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NEWS FROM THE MONTANA ENVIRONMENTAL INFORMATION CENTER



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# Mega-load Victory: Judge Orders Further Environmental Review

by Kyla Wiens

**M**EIC, the Montana Chapter of the Sierra Club, the National Wildlife Federation, and Missoula County have succeeded in their lawsuit challenging the Montana Department of Transportation's (MDT) decision to issue oversized load transportation permits to Exxon Mobil's subsidiary Imperial Oil. The basis for the challenge was that MDT had performed an inadequate environmental review and analysis under the Montana Environmental Policy Act (MEPA). The permits would have allowed Imperial

construct 53 new turnouts and modify 22 existing turnouts so that the Kearn mega-loads could meet the 10-minute rule. MDT failed to consider whether those turnouts would be temporary or permanent. Judge Dayton found that without this determination, MDT could not meaningfully assess the scope and the impacts associated with the KMTP. Ultimately, Judge Dayton agreed with MEIC and the other plaintiffs that MDT violated MEPA.

He directed MDT to conduct an environmental review that determined the permanency of turnouts and associated impacts, including whether permanent turnouts would facilitate future projects of similar magnitude. This analysis is likely to expand the scope of the review, and MDT may need to prepare a more extensive document called an environmental impact statement.

Judge Dayton also directed MDT to reconsider Imperial Oil's use of interstate highways for the Kearn mega-loads. The original EA, which, incredibly, was prepared by one of Imperial Oil's contractors, did not consider the interstate route as a feasible alternative. The excellent summary judgment briefs prepared by plaintiffs' attorneys noted that Imperial is currently using interstate highways in Idaho and Montana to move reduced-height tar sands modules to the Canadian border, so it is clearly a feasible alternative that MDT should have considered.

The injunction against the KMTP issued in July 2011 remains in place until MDT completes the additional environmental review, alternatives, and impacts analysis. Now that the Court has required MDT to conduct a more thorough environmental analysis, Imperial may or may not decide to pursue new permits for the original Highway 12/200 route.

This decision reaffirms that State agencies are the gatekeepers of the public interest and must comply with MEPA when making decisions that impact the human and natural environment. They cannot substitute a rubber stamp for a meaningful and thorough analysis that protects public rather than private interests. ☺

Oil to proceed with the Kearn Module Transportation Project (KMTP). This project involved hauling over 200 loads of mega-sized tar sands processing equipment through Idaho and Montana along rural highways to the Canadian border at Sweet Grass, Montana. Several hundred permanent "modifications" would need to be made to U.S. Highway 12 and Montana Highway 200 to accommodate these loads of unprecedented dimensions.

In his February 17th ruling, district court judge Ray Dayton determined that "MDT's decision approving the KMTP without first determining the scope of the project was arbitrary, capricious, and not in accordance with the law." Primarily, Judge Dayton focused on MDT's failure in the project's environmental assessment (EA) to determine whether the new highway turnouts would be temporary or permanent. Prior to issuing such oversized load permits, MDT must determine that the loads will not delay highway traffic for more than 10 minutes. MDT determined it would have to

*Imperial's mega-load test vehicle module parked in Idaho. Photo by Fighting Goliath, the Rural People of Highway 12.*



## Cover Photo by Tony Bynum

Photo of drilling pad on the Blackfoot Reservation that utilized hydraulic fracturing. Internationally acclaimed photographer Tony Bynum's current project, "Oil Drilling on the Rocky Mountain Front and Blackfoot Indian Reservation," is to capture images of oil and gas development on the Blackfoot Reservation and the Rocky Mountain Front, and the changes taking place as a result of oil drilling and hydraulic fracturing. You can view his images, and learn more about his project, by going to [www.tonybynum.com](http://www.tonybynum.com) and clicking on the Projects tab.

# EPA Finally Tells Coal Plants to Clean Up Toxic Emissions

by Anne Hedges

**T**wenty-one years after Congress told the U.S. Environmental Protection Agency to do something about toxic pollution from coal-fired power plants, EPA finally did. In December 2011 EPA adopted a rule that requires coal-fired power plant owners to control their toxic air emissions by 2015 (or soon thereafter).

The 1990 Clean Air Act Amendments passed with overwhelming bipartisan support. The law directed EPA to make sure that toxic emissions from coal-fired power plants were not harming public health. EPA took 10 years to conclude that such emissions were toxic enough to need regulation. It took another 11 years to finalize a rule that requires plants to actually do something to curb those emissions. Even under these new rule plants have three-to-five years to install control equipment and curtail dangerous emissions such as mercury and acid gases.

Finally, however, the number one industrial source (power plants) of mercury air emissions in the country will be forced to reduce their emissions. While Montana plants already control their mercury emissions under a Montana rule, they are not curtailing other harmful pollutants such as acid gases. The new EPA rule requires

that these emissions to be controlled as well. That is good news for public health. It is good news for the environment. And it is long overdue.

Not surprisingly, some in Congress want to allow coal-fired power plants to continue to foul the air, harm human health, and reap big profits as a result. The House of Representatives recently held hearings

at which EPA was criticized for this new regulation. There are rumblings that some senators may try to attach a rider to the payroll tax extension to stop EPA from acting. There is no specific bill to overturn these new regulations but the rumor mill says the rule is at risk.

Please call Sens. Max Baucus and Jon Tester, and Rep. Dennis Rehberg, and tell them to let EPA do its job—finally—and protect public health from coal plants' toxic emissions. ☺

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*Colstrip power plant, the largest industrial polluter in Montana. Photo by Anne Hedges.*



# Coal Ash - Will Anyone Ever Regulate this Toxic Waste?

by Anne Hedges

Two years ago the Montana Department of Environmental Quality (DEQ) released a draft enforcement action for the leaking coal ash ponds at the Colstrip power complex. DEQ still has not finalized that enforcement order. As DEQ recently told a legislative committee, the ponds have probably been leaking since they were first installed. Decades later, DEQ still has done nothing to require cleanup.

Colstrip's coal ash ponds were first permitted in 1976. The permit said the ponds would be "a closed loop water system which does not discharge effluents from the plants into ground water or surface water or large evaporation ponds and therefore will have no effect on the ground or surface water in the area." The ponds can hold 5.5 billion gallons of wastewater.

The U.S. Environmental Protection Agency also has threatened to regulate coal ash—the second largest waste stream in the country. But EPA hasn't actually done so either, largely due to the partisan stalemate in Washington, DC. While both DEQ and EPA are failing to do their jobs, ash ponds continue to contaminate ground water in

the Colstrip area and around the country.

Pennsylvania Power and Light (PPL), the operator of the Colstrip complex, has said it is lining some of its ponds. The question is: with what? There are huge variations in types of liners. Without government and public oversight, there is no guarantee that the liners PPL chooses will be state-of-the-art and will actually protect water quality for decades. Even worse, there is no guarantee that the current ground water pollution will be cleaned up.

In January 2012, MEIC joined organizations from across the country in filing a notice of intent to sue EPA because of its abject failure to protect water quality from leaking ash ponds. Coal ash ponds throughout the U.S. have and continue to contaminate ground and surface waters while the regulators sit on their hands.

