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NEWS FROM THE MONTANA ENVIRONMENTAL INFORMATION CENTER



## MEIC Victories on Coal Mining and Exports, Page 2

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### IN THIS ISSUE

- 2 Victories on Coal Mining and Exports
- 3 Keystone XL Victory
- 4 Victory for Grizzlies
- 5 Smith River Mine
- 6 Colstrip Units 1 & 2
- 8 Clean Power Plan
- 10 Solar Energy in Montana
- 12 Golden Sunlight Mine

# Two Major Victories on Coal Mining and Exports

by *Derf Johnson*

Cover Photo: Coal Trains. Photo by Colin Ruggiero

2015 has been a critical year in the transition from carbon-based fuels such as coal to cleaner energy sources, and MEIC has been instrumental in this movement. This Fall, there were two very notable victories that will help to keep coal in the ground. These victories were made possible by the work of MEIC's staff and its partner organizations, as well as the support of MEIC's dedicated membership.

## Bull Mountain Coal Mine Permit Ruled Illegal

The Bull Mountain coal mine is Montana's only underground coal mine, and is located north of Billings near Roundup. The mine is owned by a consortium of utilities under the umbrella of an entity known as Signal Peak Energy. One member of the consortium is an international commodities trading firm called Gunvor, which has clear ties to the Russian regime of Vladimir Putin. The majority of the coal that Signal Peak mines is destined for Asian markets.

*Longwall coal-mining.*



In 2013, Signal Peak applied for and received a permit for an expansion of its mine. The expansion would have added 7,000 acres and an additional 176 million tons of coal to the operation (110 million tons of mineable coal). This expansion would have made Bull Mountain the largest underground coal mine in the United States. It employs a method of underground mining known as "long wall" mining.

MEIC challenged the issuance of the expansion permit before the Montana Board of Environmental Review (BER), based primarily on the mine's potential impacts to ground and surface water quality. The Bull Mountains are an arid region of Montana, and availability of clean water is essential for the ranchers and wildlife in the region. MEIC charged that the application did not demonstrate, as required by Montana law, that the Bull Mountain mine expansion would avoid long-term damage to water quality.

In a sweeping, unanimous decision, the BER ruled in MEIC's favor and agreed that the mine expansion posed a serious threat to water quality in the Bull Mountains area, and that the permit was not valid. This victory was made possible through the stellar legal representation of Shiloh Hernandez of the Western Environmental Law Center. MEIC is now in negotiations for an appropriate remedy in light of the BER decision.

## Tongue River Railroad Put on Hold

The proposed Tongue River Railroad (TRR) would cut a 42-mile swath through the Tongue River Valley and provide Arch Coal with the ability to transport coal from its proposed Otter Creek coal mine to Asian markets. The railroad has been proposed for over 30 years, but has never managed to get "off

*continued on page 15*

# Keystone XL Pipeline Victory

by Derf Johnson

Montanans can, for the time being, rest easy regarding the Keystone XL pipeline. President Barack Obama made the right decision by rejecting the pipeline, following a conclusion by the U.S. State Department that construction of the pipeline would not be in the national interest. The pipeline was proposed by a Canadian corporation, and would have carried tar sands oil from Alberta to refineries on the Gulf Coast, for presumed shipment to Asia.

Construction of the pipeline would have allowed a dramatic expansion of tar sands mining, a filthy form of energy production that poisons water and air and releases enormous quantities of greenhouse gases. In Montana, the pipeline would have crossed under numerous rivers and streams, including the Yellowstone and Missouri Rivers. Preventing its construction could very well help to avoid another Yellowstone River oil disaster.

