



East of Eden

In the Red Desert with an Indiana Desert Rat

by Mac Blewer

Not too long ago, I visited WOC members Tom Dustin and his wife, Jane, at their campsite on Steamboat Mountain within the Red Desert, where they were celebrating their 50th wedding anniversary. Parking my bedraggled Subaru near the road, rapidly deflating tire and all, I hiked up the hill where an inviting light glowed from within a shadowed aspen grove.

"Welcome me boy," came a familiar laugh and slightly gruff voice from the trees. "Welcome to paradise, East of Eden." Bear hugs all around. Tom and Jane accepted my proffered watermelon and white wine and we settled into a long night of stories, including my favorite — the time that Tom was treed by a wild stallion not too far from here.

"Like No Place on Earth!"

Tom Dustin has been one of the most vocal proponents of Red Desert protection for nearly four decades. Currently the Environmental Affairs Adviser of the Indiana Division of the Izaak Walton League, he first visited the Red Desert in 1956, hiking up Steamboat Mountain with his Wyoming friend Herb Pownall, at the recommendation of the late Dr. David Love.

"Dr. Love told Herb about all of these wonderful places in Wyoming that you wouldn't normally go to,

parts of the Red Desert and the Wind Rivers," Tom recalls. "And of course we went. From on top of Steamboat Mountain you could see everything! The Winds, the Wyoming Range, Oregon Buttes...But what captured us the most beyond the magnificence of the desert was the combination of values that it had. Like no place on Earth! The Tri-Territorial Marker, the Sands, the Boar's Tusk, the Oregon Trail, the wildlife...The Red Desert is as biblical and historic as the sacred places of the Middle East!"

The Young Activist

Born in 1923 in Weehawken, New Jersey, some of Tom's earliest memories were of the walks that he and his grandfather, Johann Distler, took through northern New Jersey's lush woodlands and along its winding streams. His first sense of outrage at environmental injustice was when developers cut down a neighborhood forest where he and his friends rode their bikes.

"We never got over that loss," Tom says pensively. "The developers just took it away."

In 1950, after Tom had graduated from Iowa State University with a degree in Technical Journalism, he married Jane McCullagh, a fellow student with a degree in Farm Operations. Together they camped throughout New York state, Wisconsin, and then, finally, the West, which they have visited consistently since. Their favorite landscapes include the Bridger-Teton *continued on page 3*



Emily Stevens' Lasting Legacy



Faulkner Family photo

Nearly two years ago, former WOC board member and long-time supporter Emily Faulkner Stevens passed away. Emily served on our board for seven years, bringing a quiet warmth and determined commitment to our conservation work.

Emily was an active outdoorswoman who reveled in the beauty, power and richness of Wyoming's wild landscapes, clean water and clear skies, and worked tirelessly to protect our state's environment for present and future generations.

This year, we learned that her great generosity to WOC extended beyond her life. Emily has bequeathed WOC an extraordinary gift of more than \$600,000. We are

immensely honored by and thankful for this remarkable bequest which provides us with an unexpected and invaluable opportunity to further strengthen WOC's efforts to protect Wyoming's unparalleled natural heritage. Emily's gift ensures that her legacy will endure for year to come.

These funds come to WOC at a time of unprecedented attacks on our environment along with a struggling economy that has made funding our work challenging. We will use Emily's bequest to boost our capacity and effectiveness, and to help ensure that WOC remains a strong and enduring voice for the conservation of Wyoming's natural resources and its citizens' quality of life.

While these funds provide us with an exciting opportunity to increase our capacity, we must carefully consider a number of factors to make sure that any future growth is effective and sustainable in the long-term. In order to make the best use of Emily's bequest, WOC board and staff will participate in a facilitated strategic planning retreat in September. We all look forward to our upcoming in-depth discussions and brainstorming sessions about how we can strengthen WOC's ability to successfully confront ever-increasing threats to Wyoming's environment.

We also anticipate allocating a substantial portion of the bequest to our endowment, helping ensure WOC's long-term future and Emily's lasting legacy.

Finally, I am grateful to you and other WOC members for your active commitment to our work and your critical support for our day-to-day efforts to defend Wyoming's wildlife, wildlands, environment and quality of life. Thank You!



Established in 1967, the Wyoming Outdoor Council (WOC) is the state's oldest and largest independent statewide conservation organization. Our mission is to protect and enhance Wyoming's environment by educating and involving citizens and advocating environmentally sound public policies and decisions.

Frontline Report is the quarterly newsletter of WOC and is provided as a benefit of membership. Letters to the editor and articles by members are welcome. For more information contact: WOC, 262 Lincoln, Lander, WY 82520; (307) 332-7031 (phone), (307) 332-6899 (fax), woc@wyomingoutdoorcouncil.org

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National Forest, the Upper Green River Valley and the Red Desert.

After moving to Fort Wayne, Indiana, Tom pursued a career in managing technical advertising accounts. He and Jane co-founded Acres Inc., a nonprofit land trust that now owns and manages 45 dedicated nature preserves in Indiana. They also teamed up to fight for the protection of other areas in the state that they had visited and loved.

Friends & Enemies

The first national campaign that Tom and Jane were drawn into was the successful 1954 effort to protect Utah's Dinosaur National Monument from being dammed and flooded. Locally, Tom got involved with the Save the Dunes Council, which in 1966 successfully passed Congressional legislation to protect 13,000 acres of land — coveted by the steel industry — as the Indiana Dunes National Lakeshore.

"It took eight undivided years of my life, along with my equally radicalized colleagues to get even this much," Tom recalls. "We lost some of the best of it, but it was still worth every day of the struggle."

Since then, Tom and Jane have remained passionately involved with local, regional and national environmental issues. Their efforts to enhance watershed protection in Indiana, especially for rivers such as the Wabash and the Big Walnut, have gained them friends, allies, and, inevitably, some enemies, including many in the energy industry.

"Mac, if you ever want to get someone off of your back for a year, burn their house down!" Tom wryly jokes. In 1994, when he and Jane were off visiting their son's family in Oregon, vandals burned their house to the ground. Although an insurance investigator blamed the fire on a malfunctioning electric tool, another investigator's report confirmed that the fire had been deliberately set.

"We lost everything," he says. "But we rebuilt and got back many of our photos and paperwork from good friends. We don't spend too much time thinking about it."