It is past time for DEQ to issue a final enforcement action, and tell the public how Colstrip will be cleaned up. It is also past time for EPA to promulgate consistent national regulations that guarantee protection of public health and water quality from leaking coal ash ponds such as those at Colstrip. ☺

**Quick Fact:**  
Use of coal for electricity generation is projected to drop to 916.4 million tons in 2012, the lowest amount since 1992. *U.S. Energy Information Administration.*



Ash ponds serving the Colstrip facility. Photo by Kestrel Aerial Images.

# EPA Should Crack Down on Colstrip Air Pollution

by Anne Hedges

**O**n March 20th the U.S. Environmental Protection Agency will propose a plan to reduce air pollution from some of Montana's largest industrial facilities. When it does, all eyes will be on the air pollution controls that are proposed for the massive Colstrip coal-fired power plant complex.

EPA's plan will consider whether Pennsylvania Power and Light (the operator of the complex) must control its nitrogen oxide (NO<sub>x</sub>), sulfur dioxide (SO<sub>2</sub>) and particulate matter (PM) pollution. These three pollutants pose a significant risk to public health and create a haze over the landscape. The public health benefits from reducing these harmful emissions from Montana's biggest air polluter will far outweigh the cost to the company.

The Colstrip plants have the highest levels of nitrogen oxide and sulfur dioxide air pollution in Montana. Their particulate emissions are among the highest in the state (see chart below). What do these pollutants mean to public health?

- NO<sub>x</sub> is a precursor of ground level ozone, which is associated with respiratory disease, asthma attacks, and decreased lung function. NO<sub>x</sub> reacts with ammonia, moisture, and other compounds to form particulates that can cause and worsen respiratory diseases, aggravate heart disease, and lead to premature death.
- SO<sub>2</sub> increases asthma symptoms,

leads to increased hospital visits, and can form particulates that aggravate respiratory and heart diseases and cause premature death.

- PM, especially the smaller particle sizes, can penetrate deep into the lungs and cause health problems such as aggravated asthma, chronic bronchitis, and heart attacks.

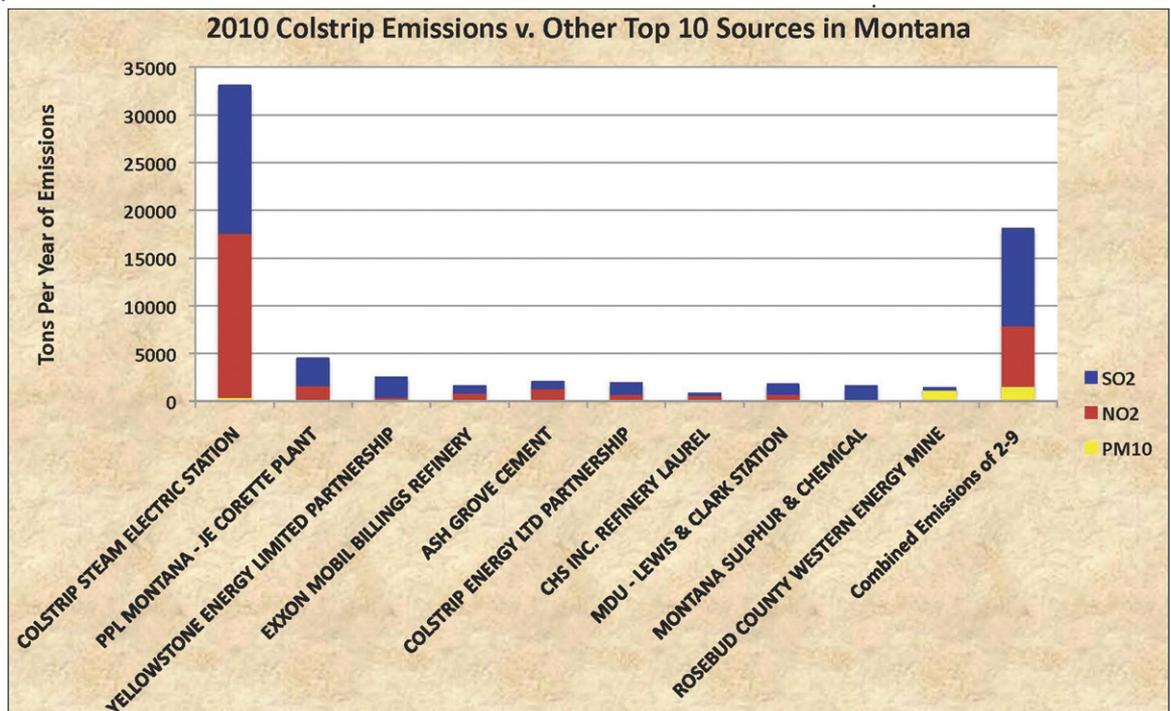
EPA has estimated that by 2015 full implementation of its regional haze rule nationally will prevent 1,600 premature deaths, 2,200 non-fatal heart attacks, 960 hospital admissions, and over 1,000,000 lost school and work days. As a result, the regional haze rule will result in health benefits valued at \$8.4 to \$9.8 billion annually.

These are big numbers and the benefit to Montanans will be significant. It is high time the Colstrip complex finally cleans up its act and installs the same type of modern pollution controls already in use at the nearby Hardin Generating Station. It's time for Pennsylvania Power to be serious about cleaning up the air in Montana. ☺

## More Quick Facts:

The greenhouse gas emissions from PPL's Colstrip plant make it the dirtiest coal-burning power plant in the West, and the 8th dirtiest nationwide. *U.S. Environmental Protection Agency.*

PPL's Colstrip plant is the most expensive electricity source in North Western Energy's rate-base. *Montana Public Service Commission.*



Data obtained from the Montana Department of Environmental Quality.

# Otter Creek Coal Still a “Burning” Issue

by Anne Hedges

In February 2012, a district court judge in eastern Montana ruled that mining the coal in the Otter Creek tracts would have the “potential of significantly degrading” the environment and that mining is “reasonably certain to occur.” He went on to say that despite the probability of significant environmental impacts the State

The Otter Creek valley. Photo by Kestrel Aerial Images.



Land Board could lease the State’s coal without conducting any environmental review.

Almost two years ago, Arch Coal leased the Otter Creek coal tracts that contain an estimated 1.3 billion tons of coal. The State of Montana and a private investment company own the 8,300 acres of coal tracts in a checkerboard pattern.

Arch Coal paid the State \$87 million to lease the State-owned coal, and will pay royalties when the coal is mined.

In 2003 the Montana legislature exempted the State Land Board from conducting

any environmental analysis when leasing coal. The legislature justified this action on the grounds that the Department of Environmental Quality (DEQ) would conduct an environmental review when it permitted a coal mine, so an environmental review at the leasing stage would be redundant.

The problem with this logic is that DEQ does not have the authority, when it permits a mine, to mitigate all of the potential impacts, particularly those impacts that result from burning the coal and thereby (in the case of Otter Creek releasing 2.6 billion tons of carbon dioxide into the atmosphere).