Even more significant is the precedent that this decision establishes for the future of fossil fuel extraction. As a nation the U.S. has now crossed a threshold beyond which it is appropriate to deny permits for fossil fuel projects based upon their impacts on the global climate. The decision also sends a message to the rest of the world, in advance of the upcoming Paris climate negotiations, that the United States is (hopefully) becoming more serious about reducing its emissions. Indeed, during his statement announcing that he would deny the Keystone XL pipeline permit, President Obama stated clearly:

“America is now a global leader when it comes to taking serious action to fight climate change. And frankly, approving this project would have undercut that global leadership. And that’s the biggest risk we face – not acting. Today, we’re continuing to lead by example. Because ultimately, if we’re going to prevent

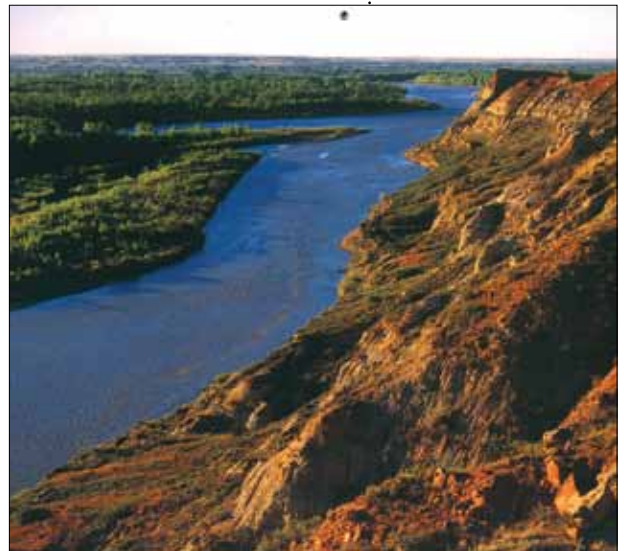
large parts of this Earth from becoming not only inhospitable but uninhabitable in our lifetimes, we’re going to have to keep some fossil fuels in the ground rather than burn them and release more dangerous pollution into the sky.”

MEIC and its members were often the only ones opposing the Keystone XL pipeline during the public debate over its construction through Montana. With its members help, MEIC spoke up in front of the Legislature, the Montana Land Board, the Congressional delegation, the State Department, and the President. There is no doubt that those tiresome and prolonged efforts to stop the pipeline ultimately made a difference. This was a victory because of people power, and we thank you for it.

While it may take some time to fully recognize the enormity of this victory, the climate fight is far from over. Montana’s statewide politicians are, at best, acknowledging that climate change exists but paradoxically reaffirming their ill-conceived commitment to coal. At worst, they are denying outright the irrefutable scientific fact of climate change, thereby potentially relegating future generations to an “inhospitable and uninhabitable” earth. ☺

*“There is no doubt that those tiresome and prolonged efforts to stop the pipeline ultimately made a difference. This was a victory because of people power, and we thank you for it.”*

*Yellowstone River near Sidney. Photo by Montana Film Office.*



## Victory: Expanded Grizzly Bear Protections near Glacier Park

by Kyla Maki

On August 31, 2015, the Montana State Land Board unanimously approved a legal settlement between several environmental organizations, including MEIC, and the U.S. Fish and Wildlife Service (FWS). The agreement will preserve critical habitat protections for grizzly bears on State lands in northwestern Montana near Glacier National Park. Following the Land Board's approval, U.S. district court judge Donald Molloy also approved the settlement.

In 2014, Molloy ruled in favor of Friends of the Wild Swan, MEIC, and the Natural Resources Defense Council on their claim that FWS violated the U.S. Endangered Species Act when it approved the Montana Department of Natural Resources and Conservation's 50-

year Habitat Conservation Plan (HCP). The HCP proposed eliminating grizzly bear "security core" critical habitat from protection and would have expanded logging and road construction on over 36,000 acres in key State forests that are integral to the Northern Continental Divide Ecosystem for grizzly bears.

The settlement restricts logging and prohibits permanent road construction in seven different zones covering 22,000 acres in the Coal Creek and Stillwater State Forests. The protected acres include avalanche chutes and riparian areas that are important habitat for grizzly bears, lynx, and wolverines. The modified HCP, including the expanded grizzly bear protections, will be in place for the next 47 years. MEIC has been working to improve the HCP since it was first being drafted in 2007. ©

*Grizzly bear in Montana.*



# Warning: Smith River Mine Application Expected Any Day

by Derf Johnson

The application to develop an underground copper mine that would be adjacent to and directly underneath one of the Smith River's most important tributaries will land on the desk of the Montana Department of Environmental Quality (DEQ) any day now. This application will, if approved, allow Tintina Resources, a Canadian company, (and its majority owner, Sandfire, an Australian mining firm), to move forward with a large-scale copper mine that could have irreparable impacts on the Smith River watershed. It is absolutely critical that the public be heavily engaged in DEQ's review process in order to hold Tintina/Sandfire's and DEQ's "feet to the fire."