Patriotic Obligations

Tom's indefatigable dedication to environmental protection has obviously remained unwavering through the years. When I ask him about the future of the Red Desert and the environment, Tom replies, "This scenery



Images of the Red Desert captured by Tom Dustin. Cover: Boar's Tusk. Above: Steamboat Mountain. Below: Oregon Buttes.

is the stuff of wonder and of history. It is part of our heritage. And it is a matter of patriotism that we fight to protect it. It doesn't matter if you've never been to a place before. I may never make it to Alaska, but I have an obligation to protect it and to protect the choices of people who may want to go there some day. We have an obligation to protect the Red Desert, the Bridger-Teton National Forest and the Arctic National Wildlife Refuge. It's always worth the fight! After all, there's a question of honor here! If we can't protect this part of the Red Desert, then tell me what else is worth saving out there?"

As I look back on my days spent with the Dustins in the Red Desert, rambling around Essex Mountain and Steamboat Rim and watching northern harriers soaring over sagebrush draws, I am grateful for their friendship and for the choices they have made in their own lives. Tom Dustin may live in Indiana, but I dare say that he knows parts of the Red Desert better than 99% of Wyoming residents do. His love for the desert is undying, and his courage undeniable. Without Red Desert warriors like Tom and Jane, the Red Desert campaign would have long ago been brought to a standstill.

"I have enough strength left for a few more fights," Tom laughs. "Just enough fight in me to keep those bastards out of a few last areas. Remember, there's no sin in losing, but there is in not trying!"

Tom Dustin may live in Indiana, but I dare say that he knows parts of the Red Desert better than 99% of Wyoming residents do.



An Interview with Governor Freudenthal

ful and cautious. But his overall message seemed to be that he cared about how Wyoming residents felt and that he is working to better understand these sentiments before he makes any major policy decisions.

MOLLY ABSOLON: *How does the environment fit into your vision for Wyoming's future?*

GOVERNOR FREUDENTHAL: Well I think it is related to two things. One is, I think the physical environment accounts for the reason that an awful lot of people live here. Wyoming's environment creates our quality of life. It may also turn out, in the long run, to be one of Wyoming's most significant marketable assets. I believe more and more people are going to be attracted to Wyoming as a place to live. But to live here, they have to figure out how to make a living or figure out how they can bring work to Wyoming.

One of the problems that we are having is figuring out the economic value of the environment. Outside of tourism, hunting and those kinds of things that people talk about generally, you hear and run into an awful lot of people who've moved here for lifestyle and environmental-quality reasons, but because of the way our tax structure is, we don't have a way to count them.

They move into a community, you hear about them or you might run into them, but it is not like a coal mine. They don't have to get a business permit to work in the state if they are doing financial consulting, or they are manipulating data that comes in from out of state, so the measurement of their impact on the state's economy has proven to be very difficult. It is apparent that people are moving to Wyoming not just to retire but also as a lifestyle choice. So our environment has both a species and habitat importance, and it also has an emerging significant economic value.

Q: *Given our basic tax structure and our reliance on minerals as a source of revenues for the state, it seems as if we may have set up an inherent conflict between extractive industries and people moving here for the state's environmental attractions. Do you see a conflict?*

A: We certainly don't capture much value from these people in return for the services they receive.



Jeff Vanuga

Q: *Generally speaking do you believe Wyoming's environment has improved or deteriorated in the past ten years?*

A: If you look at the numbers on the air quality side, we are probably not in as good a shape as we were ten years ago. I don't know if the stuff originates in Wyoming or what the cause of it is, but air quality isn't where it should be. I don't have any empirical info on water quality and on the quality of the land, but anecdotal evidence seems to suggest that in some places there have been improvements, particularly in areas where there have been conservation easements or habitat programs put into place.

Sportsmen would contend — at least they seem to contend when you talk to them — that things are getting worse, but I have not been able to tell if that is a function of environmental degradation or drought.

Q: *What do you see as the greatest environmental challenge facing the state?*

A: It seems to me that we have de-emphasized and marginalized environmental concerns as a state matter. Right now these concerns tend to be dictated by the federal government. I think the largest issue we confront is establishing or re-establishing, as a matter of state policy and state conversation, that environmental and quality-of-life concerns must be given every bit as much weight as other concerns.

Q: *Can you give an example?*

A: If you listen to the conversation around coalbed methane development, or around almost any economic development proposal for that matter, we appear to be only interested in the tax revenues.

Q: *"We" meaning the state?*

A: Yes, both the state and its citizens. We talk about tax revenues and jobs. There is not an equal amount of discussion about what the environmental or quality-of-life consequences of a given decision will be. And I think that starts us with a slightly skewed view of things when we begin evaluating options and alternatives.

Q: *Who do you rely on to give you advice on environmental issues?*

A: As a matter of course, I don't have a publicly identifiable list of advisors on anything, I take advice from everybody. You aren't going to walk me into that question, but I don't blame you for trying.

Q: *Okay, well, with that in mind, what role do you see for nonprofit advocacy groups like WOC, but also like the Wyoming Stock Growers Association or the Petroleum Association of Wyoming?*

A: I certainly meet and talk to all of them. But I think they have a broader role. I think they need to communicate with a much greater statewide audience and not just with the government. People pretend that if you talk to the governor, everything is going to get solved or



Jeff Vanuga

that you are going to get an answer. That is not necessarily so.

This stuff revolves around what the public decides they want, because the process is one that requires legislation or funding or voluntary compliance or at least support for mandatory compliance. I think the groups need to not only communicate with elected officials, but they need to communicate more with the public in ways that make these issues important to the public.

Q: *How do you think the health of the state's wildlife is?*

A: Not as good as I would like. I'd say, C to C minus. Again, part of the problem is drought conditions, part of it is changes in land-use patterns and part of it is driven I think — I'd have to defer to the experts here — but I believe part of it is also driven by the fact that an awful lot of the pristine areas are getting broken into by non-open space use, if that's a diplomatic way to say this.



Jeff Vanuga

Environmental and quality-of-life concerns must be given every bit as much weight as other concerns.

Q: *I read the article you wrote during the campaign for Wyoming Wildlife and it said that you had a plan for the management of Wyoming's wildlife. What is that plan?*

A: A lot of it revolves around finding additional sources of funding for Wyoming Game and Fish. The things that I suspected and heard while I was in the campaign was that the financial footing for Game and Fish and the demands that are on it are such that the agency's ability to actually manage wildlife, particularly animals other than game species, is really compromised.

The thing I'm most distressed about is that I had hoped we could start looking at some form of this wildlife trust fund immediately, but it appears to me that school-facility construction funding is going to drive that off the table, at least for the near term. Which means that the linchpin of my plan for making more resources available to Game and Fish for planning and for taking care of species and habitat questions appears to me to be off the table because of school construction. School construction is in the billion to 1.4 billion-dollar range, and that comes at a time when revenues are flat. So I haven't found the fuel for the engine of my wildlife-management plan.

Continued on next page...