The reason MEIC filed its lawsuit in this case is that it is unclear whether the State Land Board retains the authority during the permitting phase of a mine to say “no” to the mine, or to mitigate harm that is discovered during DEQ’s environmental review, even though a lease has been signed and paid for.

In his ruling, Judge Joe Hegel acknowledged the very serious impacts that would result if the Otter Creek coal is mined: “...if mined and burned, [it] could add a significant percentage of the carbon dioxide annually released into the atmosphere, thereby exacerbating global warming and climate change. The effects of climate change include specific adverse effects to Montana’s water, air, and agriculture.”

He continued: “Therefore, the Court finds that the myriad adverse environmental consequences alleged by Plaintiffs, including global warming, would occur should the coal be mined and burned. The Court further finds that the mining and combustion of the bulk of the coal would be reasonably certain to occur in accordance with the purpose of the lease.”

But after agreeing that the leasing of the coal would be likely to lead to significant environmental impacts, he stated that doing an environmental review during the permitting phase would suffice. He relied mainly on the mine permitting laws, the Montana Environmental Policy Act (MEPA), and the generic wording of the lease to conclude that the impacts would be adequately addressed at a later date. But MEPA was amended by the 2011 Legislature to prohibit any consideration of global warming and certain other impacts. Mine permitting laws do not address global warming issues. And the relevant lease language is quite vague.

The judge’s ruling means that the environmental consequences will not be analyzed and disclosed until DEQ issues a draft mine permit, which may not happen for a number of years. And the twin uncertainties will remain: Will DEQ’s environmental review be sufficient, given the recent amendments to MEPA? And will the State Land Board have both the will and the legal basis for denying the lease or imposing additional lease conditions at that stage of the process? ☺

***“The judge’s ruling means that the environmental consequences will not be analyzed and disclosed until DEQ issues a draft mine permit, which may not happen for a number of years.”***

# Tongue River Railroad Dealt a Blow

by Jim Jensen

A federal appeals court has ruled that the federal Surface Transportation Board (formerly Interstate Commerce Commission) broke the law when it issued a license to the Tongue River Railroad Co. (TRRC) for construction of a railroad in the Tongue River valley from Miles City to Ashland.

TRRC is owned by Arch Coal, the Burlington Northern Santa Fe Railroad, and billionaire candy magnate and Birney area rancher Forrest Mars, Jr. The railroad was first granted a permit for one of three sections in 1986, and has been doggedly opposed by many area ranchers, some labor unions, and environmentalists ever since. The permit for the additional sections was issued in 2007. It is the one that was ruled illegal by the court.

"We hold that the Board failed to take the requisite 'hard look' at certain material environmental impacts inherent in TRRC II and III in the manner required by the National Environmental Policy Act (NEPA) prior to approving those applications," wrote a three-judge panel of the 9th U.S. Circuit Court of Appeals.

The court held that the board's analysis relied on old data and didn't include enough information to determine what the effects would be on water quality and wildlife, including the sage grouse and the endangered pallid sturgeon.

This means that STB will have to prepare an entirely new environmental

impact statement on the 130-mile-long, \$550 million, railroad that is a necessary link to ship coal from Arch's massive holdings to Asian, mainly Chinese, markets via Pacific coast terminals.

The court ruled that the cumulative impacts caused by proposed mining of the Otter Creek tracts (see story on page 6) should have been

included in the EIS, as well as the impacts to ground water and the Tongue River from coal bed methane development. Mining of the tracts, which are interspersed with State-owned coal seams, has been tirelessly promoted by Gov. Brian Schweitzer.

The plaintiffs in the lawsuit were the Northern Plains Resource Council, City of Forsyth, United Transportation Union, and rancher Mark Fix. Native Action, Inc., a Northern Cheyenne Indian activist group intervened on the side of the plaintiffs. ☺

*"This means that STB will have to prepare an entirely new environmental impact statement on the... railroad that is a necessary link to ship coal from Arch's massive holdings to Asian... markets."*

*The Tongue River valley.  
Photo by Drake Barton.*



## MEIC Gives its Conservationist of the Year Award

by Jim Jensen

**D**r. Jack Stanford and Dr. Bonnie Ellis, internationally renowned scientists at the University of Montana's Flathead Lake Biological Station, have received the 2011 Conservationist of the Year Award from MEIC. Each year MEIC gives the award to one or more Montanans who have shown true leadership and dedication in the conservation of nature and the environment.

Dr. Stanford has worked at the Biological Station since 1971, and is its director. His groundbreaking research and education in

freshwater ecology have taken him across the globe. Dr. Stanford received his Ph.D. from the University of Utah in 1975. Dr. Ellis has dedicated the past 30 years of her research at the Station to freshwater ecology, and received her Ph.D. from the University of Montana in 2006.

Montana is extremely lucky to have such dedicated scientists and educators. Science provides the cornerstone of conservation, and Jack and Bonnie's research is invaluable in increasing our understanding of natural systems, and in enhancing our ability to protect them, for generations to come. ☺



*Pictured from left to right are MEIC executive director Jim Jensen, Jack Stanford, and Bonnie Ellis.*

# What's Next for Keystone XL?

by Derf Johnson

**T**he Keystone XL Pipeline, a project allowing Imperial Oil (a subsidiary of ExxonMobil) to sell more dirty Canadian tar sands oil to the booming Asian economies via refineries in Texas, is not dead. President Obama did make a courageous and reasonable decision to delay the project, based on its inadequate environmental analysis and the many dangers associated with the project.

Obama's decision was also the result of an enormous outpouring of opposition on behalf of concerned citizens across the nation and the world, showing that average people still have some clout. But, regrettably, his decision is not a permanent denial, and you can bet that Big Oil has no intention of shelving the project.

Most recently, Republican members of Congress have attempted to bypass the president's denial by crafting special legislation to authorize the project without executive approval. This attempt, if successful, would be especially devastating as it would require no new environmental evaluation, and would perpetuate the current pipeline route directly over the Ogallala Aquifer. The possibility of this happening was so shocking that 350.org, the organization leading the charge against the pipeline, gathered over 800,000 online signatures in opposition to this plan in less than 24 hours.

Even if Congress fails to overturn Obama's decision, the project will probably still move forward. TransCanada Corp., the owner of Keystone XL, has stated unequivocally that it still intends to build the pipeline and have it operational as early as 2015. This will require TransCanada to reapply for the needed Presidential Permit in 2013.

The most inexplicable and frustrating part of the Keystone XL proposal is the mistruths and outright lies being spread by its backers, including

that Keystone XL will create an astronomical number of new jobs (sometimes numbering into the hundreds of thousands) and that it will help to wean America off foreign oil. Neither of these claims is true. A recent State Department report on Keystone found that "there is likely to be little difference in the amount of crude oil refined at U.S. refineries . . . or the amount of crude oil imported from Canada . . ." Further, the final environmental impact statement found that Keystone is "unlikely to have a substantial impact on U.S. employment, economic activity, trade, energy security, or foreign policy over the long term."

There's no saying how President Obama, or a new president, will act on a new proposal for Keystone XL. But it will require concerned citizens to stay vigilant and maintain pressure on elected officials to stop this project outright. The consequences of maintaining our current glide path toward a climate disaster are too great not to make the effort.