Once the mine operating permit application is submitted, it will initiate a series of deadlines and timelines in which MEIC and the public will have the opportunity to review and comment. The application materials will contain information on the mine's overall impact, such as the area to be disturbed, the reclamation plan, essential hydrologic data, and the proposed tailings impoundments. Review on the part of MEIC and the public will be essential to ensure that the water quality of the Smith River is not threatened, especially considering that the mining industry has modified the Hardrock Mining Act at the legislature to heavily favor its interests.

Here is a general description of the timeline, and potential deadlines, for DEQ's review of the application:

- Once the application materials are submitted, DEQ will have 90 days to conduct a "completeness determination," and either approve the application for "completeness" or issue a "deficiency notice" if it believes that there are additional materials that must be included.
- If DEQ issues a "deficiency notice,"

Tintina/Sandfire will have an unlimited amount of time in which to respond. Once they do respond, DEQ will have 30 days to review the response to the deficiency notice.

- Once DEQ deems the application materials to be "complete," it will issue a draft permit, and begin preparing an environmental impact statement (EIS) under the Montana Environmental Policy Act.
- The EIS process will allow for public review and comment, as well as public hearing(s).
- The EIS process cannot last longer than one year, at which point DEQ must make a final decision on whether to approve the permit.

This timeline is subject to change as the application materials are reviewed.

Anyone who cares about the Smith River and clean water must become involved in the process. MEIC will keep its members fully informed via this newsletter as well as through its website, the social media, and targeted mailings. ☺

## Save Our Smith T-Shirts!

Just in time for the holidays, MEIC is excited to announce that it is teaming up with Strip'n Flywear, which has designed new Save Our Smith t-shirts and hoodies! Strip'n Flywear is a clothing company in Whitefish, Montana, and will generously donate \$8 from every Save Our Smith sale to the campaign. As an added bonus, if you are not already a member, you will receive a free one-year membership to MEIC. Keep the shirt for yourself or pass it along to a friend as a holiday gift that keeps Montana's environment clean and healthful. Order yours today at [www.stripnflywear.com](http://www.stripnflywear.com)



## Is the Bell Tolling for Colstrip Units 1 & 2?

by Anne Hedges

In recent months this question has been posed repeatedly by financial analysts and decision makers across the Pacific Northwest. While the answer may not be crystal clear, there are numerous indications that it may be “yes.”

Here are just a few of the telltale signs:

- In early November 2015, Talen Energy, during its quarterly telephone call with investors, confirmed Colstrip’s bleak

*“In the last two years Talen Energy has said its share of the plant has little remaining value. According to the Montana Department of Revenue, since 2013, PPL (the former owner) and Talen have decreased the market value and taxable value of the plant by 86%.”*

situation. Talen owns 50% of Units 1 & 2 and 30% of Unit 3, for a total of more than 500 megawatts of electricity generating capacity. During the call, Talen CEO Paul Farr said: “We’ve seen a few unplanned

outages at Colstrip primarily for boiler tube leaks but market price signals in the West don’t support proactively putting capital into the units at this time....”

- In the last two years Talen Energy has said its share of the plant has little remaining value. According to the

Montana Department of Revenue, since 2013, PPL (the former owner) and Talen have decreased the market value and taxable value of the plant by 86%. Talen has proven in recent months that it is will shed resources in its portfolio that don’t have sufficient value. Talen’s portfolio is almost exclusively on the East Coast. It doesn’t own another power plant within 1,000 miles of Colstrip. That’s why the financial analysts have labeled Colstrip a “non-core asset” in Talen’s portfolio.