Jeff Vanuga

Q: *How about the idea of generating revenue from the sale of trophy wolf hunting licenses?*

I think there are still some things we can do in terms of participating in the federal land-planning process, but again your ability to participate in that process is dependent on the quality of the state's own perception of where it is going, which by and large is developed by Game and Fish.

Q: *I'm curious why you support the dual classification of wolves, particularly when you talk about looking for other sources of revenue for the Game and Fish Department... Couldn't selling licenses for hunting wolves provide some revenue?*

A: I end up supporting dual classification because I think it reflects an appropriate balance. You are going to have places in the state with absolute restrictions and places in the state with lesser restrictions on the take. I think the statutory framework of dual classification gives us the chance to put together some balance that reflects what are obviously very different circumstances depending on how far out the wolf ranges from the park. I think that without that dual classification you don't get to a fair balance.

Q: *I'm not sure I understand why that would be so.*

A: Without dual classification, you end up with only trophy take... I think you need dual classification to develop a management plan that allows you to respond... I mean the fact of the matter is that a wolf in Sheridan County is different in terms of its contribution to the maintenance of the species, which is the federal goal, than a wolf that is closer to the park area. I think the feds have a legitimate concern about greater protection as you get closer to the park.

A: I think that relative to Game and Fish's needs, revenue from license sales is a drop in the bucket. I think you are going to have to look to some non-license sources to actually have an effect.

Q: *Given the rise in disease among Wyoming's wildlife — chronic wasting disease, brucellosis, whirling disease etc. — do you think we need to rethink our wildlife-management strategies?*

A: You know, I don't. I know where you are going with that argument, but I don't think that I have reached a conclusion that somehow the state's wildlife-management strategies are flawed and have to be rethought.

Q: *The conservation community was very excited about your support for protecting portions of the Bridger-Teton National Forest from oil and gas leasing... Are there other parts of the state where you think similar action is merited?*

A: I'll cross that bridge when I get to it.

Q: *How do you resolve the conflict between developing coalbed methane and preserving agricultural interests in the state?*

A: I was discouraged with the legislative treatment of the split-estate legislation. On the other hand, I'm encouraged that at least they are going to try to look at it as part of an interim study. We really need to do something to make sure agriculture has a stronger hand in dealing with the minerals estate. We pursued this issue in the context of coal development, but we haven't done it with coalbed methane.

It is harder to figure out how to do it with coalbed methane than with coal,

because coalbed methane affects such a huge physical area, and is a different kind of development than coal. But I think the conflict has to be resolved, because ultimately individual disputes can't be determined by the government every time, so what we need to do is to strengthen the agriculture party in terms of dealing with the minerals estate.

Q: *So you would support some sort of legislation strengthening surface-owners' rights?*

A: I don't know what you mean by that. I would support legislation that strengthens the surface estate relative to the mineral estate in the context of coalbed methane. I never know when someone says "surface-use agreement" whether they are talking about the ones developed by [lawyers representing surface owners] or the ones developed by the companies, so I am real careful about how I say this. The devil is in the details. But hopefully the legislative committee is going to look at all these issues. They certainly committed to doing that during the session and we will obviously participate in these discussions.

Q: *How do you feel about supporting legislation mandating the adoption of a state renewable portfolio standard? Because it seems that Wyoming is as rich in solar and wind power as it is in oil and gas.*

A: You know, interestingly enough, I had a meeting with Steve Waddington [energy policy advisor, on loan from PacifiCorp] earlier this week. He is really encouraging me to adopt a renewable portfolio standard. He tried to walk me through that kind of stuff. He makes a pretty strong argument. I don't know where I'm at on it yet. His argument is the same as yours, that we ultimately have incredible renewable resource options here in Wyoming... He gave me one of those "Hey, wake up!" speeches," but I don't know if I'm awake yet. *Continued on next page...*

Q: *What's your position on the value of wilderness in Wyoming?*

A: I like wilderness. It has cultural, lifestyle and environmental value, and as we move forward over the next decades, it also has an increasing economic value as something that people are either going to want to come visit or want to be around, so yeah, it's a pretty good deal.

Q: *Do you have any vision for the administration or management of state lands?*

A: I guess, in short, I hope that in the next four years we will begin to come up with a vision. I think Lynne Boomgaarden is going to be an interesting and effective state lands commissioner.

Q: *You are still in preliminary discussion stages?*

A: We are, and part of what we are trying to figure out is just what we have. Everyone says the same thing about state lands. They say, we have to look at management, greater public utilization and we ought to look at blocking up the lands through sales and exchanges, but the mechanics end up seeming to revolve around individual development proposals as opposed to developing an overall policy for state lands. We need to have a policy first, but one of the underlying issues in terms of developing policy is that no one has a particularly good handle on what the lands look like. We are a long way from knowing for sure what it is we are managing.

I think that is why to date in the state's history the state's policy has largely been reactive as opposed to proactive. I know that there is interest on my part, and on the part of some of the other [state lands commission] board members, to try to change that. The question is whether we even have the resources within the agency to actually complete a legitimate inventory so that we can be proactive.

We don't have enough manpower. We can tell you where the state lands are located, give you a GPS reading for them, but that doesn't tell you a lot about the lands, and it doesn't tell me a lot about them either.

Q: *Can you expand on what you meant when you said in the Wyoming Wildlife article that you supported the development of Wyoming's natural resources on Wyoming's terms?*

A: From my point of view, this is a two-step process. The most immediate step is to get back to where we recognize that Wyoming's terms include interests beyond just the extraction of

minerals. That means making sure that environmental consequences are accounted for, both short and long term; that resources are going to be properly taxed and those monies used for the betterment of the state; and that we have something to say about development.

I do think there are places where people just don't want anything and they ought to be able to say that and not leave the decision to the federal government. But it is an incredibly tricky process because, depending on who you talk to, everyone sees each issue differently. Somehow we have to come up with at least a [decision-making] process that says no interests are marginalized. Not every interest is going to get everything they want on every parcel of ground in the state, but at least they should be heard. At that stage it becomes fairly specific. Clearly there are a different set of challenges for coalbed methane development in the less developed portions of the Big Horn Mountains than there are for development in areas surrounding existing coal mines. We need to say that Wyoming's terms are going to reflect those variety of circumstances.

It's like the [Department of Environmental Quality's Permitting Task Force] we've created to look at [National Pollutant Discharge Elimination System] permitting. They have some really difficult problems that need to be resolved. Wyoming's citizens need to be able to participate in the permitting process and the permitting process needs to account for both the environmental consequences as well as the developer's desire to develop the resource. Maybe we need to impose a bond that says if the permit doesn't function the way we expect it, there is some ability to be able to come and reclaim it. Wyoming's terms means weighing all these different factors before you come up with a decision.