MEIC urges you to contact Sens. Baucus and Tester and Rep. Rehberg, and tell them not to support any Congressional action that circumvents the President and authorizes the construction of Keystone XL. Your help is especially critical as all three have publicly endorsed the project. ☺

*"Even if Congress fails to overturn Obama's decision, the project will probably still move forward. TransCanada Corp., the owner of Keystone XL, has stated unequivocally that it still intends to build the pipeline and have it operational as early as 2015."*

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# Colstrip: The Dirtiest Plant in Montana Tries to Whitewash its Record

by Anne Hedges

**P**PL Montana, a subsidiary of Pennsylvania Power and Light, recently provided an op-ed (opinion piece) to newspapers around the state, saying how clean the Colstrip coal-fired power plant complex is and how important it is for the economy of Montana. Fortunately, two rebuttal columns were submitted to set the record straight.

Colstrip is the most polluting facility in the state, hands down. Its impact on the statewide economy is limited. It has the 8th highest greenhouse gas emissions in the country and the highest of any facility in the western United States. That's not clean by any standard.

Below are the two responses to PPL's misleading statements. One is written by economists who point out the fundamental problems in PPL's economic analysis, and the other presents a public health perspective.

## PPL Montana Overstating Benefits of Colstrip Power Plant

by Dick Barrett and Thomas Power.

**I**n a recent guest column, PPL Montana spokesman Gordon Criswell argued that his company's Colstrip power plants are important to Montana's economy because they are "responsible" for more than 3,700 jobs in the state and increase total personal income by 9%. Take these figures with a big grain of salt.

First of all, PPL directly employs fewer than 400 workers at its Colstrip plant. But the company's modeling suggests that because PPL buys goods and services it needs to operate, notably coal, and because those 400 workers spend their wages to buy groceries, pay the rent, and so forth, its operations support another 3,300 jobs in the state. In other words, each direct job supports more than eight indirect jobs. That multiplier seems implausibly high, but for the sake of the argument, accept it. The 3,700 total job count may sound like a lot, but it's only about six-tenths of 1% of all the jobs that existed in the state in 2010. For purposes of comparison, before the recession of 2008 the Montana economy added jobs at that

rate every four months.

Second, the study that Criswell bases his statements on concludes that the Colstrip plants directly and indirectly generated \$362 million of personal income, \$331 million of which were labor earnings, even though the wages and benefits paid by PPL total only \$43 million per year. Here again, the multiplier for directly generated wage income is almost eight. But even if we accept that multiplier and agree with Criswell that the Colstrip plants did indeed generate the personal income he claims they did, he vastly overstates the importance of that income for the state. In 2010, total personal income received by all Montanans was \$34.7 billion. So the \$362 million in personal income attributed to the Colstrip plants made up just 1% percent of state personal income, not the 9% that Criswell claims.

Finally, and most importantly, the economic impacts Criswell describes are calculated by simulating what the Montana economy would look like if the Colstrip plants simply disappeared. But surely in that mysterious circumstance, other

things would be happening. People would be meeting their energy needs by investing in efficiency and conservation, or by buying power generated in Montana by natural gas or renewables. And other power companies elsewhere would be expected to buy Colstrip coal. All of those things would create jobs and generate economic activity in Montana. We don't know how much, exactly, but it's a safe bet that the negative effects of the non-existence of the Colstrip plants would be largely offset.

In other words, PPL's figures grossly overstate the net impact of the Colstrip plants on Montana's economy.

*The authors of this opinion piece are professors emeriti in the Department of Economics at the University of Montana. Rep. Dick Barrett represents House District 93 (Missoula) in the Montana Legislature. Thomas Power is an independent economic consultant. ☺*



*Colstrip power plant.  
Photo by Kestrel  
Aerial Images.*

## Coal-fired Pollution Hurts Children and Elderly

by Wade Hill

**A**s a nurse with decades of hospital experience, I've sat through nights with patients dying of respiratory failure, and calmed frightened parents as their children struggled to breathe during asthma attacks.

These experiences caused me to focus my work on preventing illness instead of waiting until people are too sick to live active, fulfilling lives.

Many of my colleagues in the public health field have similar motivations. Our goal is to prevent people from being exposed to toxins that cause disease. Our challenge seems to be

those who think that corporations should be free to expose others to toxins, simply because it is profitable.

**Big plant, big problem**

The guest opinion by PPL Montana attempts to convince the public that because their Colstrip power plant provides jobs, its abysmal pollution record should be overlooked. That argument missed the point. The question is: "Is Colstrip as clean as it can be, to reasonably protect our air, water and health?" Speaking as a nurse dedicated to public health, the answer is clearly "no."

Recently released data highlight just how

*continued on page 12*

## Colstrip Whitewashing *(continued from page 11)*

dirty PPL's Colstrip plant is. When it comes to carbon dioxide pollution, PPL's Colstrip plant is the dirtiest coal-burning power plant in the West, and the eighth dirtiest nationwide.

The numbers are staggering. Colstrip smokestacks put out about 17 million tons of CO<sub>2</sub> a year. By comparison, the epic 1980 eruption of Mount St. Helens emitted 10 million tons of CO<sub>2</sub>. In terms of CO<sub>2</sub> pollution, Colstrip is like

having a volcano erupt in eastern Montana, every several months.

CO<sub>2</sub> pollution contributes to many problems. Its primary and secondary impacts have been linked to increases in childhood asthma and climate change. Rosebud County, where Colstrip is located, has the third-highest rate of asthma in Montana, yet the true costs of air pollution are often felt hundreds of miles downwind.

CO<sub>2</sub> is just the start. According to the Montana Department of Environmental Quality, Colstrip is also by far Montana's greatest source of SO<sub>2</sub> and NO<sub>2</sub>, major contributors to smog, acid rain and unhealthy, dirty air. Colstrip puts out more of these types of pollution than the next top nine polluters in the Treasure State combined.

Then there is water pollution. Wastewater ponds at Colstrip have been leaking, contaminating water sources downstream for people and livestock.

Prevention cuts costs.

In his guest opinion, PPL spokesperson Gordon Criswell points out the millions of dollars that PPL has already spent to reduce pollution. Rest assured that PPL has not made these "investments" out of the kindness of its corporate heart, but either to maximize profits or follow the law.

At the very least, these investments are the costs of doing business, like the repair bill for keeping an oil-burning jalopy on the road. You can pour a lot of money into an old jalopy, but at some point you'll be pouring good money after bad. As a nurse and taxpayer I would much rather have PPL invest in reducing toxins than ask the public to care for more sick children. To argue otherwise is cost-shifting at its worst.

Are there ways to make Colstrip cleaner? Yes. Do they cost money? Yes. Is it worth it? It's hard to put a price tag on your lungs, or your children's future. ☺



*Colstrip power plant. Photo by Anne Hedges.*

# State Land Board Approves Shortsighted Habitat Plan

by Kyla Wiens

**O**n December 19, 2011 the five statewide elected officials who comprise the State Land Board unanimously approved the Department of Natural Resources and Conservation's (DNRC) 50-year Habitat Conservation Plan (HCP). DNRC's plan covers over 500,000 acres of forested State school trust lands in northwestern Montana. It is supposed to protect critical habitat for imperiled grizzly bears, Canada lynx, bull trout, Columbia redband trout, and westslope cutthroat trout.