- A pro-coal contingent of the Washington legislature invited four Montana legislators to Spokane in late October 2015 to discuss the future of Colstrip. Initially there was concern that the four Montana senators didn’t represent the Montana legislature since all of them supported Sen. Duane Ankney’s (R-Colstrip) failed bill to force the Colstrip owners to continue to operate the plant even if it was uneconomic to do so. The outcome of the Spokane meeting was quite surprising, however. Everyone, including Sen. Ankney, left the meeting talking about when Colstrip Units 1 & 2 would close, not if.
- Colstrip’s eventual closure has been a nearly foregone conclusion ever since

Colstrip. Photo by Colin Ruggiero.



Pennsylvania-based PPL tried to sell its share of the plant a few years ago. NorthWestern Energy (NWE) told PPL it would only buy Colstrip if the price of the hydro-electric dams it wanted to purchase was reduced by \$340 million. PPL refused and just sold the dams to NWE. When PPL couldn't find a buyer for Colstrip it created a new entity (Talen Energy) to take the plant off its hands. Since Talen took over in June of this year, investment advisors have repeatedly warned it to get rid of its interest in Colstrip. The analysts have concluded that Colstrip simply won't be sufficiently profitable for Talen going forward.

Many politicians and NWE are keen to pin the inevitable closure of Colstrip Units 1 & 2 on

Pres. Obama and the EPA's Clean Power Plan (see article on page 8). Unfortunately for them, market signals show that Units 1 & 2 are likely to close regardless of what the EPA does to limit harmful air and water pollutants. While Units 1 & 2 only provide about one-third of the electricity generated at the Colstrip plant, they are unquestionably old and polluting.

The environmental impact statement for Colstrip Units 1 & 2, which was prepared in 1973, repeatedly said these units would have a 30-year life span, and that "alternate energy sources will probably emerge as economics dictate their practicality." Forty years later, it seems that this prediction is finally coming true. ☺

Colstrip. Photo by Colin Ruggiero.



# Reducing Carbon Pollution in the Big Sky

by Anne Hedges

The Clean Power Plan adopted by the U.S. Environmental Protection Agency (EPA) is under attack. The Plan requires all coal-fired power plants in the country to limit their carbon emissions to the exact same level – no

more than 1,305 pounds per megawatt hour of electricity generated. EPA set the carbon emission limit that way so that each plant would be treated fairly regardless of where it was located. In the air pollution arena, that's common practice.

This fact is lost on coal-based utilities, climate deniers, and right-wing politicians. They all seem to love to hate the Clean Power Plan – and they aren't about to let facts get in their way. For example, Montana's attorney general Tim Fox, Montana's U.S. Sen. Steve Daines, Montana's U.S.

Rep. Ryan Zinke, and NorthWestern Energy (NorthWestern), the state's largest utility, are all jumping on the misinformation bandwagon and trying to spread hysteria. Their fear of leaving 19th century technology behind is palpable ... and dreadfully misplaced.

Opponents of the Clean Power Plan in Montana claim that Montana is being treated unfairly because the state has been given one of the steepest carbon reduction targets in the nation. That argument relies on a "cherry-picked" statistic and ignores the bottom line fact about the new rule – every coal plant will have the exact same emissions limit. Period.

## NorthWestern Energy Joins the Hysteria

Unfortunately, NorthWestern isn't above misleading statements and hysteria either. It argues that the Clean Power Plan is unfair. It acts as if it speaks for all the owners of the Colstrip plant when in fact it only owns about 10% of the output and is the only owner challenging the Clean Power Plan in court.

NorthWestern's omissions and misstatements in its recent court filings are extraordinary. A few examples include:

- It said it might have to tear out all of the existing Colstrip transmission system if the Clean Power Plan is implemented, even though it only owns about 10% of one portion of the transmission line that takes the electricity to the West Coast. No other transmission system owner or plant owner has ever mentioned this outlandish outcome.
- It failed to tell the court about a study it completed earlier in 2015 which showed that Colstrip Units 1 & 2 could be shut down and replaced by cleaner energy sources, with little or no effect on the existing transmission system.
- It didn't tell the court that the electricity generated at Colstrip is already twice as expensive as what it receives from the Judith Gap wind farm and far more expensive than energy efficiency efforts. The electricity from Colstrip is consistently one of NorthWestern's most expensive power sources.
- It didn't tell the court that Colstrip Unit 4, the only unit in which it has an ownership interest, has unexpectedly broken down twice for six-months at a time since NorthWestern bought its minority share of the unit in 2009. Colstrip Unit 4 clearly does not provide reliable power.
- It didn't tell the court that during those breakdowns it was collecting money from customers as if the plant were operating and that its customers also paid to buy the