Q: *Why is Freudenthal better for Wyoming's environment than Geringer?*

A: I don't know that he is. I'll have to wait and see. ♣

Lander writer Molly Absolon is a WOC board officer.

Wyoming's environment creates our quality of life. It may also turn out to be one of Wyoming's most significant marketable assets.



Jeff Vanuga

Upper Green River Valley Faces Industrial-Scale Energy Development



Jonah Field

Peter Aengst/The Wilderness Society and Lighthawk

by Kelly Matheson and Tom Darin

Southwestern Wyoming's Upper Green River Valley is renowned for its wild country, abundant wildlife, critical big-game migration corridors and rich deposits of oil and natural gas. Conservationists and growing numbers of valley residents are determined to protect the Upper Green's remaining undeveloped public lands, while the Bureau of Land Management and oil and gas companies are equally determined to industrialize the valley.

Citizens Want Protection...

As manager of most of the Upper Green's vast public lands, the BLM is revising its overarching Resource Management Plan (RMP) for the valley. More than 17,000 citizens responded to the agency's initial call for comments, the vast majority of whom expressed concerns about the rapid acceleration of oil and gas development in the valley and its impacts on wildlife and air and water quality. A recent editorial published in the *Pinedale Roundup* (see sidebar) further illustrates the public's growing worries.

...But Industry and the BLM Have Other Plans

Despite valley residents' concerns, the BLM recently announced two more major oil and gas projects in the Upper Green.

First, industry proposes to add up to 210 conventional gas and coalbed methane wells adjacent to the boundary of the Bridger-Teton National Forest.

Second, the region's Jonah Field, which already has more than 500 approved oil and gas wells, is slated for up to 1,250 additional wells. The impact of this proposal is perhaps best illustrated by looking at the accompanying photo of the area's existing fragmentation and envisioning "infilling" these wells with nearly three times their current density.

The Tail is Wagging the Dog

Nothing more dramatically highlights how difficult it is these days to delineate where the BLM "ends" and industry "begins" than the agency's first public meeting on the Jonah Infill Project.

The BLM initially notified citizens that the meeting would be held at the public library in Pinedale one April evening. Industry decided to host a barbeque the same day, and an industry representative posted a note on the library door re-directing interested citizens to its private party for the BLM's public meeting.

Amazingly, the BLM acquiesced, making a last-minute decision to change the location of the meeting to industry's home court. We at WOC have never seen the BLM show such blatant disregard for balanced public input on the use of our public lands.

Never Say Never

In its outdated 1988 Resource Management Plan, and, more recently, in a 2000 written decision, the BLM banned oil and gas drilling in the Upper Green's crucial big-game winter range to avoid additional stress on mule deer and other wildlife already battling the harsh Wyoming elements. However, the agency then reversed course, granting an industry request to drill a well throughout the 2002/2003 winter season. It did so without public participation and without an

adequate environmental analysis, both of which are required by law. With the help of LAW Fund attorney Mindy Harm Benson, WOC and other groups are challenging the BLM's unprecedented decision in court.

Wanting it ALL

With 85 percent of the 1.2-million-acre Pinedale Resource Area irreversibly committed to oil and gas leases, one would think that industry has its hands full developing its numerous, large-scale existing projects. But this is not enough — industry wants it all.

In 2000, the BLM made an important decision regarding unleased lands, primarily along the Wind River Front: no more oil and gas leasing until it revised its outdated 1988 RMP to address development issues. However, in August 2002, industry filed an administrative appeal, asserting its right to immediately lease in these sensitive riparian and forest-fringe habitats. WOC promptly intervened to protect the region's open spaces, wildlife habitat, clean air and water and quality back-country recreation opportunities.

This battle underscores the importance of involvement in the BLM's Resource Management Plan revision process by con-

Public involvement is crucial in protecting at least part of the Pinedale region from the destructive impacts of industrial-scale energy development.

cerned citizens, conservationists and the scientific community if we are to successfully protect at least part of the Pinedale region from the destructive impacts of industrial-scale energy development. WOC intends to be there every step of the way. ▶

No More Oil and Gas Development on Federal Lands in Sublette County

The following editorial was published in the *Pinedale Roundup* on May 23, 2003 and is reprinted with permission.

by Rob Shaul, Editor

Sublette County has a rich and proud heritage of oil and gas development. Since the early 1950's oil and gas development has been a major part of Sublette County's economy and community development. But today, we're taking a stand against the future development of oil and gas on BLM and Forest Service lands in Sublette County.

This position isn't because of any great concern that oil companies can't develop oil and gas appropriately on public lands. Indeed, Sublette County is proof that oil and gas can be developed with the environment in mind. We have thousands of wells here already, still Sublette County is rich in natural beauty, clean streams and water, and wildlife.

No. This position comes from responsibility.

We simply have a responsibility to the future generations of this great place.

Isn't it obvious? What makes Sublette County so incredibly unique and special is the natural world here. Even the most environmentally friendly oil and gas development carries with it unavoidable and significant disturbance to the environment.

That environment — this natural wonderland we live in — needs our protection, not only from oil and gas development, but from careless real estate development and industrial tourism.

A few weeks ago, we wrote on this page concerning development that 25 to 30 years from now the next generation will look around this county in disgust and ask, "Who allowed this to happen?"

That generation will ask us the same question about oil and gas development on BLM and Forest Service public land. How will we answer?

Oil and gas development has benefited Sublette County greatly. The industry pays the highest wages here. Its tax revenues have made our county government the richest in the state.

Beyond economics, people who moved to Sublette County to work in the oilfields have diversified our communities and added texture to our character.

The stand we take today is not a criticism of the oil and gas industry or what it has done for Sublette County. It is an appreciation for the incredible beauty that God has created in Sublette County and a recognition that preserving this beauty is our responsibility. It's ours alone. ▶

Will the next generation look around this county in disgust and ask, "Who allowed this to happen?"

Cubin Holds Hearing on Oil and Gas Development on Public Lands

By Christine Lichtenfels

On July 12, Wyoming's U.S. Representative Barbara Cubin held a field hearing in Rawlins on oil and gas development on public lands. Rep. Cubin, a member of the House Resources Committee and Chair of the Subcommittee on Energy and Mineral Resources, also serves as Vice-Chair of the all-Republican "Task Force on Affordable Natural Gas" established by House Speaker Dennis Hastert.

WOC Executive Director Dan Heilig was invited to testify at the hearing, serving as the sole representative of conservation interests in a group of witnesses that included four oil and gas industry representatives, Wyoming BLM Director Bob Bennett, Wyoming State Geologist Lance Cook, Wyoming Stock Growers Association Executive Director Jim Magagna, and Shaun Andrikopolous, a rancher in the Upper Green River Valley.

