer, and keep in the loop!

**MEIC** - a nonprofit  
environmental advocate

### Mailing Address:

P.O. Box 1184  
Helena, MT 59624

### Physical Address:

107 W. Lawrence Street, #N-6  
Helena, MT 59601

Telephone: (406) 443-2520

Web site: [www.meic.org](http://www.meic.org)

E-mail: [meic@meic.org](mailto:meic@meic.org)

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Director/Lobbyist,  
[ahedges@meic.org](mailto:ahedges@meic.org)

James Jensen, Executive Director/  
Lobbyist, [jjensen@meic.org](mailto:jjensen@meic.org)

Derf Johnson, Program Associate,  
[djohnson@meic.org](mailto:djohnson@meic.org)

Kyla Maki, Energy Advocate/  
Lobbyist, [kwiens@meic.org](mailto:kwiens@meic.org)

Sara Marino, Development  
Director, [smarino@meic.org](mailto:smarino@meic.org)

Adam McLane, Business  
Manager, [mclane@meic.org](mailto:mclane@meic.org)

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Gifts, [msevertson@meic.org](mailto:msevertson@meic.org)

Gail Speck, Office Assistant,  
[gspeck@meic.org](mailto:gspeck@meic.org)

MEIC's purpose is to protect Montana's clean and healthful environment. The words "clean and healthful" are taken from the Montana Constitution, Article II, section 3 - Inalienable Rights, which begins: "All persons are born free and have certain inalienable rights. They include the right to a clean and healthful environment . . ."

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MONTANA ENVIRONMENTAL  
INFORMATION CENTER  
P.O. Box 1184  
Helena, MT 59624

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## **CHANGE SERVICE REQUESTED**

# 2012 MEIC Rendezvous - Save the Date!

Mark your calendar for MEIC's 2012 Rendezvous! Montana climate change guru and Nobel laureate, Dr. Steve Running, will give a timely talk on the extreme drought, active wildfire season, and other effects of climate change occurring in our backyard right now. We will also present MEIC's Conservationist of the Year award, and give you the insider's scoop on the good, the bad, and the ugly of the upcoming 2013 Legislative Session.

- **When: Friday, September 28th  
7 PM presentation, followed by  
socializing**
- **Where: The Baxter Hotel  
105 W. Main Street, Bozeman**

More details to follow soon. Plan to attend for food, friends, and fascinating conversation!