Governor Steve Bullock announcing the executive order on the Clean Power Plan with Department of Environmental Quality Director Tom Livers and Department of Agriculture Director Ron de Young.



replacement electricity. Colstrip power is not cheap for NorthWestern's customers.

- It didn't tell the court that the older two units of the plant (units #1 and #2) were estimated to last 30 years when they were built 40 years ago. At that time the company said the plant would age and eventually be replaced by alternative energy sources.
- It didn't tell the court about the market forces that are already undermining the older two units of the plant, which NorthWestern does not own (see article on page 6 about Colstrip).

Instead NorthWestern gave to the court a completely bogus economic analysis that was limited to considering only the most expensive compliance pathway for the Clean Power Plan: closing all four units of Colstrip by 2022; abandoning the existing transmission system; and replacing Colstrip's 2,200 megawatts with a 250 megawatt natural gas plant. No energy efficiency. No renewables. No trading of carbon credits. No participation in the EPA program that gives extra credit to states for low-income efficiency programs. Nothing.

NorthWestern also told the court that because it bought the existing hydro-electric system it should not have to reduce the carbon pollution at Colstrip. While it is very good for electricity customers in the long run that NorthWestern purchased the dams, that purchase did not decrease the carbon

pollution of Montana's energy system. Prior to the purchase NorthWestern was already buying the electricity from the dams. Relying on existing dams doesn't decrease existing carbon pollution. Only actually reducing carbon emissions at operating power plants will do that.

The purpose of the Clean Power Plan is to reduce carbon emissions from the largest sources in the country by 2030. Each state has three years to develop its own unique plan that it must begin implementing by 2022. While NorthWestern assumed Montana would choose the most expensive path, that's absurd. While it's unfortunate that Gov. Bullock supports the lawsuit against EPA, like every other governor he is also hedging his bets and working on a plan to comply. This month he will appoint an advisory committee to recommend compliance pathways. The committee must make recommendations by July 2016.

Fortunately, Pres. Barack Obama is sticking to his guns on the Clean Power Plan with a determination rarely seen in an American president. The Clean Power Plan not only requires the largest sources of carbon pollution in the U.S. to significantly reduce their emissions, it also sends a critical message to other countries that the U.S. is serious about tackling climate change. That message is essential if the Paris climate negotiations are to be successful. ☺

*Judith Gap wind farm.  
Photo by Pat Judge.*



## Utility and Community Solar Are Coming to Montana

by Kyla Maki

Montana is known for its tremendous wind energy potential. But Montana also has good larger-scale solar energy potential that has remained virtually untapped – until now. Several rural electric co-operatives and NorthWestern Energy (NorthWestern), Montana’s largest utility, have broken ground and/or announced new community and utility owned solar projects in several locations across Montana. These solar projects will help diversify the state’s energy portfolio and provide customers with an opportunity to invest in solar energy at a reasonable cost.

Nationally, the cost of rooftop and utility scale solar has fallen rapidly and continues to drop. In the last five years, the price of solar panels has dropped by over 60% and

*“Nationally, the price of rooftop and utility scale solar has fallen rapidly and continues to drop. In the last five years, the price of solar panels has dropped by over 60% and continues to decline.”*

continues to decline. In 2009, the average cost of solar projects was just below \$8 per watt. Several utility-scale projects are now costing in the \$2-\$3 per watt range. This

price decline helped to make solar the fastest growing energy resource in the United States last year. Until now, all of Montana’s solar development has been limited to homeowners and businesses putting up their own solar systems to meet their onsite energy needs. But now, utilities in Montana are realizing that solar can provide many benefits to their systems and is now cost-competitive with other resources.