After an Energy Policy Conservation Act (EPCA) study, requested by Cubin, found that 88% of the Rocky Mountain region's "technically recoverable" natural gas resources are, in fact, available for

development (contrary to the Bush Administration's National Energy Policy's claims that as much as 40% had been placed off limits to development), industry and the administration have shifted their focus to "streamlining" development approval processes and blaming "frivolous" appeals by conservation groups for development delays (ignoring several successful appeals by WOC and other groups which, by definition, are not frivolous). Nevertheless, the hearing addressed "impediments" to development.

It was in this heated atmosphere that Dan testified on a sweltering July Saturday. Given only five minutes, he noted that:

Many oil and gas projects have been approved without appeals;

Over 40% of the producing oil and gas wells on federal lands in the United States are in Wyoming;

BLM field offices approve approximately 85% of industry requests for exceptions to stipulations placed on leases to protect wildlife;

The Federal Land Policy and Management Act mandates multiple use, which does not necessarily mean all uses at all times, but requires "harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest output."; and

Development of our abundant wind resources is an important step towards achieving a **HEARING continued on page 20**

STUDY SHOWS MONEY EQUALS VOTES: OIL AND GAS INDUSTRY #1 FUNDER OF REP. CUBIN

According to a recent Associated Press analysis of campaign finance data from the nonpartisan Center for Responsive Politics, the biggest recipients of interest group money in the U. S. House of Representatives voted the way their big donors wanted. If a special interest gives a lawmaker a lot of money, the likelihood is very high that the lawmaker will vote in support of that interest.

Data on www.opensecrets.org reveals that the leading contributor in each of Rep. Cubin's campaigns has been the oil and gas industry. In each campaign cycle beginning in 1994, oil and gas companies contributed **at least 50% more** money to her campaign than any other industry. Although campaigns in Wyoming are inexpensive compared to other states, Cubin ranks **twelfth** in the House in contributions from the oil and gas industry for the 2002 campaign cycle. Of the top twelve House recipients of oil and gas money, **Cubin ranks #1** in the percentage those contributions constitute of the total money spent on each representative's 2002 campaign.



Energy development on federal lands in the Pinedale Anticline of the Upper Green River Valley.

Greater Yellowstone's Long-Distance Wildlife Migration Among the World's Longest...and Last

Human Development Threatens Ancient Paths

by Meredith Taylor

Each fall since the last Ice Age, big-game animals have followed ancient migration paths from the summer ranges of Yellowstone's high country south through the Gros Ventre, Snake, Hoback and Green River drainages and on to the Upper Green River Valley and the Red Desert, where they spend the winter. (See articles in the past three issues of *Frontline*.) Predators followed their prey in this annual passage, and a wide range of amphibians, insects, reptiles, birds and mammals also take part in this dance, part of nature's delicate balancing act.

Long Distance Migration (LDM) is now considered by conservation biologists as perhaps the most dramatic yet endangered phenomena on Earth. Wildlife biologists and managers understand why animals migrate, but few have offered a vision with specific strategies to sustain the world's remnant migration corridors.

According to a recent study by Joel Berger of the Wildlife Conservation Society (WCS), development threats to the Upper Green River Valley are particularly

noteworthy. Berger's study focused on 29 terrestrial mammals in more than 100 locations on five continents, and reported that few remaining LDMs have a rosy long-term prognosis if current land-management patterns continue.

During the past century, some private organizations and governments have incrementally acquired and managed whole migration corridors to protect and connect wildlife habitat. But many more big-game travel routes have been converted to human uses, displacing wildlife forever.

Berger found that in areas of the western hemisphere with low human impacts, five species — bison, elk, moose, deer and pronghorn — continue to follow ancient migration routes. Although the Greater Yellowstone Ecosystem has lost almost 75% of its historic migration paths for bison, elk and pronghorn, Berger notes that the GYE's pronghorn still travel up to 160 miles each fall and spring. Their journey is longer than that traveled by African elephants and zebras and approaches that of Asian chiru antelope and African wildebeests.

Unfortunately, unprecedented levels of energy and subdivision development in the GYE may block this important pronghorn LDM.

One landscape-scale protection proposal comes from WCS, which advocates the designation of a National Migration Corridor to provide long-term safeguards for a multitude of migratory species in the GYE. In addition, WOC's Restoring Wild Patterns program proposes acquiring important migration-route land parcels through conservation easements, land use plans and government conservation funds.

Wyoming has a proud history of far-sighted habitat protections, including the creation of Yellowstone (the world's first national park), the Shoshone Forest Reserve (the nation's first national forest) and Devil's Tower (the nation's first national monument).

It's time to revive that visionary spirit, using sophisticated modern tools to assure that the GYE's ancient migration paths remain long after the region's last fossil fuels have been extracted. ▶



The length of pronghorn migration exceeds even the movements of African elephants and zebras and approaches those of Asian chiru antelope.

Powder River Basin: Records of Decision or Destruction?

BLM Approves 77,000 CBM Wells in Powder River Basin; Four Lawsuits Filed in Protest

by Tom Darin

After spending nearly three years studying and analyzing the impacts of up to 77,000 coalbed methane (CBM) wells in the Powder River Basin, which extends from Wyoming into Montana, one might logically conclude that the Bush Administration used this time to gain a complete understanding of a project of this magnitude and use the best available technologies to help reduce the massive impacts of such industrial-scale development. One would be dead wrong.

In short, when the Bureau of Land Management issued its decisions in April, it ignored new techniques for handling trillions of gallons of salt-laden CBM discharge water in favor of the crude methods used for the first CBM wells in Wyoming nearly 13 years ago: dumping it, untreated, onto the ground.

Destructive Decisions

As reported in previous issues of *Frontline*, the BLM's final environmental impact statements for both the Wyoming and Montana CBM development proposals were released in January. In February, WOC and numerous other groups filed administrative protests to the director of the BLM. In April, the agency resolved the protests by standing by its studies and its scientists and ignoring the unbiased scientific data we provided

them on numerous issues. It simultaneously signed Records of Decision (RODs) approving the largest oil and gas field ever studied or contemplated by the Department of Interior.

The RODs ignored proven and emerging technologies that would have significantly reduced environmental

impacts from salty CBM produced water and protected the integrity of millions of acres of land owned by ranchers and other landowners whose properties overlie federal minerals.

The BLM admits that the project it just authorized will turn most of the 12-million-acre basin

in both states into an industrial zone, which will come as a shock to all those who choose to live in this relatively serene, pastoral landscape. The basin will be inundated with trillions of gallons of produced water, pockmarked by 8,000 or more surface pits to "retain" the water and ripped apart by a spider web of 26,000 miles of new roads, 53,000 miles of new pipe and power lines and polluted by air emissions and noise from thousands of compressor and generator facilities. The BLM's Records of Decision would be more appropriately titled Records of Destruction.