But the Plan does not prioritize habitat conservation. Even though the time period of the HCP is long, several of its management guidelines and its inability to deal with climate change are very shortsighted. Expanded logging and road construction under the HCP may increase short-term trust land revenue, but these activities will come at the expense of long-term habitat conservation and species protection.

DNRC began developing the HCP over seven



*A clearcut of old-growth trees on steeply sloping State land. Photo by Stephen Braun.*

years ago to comply with the federal Endangered Species Act (ESA). Section 10 of ESA permits a non-federal landowner to "take" (harass or harm) threatened and endangered species on the condition that the landowner or land manager (in this case, DNRC) develops a Habitat Conservation Plan that "minimizes impacts to threatened and endangered species to the maximum extent practicable." There are several reasons why DNRC's HCP falls short of the ESA requirement :

**It fails to effectively address and respond to the ecological impacts of climate change.** The Plan mentions potential climate change impacts, but only commits DNRC to the land management practices outlined in the HCP. DNRC is not required to change management activities or commit additional resources beyond those prescribed in the HCP. Therefore, DNRC is locked into a 50-year plan that is based on current ecological conditions, even though those conditions will assuredly change because of global warming and for other reasons.

**It increases road miles and road densities beyond levels that are already too high.** Currently there are 2,645 miles of road in the Plan area, and

## MEIC Remembers David Gaillard

David Gaillard, a passionate and dedicated advocate for wildlife conservation, was killed in a tragic avalanche accident in the Shoshone National Forest on December 31, 2011. Dave was the Northern Rockies Representative for Defenders of Wildlife. MEIC worked closely with Dave on DNRC's Habitat Conservation Plan, and his extensive knowledge of lynx and wildlife population dynamics proved invaluable. We will all miss his great sense of humor and warm and friendly demeanor. His passing is a great loss to the conservation community, and to the wildlife that he fought so hard to protect. Our thoughts go out to his family, colleagues, and friends.



*continued on page 17*

# Agencies Moving Ahead With Montanore EIS

by Jim Jensen

The Montana Department of Environmental Quality and the U.S. Forest Service have issued a supplement to their draft environmental impact statement on the Montanore Mine, a massive underground copper and silver mine proposed on the east side of the Cabinet Mountains Wilderness. The mine,

abandoned as uneconomic in 1992 by Canadian mining giant Noranda Corp., is now being proposed by Mines Management, Inc., of Spokane, WA, the new owner of the claims.

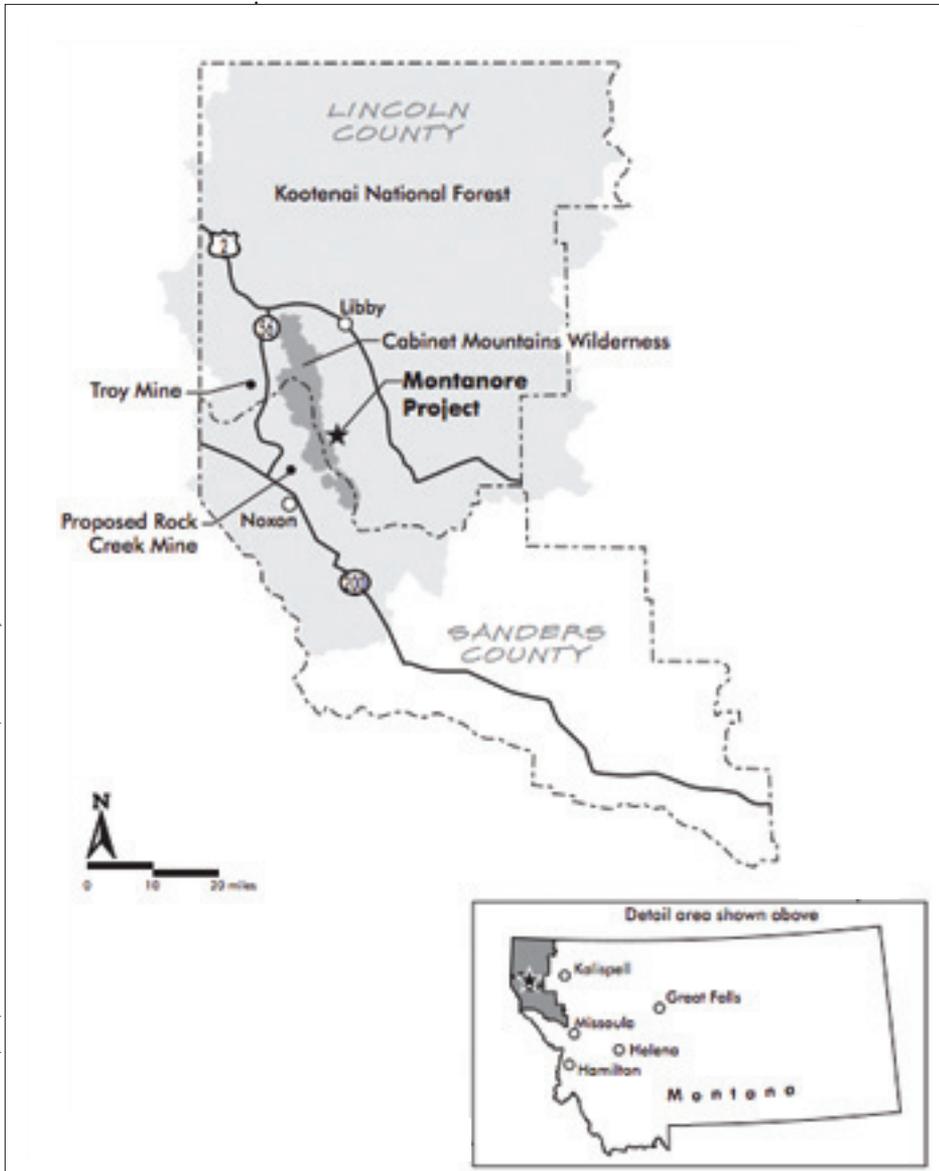
The Cabinet Mountains were recognized by President Theodore Roosevelt for their outstanding scenic grandeur. The Wilderness Area was of the first ten established by Congress in 1964. It provides a vital source of cold clear water

for important bull trout populations and downstream communities. The Wilderness Area and surrounding Cabinet-Yaak Ecosystem also provide critical habitat for threatened grizzly bears and other important wildlife.

The U.S. Fish and Wildlife Service has already determined that the proposed Rock Creek Mine on the west side of the Cabinets would harm the bull trout population in Rock Creek. Now the proposed Montanore Mine is expected to dewater and degrade the East Fork of Bull River, the most important bull trout stronghold in the lower Clark Fork River region.

MEIC believes that the beleaguered population of grizzly bears in the Cabinet Mountains Wilderness cannot withstand the effects of one mine, let alone two. Bear biologists say the proposed Montanore mine will displace the bears from another 13,000 acres of their remaining habitat.