### Utility Scale Projects

NorthWestern has announced several solar projects that will soon serve its customers. The projects are located just outside of Missoula, Helena, and Deer Lodge.

The Missoula project is three megawatts in size, and will be owned by Cypress Creek Renewables. NorthWestern is expected to enter into a 25-year agreement to purchase the electricity from the project, which will be enough to serve over 500 customers with clean and affordable solar power. The project will be located near Deer Creek Road just east of Missoula on about 40 acres. There will be 17,000 solar panels installed at the location.

Additionally, NorthWestern is entering into a 25-year electricity purchase agreement with another three-megawatt solar project north of Helena. This project is owned by Cypress Creek Renewables and will serve over 500 homes. There is also another two-megawatt project planned near Hardin, Montana.

NorthWestern has broken ground on a pilot project near Deer Lodge that will help the utility assess how solar and battery storage can work together to maintain grid reliability. This experimental project will serve 17 customers.



Solar being installed on a Helena rooftop. Photo by Anne Hedges.

### Community Solar

Several rural electric co-operatives in western Montana have announced and/or broken ground on community solar projects in the last few months. Community solar projects are those projects in which utility customers, or in this case rural electric co-operative members, can purchase individual panels or output from a centrally located system and receive credit against their monthly utility bill for the output of the panels for the electricity generated. Flathead Electric Co-operative announced Montana's first community solar project, called the Solar Utility Network (get it? SUN) project earlier this Summer. Flathead Electric members can purchase individual panels in the 100-kilowatt system at \$900 per panel and receive credit on their utility bills for the electricity their panel produces over the next 25 years.

Ravalli Electric Co-operative has also announced plans for a new 25-kilowatt community scale solar project in Victor, Montana, that will help its members offset their electricity bills. Their project is called Valley Solar and allows members to pay \$750 for a panel and own the output for the next 25 years.

Missoula Electric Co-operative has also announced plans to invest in a community solar project in Lolo, Montana. The 50-kilowatt project will allow co-op members to purchase output from individual panels, rather than the panels themselves.

Each of these community solar projects allows co-op members who can not afford the full upfront costs of an entire system, or those whose houses are not in an ideal location to put solar on their roofs, to make an investment in solar energy, lower their utility bills, and protect themselves from electricity rate increases.

All the projects described above are positive signs that the state's energy mix is becoming cleaner and more diverse. There is a lot to learn from each of these projects. Most importantly, these projects will help utilities, and ultimately their customers, save money and avoid the economic and environmental risks associated with dirty fossil fuel projects. What is certain is that the future is bright for solar energy development in Montana and across the United States. ☺



*Utility scale solar project.*

***“Most importantly, these projects will help utilities, and ultimately their customers, save money and avoid the economic and environmental risks associated with dirty fossil fuel projects. What is certain is that the future is bright for solar energy development in Montana and across the United States.”***

*A large solar energy installation in Helena. Photo by Jessica Jones/Solar Montana.*



## Montanans Speak Up for Clean Energy

by Kyla Maki

On November 9th and 10th, 2015, over one hundred Montanans attended public hearings in Kalispell and Missoula on a draft plan that will guide energy resource decisions in Montana, Idaho, Washington and Oregon for the next 20 years.

The federal Northwest Power Planning and Conservation Council develops a regional power plan every five years. The current draft plan is the 7th Power Plan. The overwhelming majority of those attending both of the hearings in Montana voiced their support for preserving the strong energy efficiency targets in the Plan and improving the Plan's focus on reducing carbon emission pollution with

renewable energy and energy storage solutions.

The Council is accepting written comments on the Plan until December 18, 2015. You can submit written comments at: [nwcouncil.org](http://nwcouncil.org)

For more information and talking points for comments you can go to: [meic.org/get-involved](http://meic.org/get-involved)



A packed house at the Missoula hearing. Photo by Marc Helleson.

## Golden Sunlight Mine Shuts Down Open Pit Operations

by Jim Jensen

The Golden Sunlight mine (GSM) in Whitehall, the last of Montana's open-pit cyanide heap-leach gold mines, ceased operations and gave pink slips to 135 workers on November 30, 2015. The mine's owner, Barrick Gold Corp. of Toronto, cited gold prices and geologic instability in the pit walls as the reasons for the shutdown. At the same time the mine manager said 34 employees would be retained to continue a small underground operation at the site.