"Study" Yields Mere Speculations

In analyzing the cumulative impacts of up to 77,000 CBM wells in both states by 2011, the BLM could have studied more than 12,000 existing CBM wells in Wyoming and a few hundred in Montana, gathering information, scientifically testing hypotheses, testing the effectiveness of old mitigation measures and developing alternatives based on new technologies promised by the Bush Administration to reduce the "footprint" of oil and gas development. The agency failed to do any of these critical tasks. Its three years of "study" can be best summarized by the following BLM admissions in the final decisions.

"It is speculative to predict how future development will proceed," the agency confessed. "There is uncertainty about the specifics of future development. Because of this uncertainty, a number of assumptions were necessary to predict the impacts associated with future development. *Those assumptions may or may not be correct.* [Emphasis added.] Therefore, mitigation measures may need to be modified as development evolves."

How proven are these mitigation measures in reducing impacts? The BLM wrote: "The goals and objectives . . . [of monitoring] are to: Determine [their] effectiveness."

Translation: the agency has gone into this massive project blind, admitting that all of its assumptions may be wrong and that its chosen mitigation measures may not even work.

Fighting Back

The people and abundant natural wealth within the Powder River Basin deserve better than

this from the BLM. In response, WOC, the Western Organization of Resource Councils and the Natural Resources Defense Council have brought suit in a U.S. federal court. Because Montana groups and landowners are co-plaintiffs, and because Montana is the only state where CBM water-discharge impacts from both Wyoming and Montana development will be felt, we filed a single suit challenging both decisions in Montana.

Our principal claims include, among others: that the BLM failed to perform one environmental impact statement rather than two separate studies for the intact geographic unit of the Powder River drainage; that the agency failed to craft development alternatives that use best-available technologies to reduce environmental impacts; and that it relied on flawed data and faulty science to merely speculate on impacts, instead of using reliable figures and scientific evidence to understand and lessen them.

After we filed our lawsuit, Western Gas Resources moved to intervene in the litigation. We expect numerous other CBM companies and industry trade groups to join the fray, defending the BLM's shoddy study and project authorization.

In addition, the State of Wyoming has joined the Western Gas intervention in support of the BLM and is also pressing for the transfer of the case to the Wyoming federal court, where it anticipates greater support for industry interests and a more favorable outcome.

While we expected such tactics from industry, we are surprised and disappointed that Governor Freudenthal's administration has so eagerly and reflexively weighed in on the side of the CBM industry instead of defending the Powder River Basin's residents and Wyoming's environment from rampant CBM development.

Three more lawsuits have been filed challenging the BLM's decisions, including one by the Northern Cheyenne Tribe and another by sage grouse and prairie dog enthusiasts.

A Worthy Cause

We expect a long and hard-fought battle on this litigation, particularly since the Bush Administration has made the Powder River Basin the centerpiece of its national energy policy. Moreover, as natural gas prices spike higher and state and local economies in Wyoming and Montana continue to ignore their addiction to extractive-industry revenue streams, energy companies are chomping at the bit to industrialize the basin. We have our work cut out for us in ensuring responsible CBM development, but what's at stake — the future of basin residents' livelihoods and landscapes — make our efforts well worthwhile. ▶

WOC WINS COALBED METHANE APPEAL

Ruling Extended to Rawlins BLM Field Office

by Tom Darin

Another one of our appeals to the Department of Interior Board of Land Appeals (IBLA) has paid off handsomely. In April, IBLA judges extended a previous ruling that prevented oil and gas leases in the Powder River Basin that were to be used for coalbed methane (CBM) extraction to leases in another Bureau of Land Management field office that is facing the next major CBM development push in Wyoming.

Our appeal successfully argued that the Wyoming BLM illegally sold oil and gas leases in April 2000. As we pointed out, the agency justified the sale with a pre-leasing environmental study based on a badly outdated land-use plan which failed to consider the likelihood of future coalbed methane extraction projects and CBM's unique environmental impacts. After three years of battling with the BLM and an industry intervener, IBLA agreed with us and WOC prevailed.

The decision has major implications, since this field office, which covers the Rawlins/Great Divide resource area, will be making critical decisions regarding the next major coalbed methane play in Wyoming, with two current projects alone predicting more than 6,000 CBM wells.

Further, because a good percentage of the Rawlins/Great Divide resource area remains unleased for oil and gas, the BLM must now halt all leasing in the area until it properly revises its resource management plan (RMP) to consider the unique impacts of CBM development. In fact, the BLM pulled 12 parcels from its June oil and gas lease sale, covering 6,000 acres of public lands in the area, as a direct response to the recent decision.

The RMP revision process is underway and will be completed in late 2004 or early 2005. Until that time, our recent victory should ensure that no new leases are sold and used for CBM extraction — allowing the agency the proper time to study and review environmental impacts before making irretrievable leasing commitments to industry. ▶

The BLM has gone into this massive project blind, admitting that all of its assumptions may be wrong.

Wyoming Citizens Unite to Defend the Red Desert

Public Overwhelmingly Supports Protecting the Jack Morrow Hills



Nearly 150 citizens attended the Lander hearing.

by Mac Blewer

Wyoming residents have voiced overwhelming opposition to the Bureau of Land Management's proposal to open the door to industrial-scale oil and gas development in the Jack Morrow Hills Study Area of the Red Desert.

During two BLM hearings held in Rock Springs and Lander in April, hunters, tribal members, local outfitters and other concerned citizens spoke ardently in favor of protecting the 620,000-acre Jack Morrow Hills Area and other parts of the eight-million-acre Greater Red Desert. At both hearings combined, those testifying for desert protection outnumbered those advocating more energy development by a margin of five to one.

Nearly 150 citizens attended the Lander hearing, during which 55 speakers advocated safeguarding the desert's natural, cultural and historic values, and 10 spoke in favor of increased energy development in the Jack Morrow Hills.

"This country, this world will be a poorer place when the great riches of the Jack Morrow

Hills are trashed," said WOC founder Tom Bell, who received a standing ovation from the crowd. "The Red Desert — there is nothing like it. Why should we allow

the destruction of its intrinsic value for a few short years of oil and gas development?"

Sean Francis, a 15-year-old student at Lander High School, testified, "The land at stake is a desert, not a playground for the oil and gas industry. My greatest fear is to one day see the Jack Morrow Hills as an industrial garden, rather than a desert."