MEIC is monitoring this project and is prepared to take whatever steps are necessary to protect the treasured Cabinet Mountains from the ravages of a massive industrial development on its flanks. 🌱



Location of proposed Montanore mine. Map courtesy of U.S. Forest Service.

# PSC Approves Spion Kop Wind Farm

by Kyla Wiens

Montana's largest utility, NorthWestern Energy, is one step closer to owning a wind generation facility southeast of Great Falls near Raynesford, Montana. The Public Service Commission (PSC) recently granted pre-approval by a 3-2 vote to the utility to purchase the Spion Kop wind farm from Colorado-based Compass Wind.

This decision sets both good and bad precedents. On the plus side, when it is built the 40-megawatt (MW) project would be the largest wind generation facility owned directly by a Montana utility. Utility ownership is important, particularly for renewable energy projects, because it provides long-term certainty and reduced cost impacts for ratepayers. At 135 MW, Judith Gap is Montana's largest wind farm, but it is owned by Invenergy, a wind development company. NorthWestern purchases the electricity from Judith Gap under a long-term contract.

The Spion Kop facility will also help NorthWestern Energy meet Montana's renewable energy standard requirement to obtain 15% of its electricity from renewable resources by 2015. The PSC staff determined that electricity produced at Spion Kop would be the second cheapest resource in NorthWestern Energy's portfolio, following energy efficiency.

Unfortunately, the PSC decision also included an unprecedented condition for wind energy projects. PSC chairman Travis Kavulla (R-Great Falls) proposed that if Spion Kop didn't produce at least 118,000 megawatt hours of electricity annually in its first three years, rates would be reduced. This means that the financial feasibility of the project could be jeopardized if

the turbines at the facility do not operate at full capacity at least 33% of the time. The PSC voted 4-1 in favor of Kavulla's proposal, and thereby placed a condition on this wind facility that has never been placed on any energy generation facility before.

Requiring a facility to produce a certain amount of energy ignores natural and operational circumstances that are likely to impact power production. For example, NorthWestern Energy recently had to shut down the Dave Gates Generation Station, a natural gas facility near Anaconda, due to several



Judith Gap  
wind farm.  
Photo by MEIC.

gas turbines needing significant repairs. The facility will be down for several months until Northwestern receives new turbines from the manufacturer. Similarly, Colstrip Unit 4, in which NorthWestern Energy has partial ownership, went off-line in 2009 because of a large crack in one of its boilers. The PSC did not even consider a minimum power production condition on either of these facilities.

Intermittent power production can be caused by mechanical failures, natural events, or complicated market factors that are not in any way limited to wind energy. Ultimately, the PSC's approval of Spion Kop is bittersweet because it includes a condition that, yet again, creates an uneven playing field for renewable, compared to fossil fuel, resources. ☹

## BOGC Receives a Failing Grade

by Derf Johnson

Remember the largest oil spill in history, the one at the Deepwater Horizon well in the Gulf of Mexico? The story surrounding that disaster revealed mismanagement, lax and ineffective government enforcement, competing directives for underfunded agencies, and an industry willing to cut costs to save a buck.

Well, it turns out that a similar story, lacking only the disaster, can be found much closer to home. The agency in question is the **Montana Board of Oil and Gas Conservation (BOGC)**.

The BOGC is a semi-independent entity treated as part of the Department of Natural Resources and Conservation (DNRC). The Board is legislatively charged with: 1) preventing waste of oil and gas resources; 2) conserving oil and gas by encouraging maximum efficient recovery of the resource; and 3) protecting the rights of mineral owners. BOGC has always had a strong “pro industry” bias. A number of other western states have a similar regulatory agency.

Outside of its narrow legislative directive, BOGC is simply failing to do its job. A recent

audit of BOGC, requested by the 2011 Legislature, highlights the ineptness and mismanagement at the agency.

The legislative audit findings were issued in September 2011, and were as insightful as they were damning. Among the audit’s conclusions were:

- Division management is failing to provide a formal management direction to division staff for inspection and enforcement activities.
- The inspection and enforcement processes of BOGC lack a formal approach to their work. There are not formal inspection priorities, there are inadequate documentation procedures, and there are overall inconsistencies in inspections. Of note is that 58% of wells have not been inspected (or have not been documented as inspected) within the past five years.
- There is a high non-compliance rate following identified violations (35% in 2010). Compliance timelines for violations have been inconsistently applied.
- Data management at BOGC is insufficient, risking security failures for secured information.



Drilling pad on the Rocky Mountain Front. Photo by Tony Bynum.

BOGC doesn't have a security plan in place for its system, and it doesn't have a recovery plan for its data management system following a disaster.

What's more shocking, the problems at BOGC don't stop at the audit's findings. Information obtained by MEIC highlights the poor stewardship BOGC exercises over Montana's natural gas resources and, ultimately, the climate. BOGC rules allow operators to release enormous volumes of carbon dioxide and methane into the atmosphere at well sites, a practice known as venting and flaring. This "carbon spill" into Montana's atmosphere amounts to enough energy to power tens of thousands of homes annually. The practice of flaring isn't only a detriment to the climate, it also represents a

significant loss of tax revenue. If the gas wasted on State lands was otherwise captured and used for energy, the oil and gas companies would pay the State of Montana royalties for depleting public resources.

MEIC will be working to make BOGC more accountable, starting with encouraging a complete and immediate reformation of its enforcement and inspection programs. BOGC should also initiate a rule-making process—as Wyoming has done—that results in requiring operators to capture gas instead of billowing it into the air. ☺

*"This "carbon spill" into Montana's atmosphere amounts to enough energy to power tens of thousands of homes annually."*

## Habitat Conservation Plan *(continued from page 13)*

road densities are 3.1 miles of road per square mile of land. Under the HCP, there will be 4,032 miles of road, an increase of over 50% and road densities will increase to 4.7 miles of road per square mile of land.

### It authorizes

**increased logging.** Annual timber harvest volumes for the affected lands are currently at 53.2 million board feet (mmbf). This is already an extremely high annual timber volume. Under the HCP, the harvest volumes will increase to 57.6 mmbf.

**It provides for inadequate buffers in sensitive riparian areas.** The HCP establishes an 80-foot riparian timber-harvest buffer adjacent to Class 1 streams (streams important for spawning, rearing, or migration of fish). But loopholes within this buffer allow for disturbances such as salvage logging to occur within streamside management zones. Most wildlife experts and federal agencies recommend 100-300 foot buffers with minimal



*Grizzly bear.  
Photo by  
Jim Peacock.*

disturbances to limit the impacts to fisheries and water quality.