However, in a surprise announcement three days before the layoffs were effective, the company announced its intention to develop an expansion of

the mine at a new site less than one mile from the open pit. It said that the new mine would use the existing processing facilities for the expansion. No other details were given.

This mine has been the subject of four lawsuits by MEIC against the Montana Department of Environmental Quality (DEQ) for failure to adopt a post-mining reclamation plan for the mine pit that is consistent with the Montana Constitution's requirement that "all lands disturbed by the taking of natural resources shall be reclaimed" (Article IX, Section 2).

The latest lawsuit is on appeal to the Montana Supreme Court after Jefferson County district judge Loren Tucker ruled for DEQ and GSM. Unlike the situation of the first three lawsuits, MEIC was able to appeal this ruling. In the three previous suits, the court ruled in MEIC's favor. In each instance, the State and GSM did not appeal those decisions but instead went to the Legislature for relief. Three times the Legislature passed retroactive laws to undo the rulings. Such is the corrosive power of the mining industry in Montana. Let's hope it does not extend to the Montana Supreme Court.

Golden Sunlight Mine. Photo by Wilburforce.



## 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 or give a gift membership

Members are the heart and soul of MEIC, and who better to spread the word than you give an MEIC gift membership or 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. **Take advantage of our 2-for-1 gift membership program when you renew your MEIC membership -- when you renew, you can give an MEIC membership to a friend for FREE!**

I want to help protect Montana's environment by:

- Becoming an MEIC member.
- Renewing my MEIC membership.
- Joining the monthly pledge program.
- Donating to MEIC's permanent fund.
- 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.**

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Or use the postage-paid envelope enclosed.

Donate NOW by  
Smartphone:



## Two Great Losses for Montana

by Jim Jensen

Two great Montanans and members of MEIC passed away recently. We will be forever indebted to these environmental leaders.



### Kirwin Werner

John Kirwin Werner, the secretary of the MEIC Board of Directors, died unexpectedly of unknown causes at his home in Ronan, Montana, on November 17, 2015. He is survived by his wife Carol, two children, four siblings, and five grandchildren.

Kirwin grew up in Cut Bank, Montana. He received his M.S. in pre-med from Carroll College and his Ph.D. in biology from Notre Dame. He taught and served as head of the Biology Department at Northern Michigan University for 21 years, returning home to Montana in 1992 to teach at Salish and Kootenai College in Ronan.

He was the lead author of the first-ever guidebook to Amphibians and Reptiles of Montana, published in 2004. In 2005, he received the Carroll College Academic Achievement Award for his contributions to science.

Kirwin was an amazing outdoorsman who skied, snowboarded, bicycled, ran, and backpacked all over the world, including in his beloved Glacier National Park. MEIC's board and staff were honored to know him. 🌿



### Joan Toole

One of Montana's most influential environmental leaders, Joan Toole died peacefully of natural causes on November 17, 2015, at the age of 92.

Joan was a founding member of MEIC, and her dedication and support inspired countless staff and Board members over a 42-year span. She also was a founder of the Montana League of Women Voters, and participated in many of the early fights against air pollution in the state.

Perhaps the most important work she did with the League was stumping throughout the state for the ratification of the 1972 Montana Constitution. Without the League's unwavering support, the Constitution would not have passed.

She also worked tirelessly for the successful passage of Initiative 137, the open-pit cyanide heap-leach gold mining ban. She served as the campaign's treasurer, and was an author of the voter information pamphlet's statement in support.

She truly loved Montana's outdoors, its politics and history, and was profoundly dedicated to her family. 🌿

### Goodbye to Old Friends and Hello to New Ones

MEIC's most heartfelt thanks go out to Gary Aitken, Joe Biby, and Tom Graff, who have retired from MEIC's Board of Directors. Their dedication and commitment to strengthening the work of MEIC has been appreciated and will be missed.