Arapaho tribal member Mark Soldierwolf noted, "We've lost a lot of land that is so dear to us. Not only Native Americans, but all of us. We need to sit down and say, 'That's enough.'"

"We've been protecting these sacred sites since 1492," said Martin Blackburn of the Young Warrior Society. "That's our Homeland Security out there."

At the Rock Springs hearing, attended by more than 100 citizens, 43 of 56 speakers advocated strong protection for the desert, most of whom backed the Citizens' Wildlife and Wildlands Alternative, a home-grown proposal that would expand wilderness protection for the Jack Morrow Hills Area, while allowing responsible hunting, recreation, ATV use and grazing.

After the hearings in Rock Springs and Lander, Friends of the Red Desert member group Biodiversity Conservation Alliance and other environmental activists convened their own hearing in Laramie for citizens who were unable to attend the BLM's official hearings. Although BLM personnel were invited, none attended, fearing that the citizens' hearing would have a "rally-like" atmosphere. So, 70-plus Laramie Red Desert advocates had to content themselves with testifying to two empty chairs.

Citizens sent 65,000 letters, postcards and emails to the BLM on the Jack Morrow proposal, the largest outpouring of public comments ever received by the Wyoming BLM for a planning project. More than 50,000 of the comments supported the Citizens' Alternative.

"The Bush Administration has always stated that local concerns are important when it comes to decisionmaking," said Friends of the Red Desert organizer Marian Doane. "Now the question is, will the administration listen to what we have said?"

Friends of the Red Desert Forms and Runs Intensive Campaign

by Steff Kessler

The effort to gain protection for the Red Desert continues to build momentum and gain new allies. Friends of the Red Desert (FRD) is a newly-formed, loose-knit coalition of conservation, recreation, education, business and Native American groups committed to permanent protection for the desert's natural, cultural and historic values. Chartered under state law as a non-profit, FRD currently has more than 50 group members, including WOC.

This spring, the coalition launched an intensive public-education and outreach campaign to generate support for safeguarding the Jack Morrow Hills area of the desert from further oil and gas development.

For several years, the Bureau of Land Management has been developing the Jack Morrow Hills Coordinated Activity Plan. The area contains a high concentration of many of the desert's special features, including seven wilderness study areas, two proposed National Natural Landmarks, many important Native American sites, segments of historic pioneer trails, several rare plant species and crucial habitat for elk, deer and antelope.

Since all of the BLM's proposed oil and gas development alternatives failed to protect this magnificent area, Friends of the Red Desert, along with other groups, crafted the "Citizen's Wildlife and Wildlands Alternative."

Starting in March, Friends of the Red Desert hired seven temporary organizers to work in Fremont, Sweetwater and Albany counties, reaching out to a broad range of constituencies: hunters and anglers, recreationists, rock-hounds, Native Americans, elected officials, young people and civic clubs, as well as the general public. Organizers made scores of slide show presentations and convened meetings across the state to generate interest and dialogue about the desert's special features.

FRD opened an office in downtown Rock Springs. Community organizers Katharine Collins and Scott

Boettcher organized a tremendous turnout at the BLM's Rock Springs public hearing. An overwhelming majority of those who testified supported the Citizen's Wildlife and Wildlands Alternative.

Another element of the campaign involved reaching out to the Native American community of the Wind River Reservation, with extraordinary work accomplished by our key organizer there, Martin Blackburn. Martin and tribal activist Dick Baldes, along with WOC's Mac Blewer, presented slide shows and talks, along with traditional feasts, in Arapaho, Ethete and Fort Washakie. Reservation residents engaged in spirited discussions about protecting Native American cultural and holy sites on these lands, which were part of the original Wind River Reservation from the Treaty of 1863. A number of reservation residents testified at the BLM hearing in Lander, where Shoshone elder Starr Weed started the meeting with a traditional blessing.

FRD hired three more organizers for the Lander, Laramie and Front Range areas. Marian Doane helped ensure a large turnout of concerned citizens at the Lander BLM hearing. Laramie organizers Eric Bonds and Angie Young not only recruited people to drive over to the Rock Springs hearing, but then hosted their own public hearing in Laramie, where 47 of 48 speakers advocated protecting the Jack Morrow Hills area.

Overall, the campaign was a huge success. Many thanks to all of you who worked so hard on this effort!

For more information and to read the details of the Citizen's Wildlife and Wildlands Alternative, visit Friends of the Red Desert's website at www.reddesert.org.

Former WOC executive director Steff Kessler is a public-policy consultant who helped coordinate the Friends of the Red Desert campaign this spring.

Those testifying for desert protection outnumbered those advocating more energy development by a margin of five to one.



Killpecker Sand Dunes



Prehistoric standing stones



Continental Peak



Boar's Tusk

DEQ Turns a Deaf Ear to Citizens' Water Pollution Concerns

by Steve Jones

The Wyoming Department of Environmental Quality (DEQ) is revising Chapter 2 of the Wyoming Water Quality Rules and Regulations. The third round of proposed revisions was approved by the Water and Waste Advisory Board in June. Now the Environmental Quality Council will examine the proposal and possibly make additional changes.

This is the first time the DEQ has tackled the job of revising Chapter 2 since it was first adopted in 1974. It's an ambitious task, and one that poses serious threats to water quality in Wyoming.

The opportunity for ranchers, irrigators and other concerned citizens to learn about what is going on in their own back yards is severely curtailed.

The department is trying to collapse four different chapters into one all-encompassing chapter that deals with all aspects of permitting surface water discharges into our streams and rivers. These discharges include pollution from sewage treatment plants, oil and gas drilling and production operations, mining and coalbed methane operations, siltation and run-off caused by construction activities, industrial and chemical plants and agricultural operations. Such pollutants can contain heavy metals, bacteria,

chemicals, minerals and salts that threaten public health, fisheries, crops and livestock throughout the state.

Wyoming's wetlands are at particular risk. The DEQ could promulgate rules to offer at least minimal protections against environmental harm caused by dredging or filling activities in wetlands, but it has neglected to do so. While federal law covers many of the state's wetlands, those that do not come under the jurisdiction of the Clean Water Act must be protected under state regulations if they are to be protected at all. Under the new proposed regulations, "isolated wetlands"—those that are not under federal jurisdiction—are hardly protected at all, containing only a minimal requirement for mitigation plans, and only if at least an acre of wetlands will be affected by dredging or filling.

One of the more disturbing aspects of the proposed new chapter involves "general permits." General permits are authorizations that do not apply to any one site, but cover the treatment, monitoring and disposal of the same type of effluent being discharged into the state's waters. Any person or company that qualifies may discharge pollution at any number of sites without obtaining an individual permit, as long as the effluent meets the criteria specified in the general permit. All that is needed is a general permit "authorization" for each discharge location.