With the Land Board's approval, the HCP becomes part of the administrative rules that guide DNRC's forest trust land management program. As managers and administrators of State school trust lands, DNRC and the Land Board have a responsibility to balance short-term revenue generation with long-term trust land viability. Unfortunately, several shortsighted management guidelines established in the HCP upset this balance and could compromise the viability of these trust lands for the next 50 years. ☺

## Wealth, Illth, and Net Welfare

*Editor's note: The following, very thoughtful, article originally appeared in "The Daly News," a publication of the Center for the Advancement of the Steady State Economy ([www.steadystate.org](http://www.steadystate.org)).*

by Herman Daly

**W**ellbeing should be counted in net terms — that is to say we should consider not only the accumulated stock of wealth but also that of "illth;" and not only the annual

*"Pollution cleanup has a price and we willingly pay it up to a point and add it to GDP - but without having subtracted the negative value of the pollution itself that made the clean up necessary. Such asymmetric accounting hides more than it reveals."*

flow of goods but also that of "bads." The fact that we have to stretch English usage to find words like illth and bads with which to name the negative consequences of production that should be subtracted from the positive consequences,

is indicative of our having ignored the realities for which these words are the necessary names. Bads and illth consist of things like nuclear wastes, the dead zone in the Gulf of Mexico, biodiversity loss, climate change from excess carbon in the atmosphere, depleted mines, eroded topsoil, dry wells, exhausting and dangerous labor, congestion, etc.

We are indebted to John Ruskin for the word "illth," and to an anonymous economist, perhaps Kenneth Boulding, for the word "bads." In the empty world of the past these concepts and the names for them were not needed because the economy was so small relative to the containing natural world that our production did not incur any significant opportunity cost of displaced nature. We now live in a full world, full of us and our stuff, and such costs must be counted and netted out against the benefits of growth. Otherwise we might end up with extra bads outweighing extra goods, and increases in illth greater than the increases in wealth. What used to be economic growth could become uneconomic

growth — that is, growth in production for which marginal costs are greater than marginal benefits, growth that in reality makes us poorer, not richer. No one is against being richer. The question is, does growth any longer really make us richer, or has it started to make us poorer?

I suspect it is now making us poorer, at least in some high-GDP [gross domestic product] countries, and we have not recognized it. Indeed, how could we when our national accounting measures only "economic activity." Activity is not separated into costs and benefits. Everything is added in GDP, nothing subtracted. The reason that bads and illth, inevitable joint products with goods and wealth, are not counted, even when no longer negligible in the full world, is that obviously no one wants to buy them, so there is no market for them, and hence no price by which to value them. But it is worse — these bads are real and people are very willing to buy the anti-bads that protect them from the bads. For example, pollution is an unpriced, uncounted bad, but pollution clean-up is an anti-bad which is accounted as a good. Pollution cleanup has a price and we willingly pay it up to a point and add it to GDP — but without having subtracted the negative value of the pollution itself that made the clean up necessary. Such asymmetric accounting hides more than it reveals.

In addition to asymmetric accounting of anti-bads, we count natural capital depletion as if it were income, further misleading ourselves. If we cut down all the trees this year, catch all the fish, burn all the oil and coal, etc., then GDP counts all that as this year's income. But true income is defined as the maximum that a community can consume this year, and still produce and consume the same amount next year — maximum production while maintaining intact future capacity to produce (capital in the broadest sense). Nor is it only depletion of natural capital that is falsely counted as income — failure to maintain and replace depreciation of man-made capital, such as roads and bridges, has the same effect. Much of what we count in GDP is capital consumption and anti-bads.

As argued above, one reason that growth may be uneconomic is that we discover that its neglected costs are greater than we thought. Another reason is that we discover that the extra benefits of growth are less than we thought. This second reason has been emphasized in the studies of self-evaluated happiness, which show that beyond a threshold annual income of some \$20-25 thousand, further growth does not increase happiness. Happiness, beyond this threshold, is overwhelmingly a function of the quality of our relationships in community by which our very identity is constituted, rather than the quantity of goods consumed. A relative increase in one's income still yields extra individual happiness, but aggregate growth is powerless to increase everyone's relative income. Growth in pursuit of relative income is like an arms race in which one party's advance cancels that of the other. It is like everyone standing and craning his neck in a football stadium while having no better view than if everyone had remained comfortably seated.

As aggregate growth beyond sufficiency loses its power to increase welfare, it increases its power to produce illth. This is because to maintain the same rate of growth ever more matter and energy has to be mined and processed through the economy, resulting in more depletion, more waste, and requiring the use of ever more powerful and violent technologies to mine the ever leaner and less accessible deposits. Petroleum from an easily accessible well in East Texas costs less labor and capital to extract, and therefore directly adds less to GDP, than petroleum from an inaccessible well a mile under

the Gulf of Mexico. The extra labor and capital spent to extract a barrel in the Gulf of Mexico is not a good or an addition to wealth — it is more like an anti-bad made necessary by the bad of depletion, the loss of a natural subsidy to the economy. In a full employment economy the extra labor and capital going to petroleum extraction would be taken from other sectors, so aggregate real GDP would likely fall. But the petroleum sector would increase its contribution to GDP as nature's subsidy to it diminished. We would be tempted to regard it as more rather than less productive.

The next time some economist or politician tells you we must do everything we can to grow (in order to fight poverty, win wars, colonize space, cure cancer, whatever...), remind him that when something grows it gets bigger! Ask him how big he thinks the economy is now, relative to the ecosphere, and how big he thinks it should be. And what makes him think that growth is still causing wealth to increase faster than illth? How does he know that we have not already entered the era of uneconomic growth? And if we have, then is not the solution to poverty to be found in sharing now, rather than in the empty promise of growth in the future? If you get a reasoned, coherent answer, please send it to me! ☺

*“Growth in pursuit of relative income is like an arms race in which one party's advance cancels that of the other. It is like everyone standing and craning his neck in a football stadium while having no better view than if everyone had remained comfortably seated.”*



**CASSE**

Center for the Advancement of the  
Steady State Economy

## Missoula Doctor Leaves 'Clean and Healthful Legacy' to MEIC

by Molly Severtson

The story of Dr. Norman James Nickman's life reads like a prescription for achievement and success. Born on a farm in Nebraska in 1937, Norm graduated from Pleasanton High School in 1955 and completed college in just three years. From there, he went on to become a surgeon, a lieutenant commander in the Naval Reserve Medial Corps, an outdoorsman, a husband, and a father. His numerous accolades include emeritus member status in the American Academy of Facial Plastic and Reconstructive Surgery and a National Defense Service Medal for exemplary naval service.

He would later find time to serve his community in other ways as well, on the Missoula School Board for a three-year term and on the board of MEIC from 1974-1976.

It was a fishing and hunting trip to Montana in the mid-1960s with a fellow doctor that inspired Norm to move to his young family to the state in 1970. The move ignited in Norm—and his family—a love of the natural beauty of Montana. "I can't imagine growing up in the flatlands of Nebraska (not that there's anything wrong with that), compared to the mountains of Montana," says his son John. "[I]...thank Dad for his love of



the outdoors."

As Norm and John spent time in eastern Montana, Norm noticed that natural bird habitat in that part of the state was being destroyed. "I imagine that was why he got involved with MEIC," John said. "Based on where he left his money, you can see what he valued, education and Montana's environment."

As father and son, Norm and John shared a love of skeet shooting, competing as a team in numerous tournaments, and Norm competed on his own as well. In his last tournament in 1983, Norm had his best finish and said to his son, "might as well go out on top." He continued to enjoy the outdoors and spending time with his beloved dogs, until his death.