Happily, MEIC welcomes returning board member Bob Gentry, as well as new members Alexis Bonogofsky, Hannah Gimpel, Greg Lind, and Jennifer Swearingen. We are looking forward to working with them all to advance MEIC's mission to protect Montana's natural environment for generations to come.

Thank you to all the MEIC members who cast their votes in the election.

# Thoughts from the Executive Director



by Jim Jensen

There is a clarion call these days for a “just transition” for the community of Colstrip from the old world of coal to a new world without it. There will never be a perfect

solution to the closure of a one-industry town’s employer. However, there are some sensible things that should be done to help the residents of Colstrip to positively move on with their lives after the shovels stop in place and the boilers turn cold for good.

First, the community needs to own up to the reality of its existence. That is to say, Colstrip exists only because of the coal mined and burned there. It boomed in the early railroad era when its coal was fuel for locomotives and busted when diesel replaced coal on the rails. The same is going to happen as the world goes beyond coal for generating electricity.

Then, all the unions that represent the workers should shake off their attitude that coal will be there forever and negotiate fair

exit conditions with the mine’s and the plant’s owners. The same goes for all politicians, beginning with our U.S. senators, congressman, and governor.

Finally, the Legislature should join in and hold the plant’s operators completely liable for the toxic mess they are leaving behind. Not one cent for cleanup should come from Montana taxpayers. Of course this mess would not exist if the Montana Department of Environmental Quality (DEQ) (and its predecessor agency, the Department of Health and Environmental Sciences) had simply enforced existing water pollution prevention and coal waste management laws. But DEQ, regardless of the party holding the governor’s office, simply allowed Colstrip to become a ticking toxic time bomb.

And let us not be too taken by the “woe is us” cries from Colstrip area legislators. Remember, the proud denizens of Colstrip enjoy the lowest taxes in the state, have the finest schools (coal severance tax) money can buy, and receive their water for free, courtesy of the power plant’s owners.

As the Colstrip plant is coming to an end, it’s time for the town to plan for a different future. ☺

## Coal Mining and Exports *(continued from page 2)*

the ground,” primarily because of the intense opposition from landowners, climate activists, and some Native Americans in the region. Importantly, the railroad and the coal mine go hand-in-hand; neither can move forward without the other.

Recently, the TRR asked the U.S. Surface Transportation Board (STB) to suspend the permitting process for the railroad. The reason it cited for the request was “the ongoing delays to the mine permitting process.” (*Missoulian*, Tongue River Railroad Plans on Hold due to Mine Permitting Delays, November 25, 2015.)

The determined efforts of area landowners, MEIC, and its partner organizations to prevent the Otter Creek mine from being developed have finally paid off. Those efforts have

impacted the proposed railroad to such a degree that TRR is skeptical about moving forward with the project. It asked the STB to suspend the application *indefinitely*.

This is significant because the Otter Creek mine is the largest proposed coal mine in the United States, and would have allowed Arch Coal to access 1.4 billion tons of coal for potential export to Asia. The development of the mine, and the burning of its coal, would have polluted water sources in the vicinity of the mine, and would have contributed massive amounts of carbon pollution into the atmosphere. Primarily because of MEIC’s work, a \$400 million railroad is now put on hold indefinitely, and Arch Coal should be on notice: the proposed mine is next. ☺

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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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# Double your money!

You've done it before! Thanks to all of you, we have matched our special one-time challenge grant to raise funds for our work to move Montana Beyond Coal.

Do you want your hard earned dollars to go twice as far once again? MEIC has received another challenge grant that will match any extra donations we receive before the end of the year. That means your gift will go twice as far in helping protect Montana's clean water, fresh air, unspoiled landscapes, and unique quality of life.

As you consider your year-end giving, we hope protecting Montana's environment will be at the top of your list. We need your help now to protect our world-renowned Smith River from a proposed copper mine, to keep the Otter Creek valley coal in the ground, and to address climate change risks and find solutions, including increasing the use of energy conservation and efficiency

Use the enclosed envelope, or your credit card at [www.meic.org](http://www.meic.org), to make your special contribution. Your gift will be matched dollar-for-dollar – but only if we receive it by December 31st. Thank you.