In his will, Norm requested that his remains be spread in three places: the Nebraska family farm where he was born, on Field #1 of the Missoula Trap and Skeet Club, and on St. Mary's Peak near Stevensville. He also bequeathed a very generous contribution to MEIC, including common stock and a life insurance policy, which will help ensure that MEIC is here for years to come, protecting the clean and healthful environment in Montana, which Norm loved and enjoyed so much. ☺

### MEIC Welcomes Major Gifts Director



Molly Severtson of Helena has been hired as MEIC's new Director of Major Gifts. Molly's background in journalism, marketing, and nonprofit management makes her a great addition to the staff. She was most recently the executive director of The Policy Institute, a Helena-based progressive policy think tank.

Molly, originally from Creston in the Flathead Valley, lived in Shelby and Missoula before settling in Helena with her three daughters Sonja, Anja, and Brynja (twins plus one) and her husband Eric.

# 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 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 (Family)
- \$120 (Donor)     \$30 (Individual)
- \$60 (Supporter)     Other \$ \_\_\_\_\_

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## President's Letter

by Roger Sullivan

### **Big Changes Rooted in Small Stories**

One of my favorite journalists is Nicholas Kristof of *The New York Times*, who travels the world often describing the horrors (usually inflicted on women) that attend ongoing political revolutions, but also telling hopeful stories of individuals who are resisting oppression and working for change. In a recent interview Kristof explained that he felt compelled to include these seemingly small stories of individuals confronting powerful forces of destruction, because otherwise his investigative journalism could be for naught. Apparently we humans, no matter how knowledgeable and concerned we might consider ourselves, suffer from what social psychologists refer to as "compassion fatigue." Simply stated, our outrage has limits: the larger the scope of the problem, the less likely we are

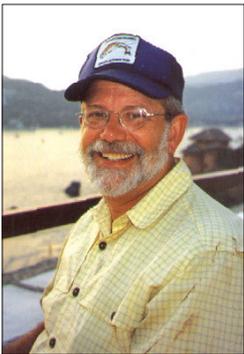
to feel emotionally empowered to take action. We feel overwhelmed.

This is why the small stories of individual struggles and successes are essential. They allow us to relate in a more deeply human and emotional way to the challenges confronting us. That relationship is then reinforced by analysis and strategic action. My take-away from this? Our stories matter, especially about our successes, which need to be celebrated. I've got several to report.

First, on February 9th in Kalispell, MEIC supporters gathered to present to Bonnie Ellis and Jack Stanford MEIC's "Conservationist of the Year" award. They were recognized not only for their highly relevant scientific research on fresh water ecology, but also for the equally important work they have done over the last quarter-century in building the University of Montana's Flathead Lake Biological Station into a great institution of environmental education and mentoring. I have to add that these same

## Thoughts from the Executive Director

by Jim Jensen



Virtually everyone who interacts regularly with Gov. Brian Schweitzer of Montana is at one time or another bemused, confused, or accused. MEIC has been all three.

He has, since his election seven years ago, promoted an energy policy of "we need to have it all." But such an approach will not work when we are all looking down the loaded barrel of the gun of global warming. We need to invest all of our resources in a carbon-free energy future.

It is a matter political leadership. Just look at Germany. It is a country nearly the same size as Montana with a climate much like

Seattle's. It has now become the world leader in solar-generated electricity production. And its successful entrepreneurs are aggressively manufacturing and selling their products worldwide. It could have been us.

On his web site Gov. Schweitzer claims to have a Clean and Green energy policy. In practice he is instead a profoundly dedicated supporter of the dirtiest forms of energy – coal (and all its hideous variants) and tar sands. He received wide media coverage in his first few years in office for his promotion of coal-to-liquids (CTL) schemes. Remember the 60 Minutes "Coal Cowboy" segment? He claimed this virtually magic process was the cutting edge of green energy. And he was its champion.

qualities come to mind when I think of the talent and dedication of MEIC's staff, as well as the crafting and sustaining of MEIC as an institution over these last 40 years, which has been accomplished through the dedication of many of you reading this column.

On February 18th I traveled to the University of Montana to attend some sessions of the Rocky Mountain Power Shift conference. The presentations I listened to were inspiring. Bill McKibben of 350.org "Skyped" in from Vermont and told wonderful stories about his efforts and those of seven of his students in taking on the seemingly daunting challenge of global warming—one continent at a time. Likewise, 17-year-old Alec Loorz, founder of Kids vs. Global Warming, connected with us on a very emotional level, through poetry and images which allowed us to both feel and think about the "sickness" that is at the root of the destructive dominant paradigm, of which global warming is but one manifestation. It was great to sit among a large group of mostly

young people, made all the more enjoyable by the realization that Kyla Wiens of MEIC's staff was busy making presentations during the conference.

Finally, congratulations to MEIC's staff and our attorneys for their hard and successful work in obtaining the injunction in the Mega-loads case (see story on page 2), which was decided on February 17th!

So let's remember our work as story tellers, even as we are out there in the trenches on the front lines of the critical environmental issues of our time. ☺

It was only after he and CTL subsequently began to receive well-deserved and unfavorable press coverage that he quit the cheerleading for it. Facts can be stubborn things.

He is also the leading cheerleader in the State Land Board's effort to have coal mined from the fragile region known as the Otter Creek Tracts in southeastern Montana. This massive project is arguably the most damaging coal development scheme west of Appalachia. It cannot be rationally squared with his smiling pro-renewable energy rhetoric and rare (and grudging) green actions.

His "we need it all" approach to energy challenges is simply wrong. It is the refuge of political cowardice. Montana, America, and the world today need political leaders who make choices—some times hard ones—by defining a course toward a desired goal and working consistently to achieve it.

And now Schweitzer has decided to be the Prince of Pork Production and Pollution for the insatiable Chinese pork market. His new proposal is for a "large-scale pork producing plant" that would "produce" two million hogs per year. What he seems to not care about is that it would require untold amounts of water, create huge cesspools of pig poop (hold your nose, Highline), involve force-feeding massive amounts of antibiotics to the hogs resulting in antibiotic resistant germs, and put huge amounts of global warming pollution in the atmosphere.

Schweitzer recently told an Associated Press reporter that he is not interested in a continuing political career. He intimated that he would engage the private sector, perhaps promoting Middle Eastern interests, what with his speaking Farsi and all.

We should all hope it is so. ☺

**MEIC** - A nonprofit environmental advocate

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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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### **Come on Board!**

In August, MEIC will be holding its annual election for the board of directors. There are up to six seats to be filled by new nominees, and MEIC is now accepting suggestions of potential candidates. Do you know someone—perhaps you?—who is an advocate for the environment and would enjoy the opportunity to help advance MEIC's mission of protecting and restoring Montana's natural environment? If so, why not ask them if they might be interested. If they are, please send us the information (opposite) by March 31st. MEIC welcomes suggestions of individuals from all walks of life and geographic locations.

#### **MEIC Board of Directors Nominee Contact Form**

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

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

City: \_\_\_\_\_

State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

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