Not only do general permits

remove water-quality protections provided by permits that are individualized to the unique characteristics of each discharge location, but such authorizations have the additional effect of cutting the public out of the permitting process. When general permits are issued, citizens are not notified of any individual site where a polluting facility is to be built. So the opportunity for ranchers, irrigators and other concerned citizens to learn about what is going on in their own back yards is severely curtailed.

Public involvement in the decisionmaking process is under attack in other ways as well. Currently, concerned citizens can request a hearing before the Environmental Quality Council regarding any proposed permit that has been issued for public comment. However, whether a hearing is actually scheduled is a matter of discretion, to be determined by the administrator of the DEQ's Water Quality Division.

In the past, former DEQ Water Quality Administrator Gary Beach has made it clear that he does not want *any* hearings on discharge permit applications to come before the Environmental Quality Council.

WOC has recommended that the regulation be changed so that if 50 signatures are collected requesting a public hearing before the Environmental Quality Council on any proposed discharge permit application, such a hearing would be mandatory rather than left to the discretion of the administrator. ♣



Caroline Byrd

Instream Flow Law Has Run its Course

by Cale Case

The 1986 Legislature passed Wyoming's instream flow law, but only after more than 25,000 people signed a ballot initiative. An instream flow water right protects and leaves water in the stream.

For real and bureaucratic reasons, the law has been a dud—overcomplicated, anti-property and narrowly administered. Despite the vast importance of Wyoming's in-situ water resources to our economy and way of life, only 120 of 21,000 stream miles with fisheries have been protected. Almost all of these are headwaters areas where no diversions exist. Downstream stretches lack protection during critical periods.

Here are some of the problems we need to fix.

Existing law permits only minimum amounts of instream flow "to establish and maintain fisheries." Aesthetics, public health and safety, water quality and economic and recreational benefits are ignored. Further, as implemented, flows for the benefit of fisheries are just enough to keep them alive—not enough to provide for quality habitat and the flushing flows that mimic natural systems.

Under the law, existing water storage and surface rights can be converted to instream flows only if landowners permanently surrender their existing rights to the state. Because no one wants to permanently give up their earlier priority rights, the only other way for an instream flow right to come about is if the State of Wyoming

files a new application, which has no priority over an earlier right.

As a consequence, when water is short, anyone with an earlier water appropriation must be accommodated first, which, in most areas of the state, leaves little or no water for instream flows. If the law were modified to permit water users to temporarily designate their original priority rights to instream flows, not only would there be more interest in preserving stream flows, but those flows could be protected from other users. Such temporary instream flow designations could be especially useful in drought years, perhaps on a voluntary rotating basis among interested water users.

Currently, only the Wyoming Game and Fish Department can recommend protections for stream segment flows. Then the Wyoming Water Development Commission takes over and becomes the applicant before the State Engineer and the Board of Control. Two feasibility studies are required for each application.

Communities are not allowed to solve their instream problems locally. As a case in point, the State Engineer's Office has been unsuccessful in finding a legal way to allow the City of Pinedale to release its own water in Fremont Lake to improve flows through the town. There are lots of Wyoming towns like Pinedale that would like more flows for esthetic, public health or other reasons.

Opponents typically offer three arguments. First, they believe that instream

flows should come only from new reservoir capacity; transfers from existing users or recoveries from water conservation strategies should not be permitted. Second, they claim that junior agricultural water-rights holders are entitled to any water that senior users would rather devote to supporting instream flows—certainly an anti-property rights notion. Third, opponents argue that irrigation increases stream flows in late summer—a supposition that depends on soil and use characteristics in riparian areas as well as whether utilization occurs on the same stream branch to be protected.

Progress is being made. In the 2002 budget session, a proposal that would have permitted water-rights owners to temporarily designate water for instream flows barely missed the two-thirds vote needed for introduction. Two unsuccessful instream bills were introduced this year, although the Joint Agricultural Committee did agree to an interim study on temporary instream flows.

Despite the vast importance of Wyoming's streams to our economy and way of life, only 120 of 21,000 stream miles with fisheries have been protected.

Changing times and our evolving state economy means that Wyoming citizens are prepared to again recognize the importance of natural, non-consumptive and health-providing instream flows to our economy, our well being and our future. The legislature will either recognize these factors, or a new citizens' initiative will be required to make instream flows a reality. ♣

Cale Case Ph.D. (R-Lander) is an economic consultant who has served in the Wyoming Legislature for 11 years, the last five as a state senator. He is a member of the legislature's Labor and Corporations committees.

Carter Mountain Timber Sale: So Far, So Good

by Kelly Matheson

Carter Mountain, on the Absaroka Front south of Cody, is home to a number of spectacular wildlife species, including grizzlies, the Greybull wolf pack and the Cody elk herd. The area is nationally renowned for its abundant big-game hunting opportunities.

Recently, a new and unwanted species moved into the neighborhood. Several years ago, the spruce bark beetle found its way

into conifer stands on the mountain. These tiny quarter-inch beetles can cause extensive tree mortality, benefiting some wildlife species, such as woodpeckers, while adversely

affecting others, such as elk. The natural process that these beetles set in motion has now killed up to 80% of Englemann spruce on Carter Mountain.

Because standing dead timber only remains merchantable for approximately three years, timber companies want to cut 10 to 15 million board feet from this spectacular landscape.

At first glance, it appears that some timber could be harvested from this area without significant impacts to

wildlife, as long as the proposed timber sale is properly analyzed and executed. Officials with the Shoshone National Forest have already promised that timber will not be harvested from roadless areas, that logging will only be permitted after significant snowfalls to avoid creating skid trails and that existing roads in the area will be decommissioned and permanently closed in conjunction with this project.

The conservation community appreciates the Wapiti Ranger District's thoughtful approach to industry's Carter Mountain logging proposal. However, to ensure wildlife protection and forest health, conservation groups have asked the Forest Service to adopt additional measures to safeguard grizzly bear den sites and bear feeding areas, maintain hiding and thermal cover for elk and preserve habitat for cavity-nesting species.

If the agency mandates these protections, this may be one of the first times the conservation community will not challenge a timber sale on the Shoshone National Forest for apparent legal violations and adverse ecological effects.

As we went to press, the Forest Service had issued its Environmental Assessment and provided a 30-day public comment period for citizens to weigh in with their opinions about a timber sale that will be one of the largest in this forest's history. ▶

The conservation community appreciates the Wapiti Ranger District's thoughtful approach to industry's Carter Mountain logging proposal.



U.S. Forest Service

Carter Mountain

America's Larder at Risk

by Michele Barlow

Over the past 60 years, two forces have dramatically influenced American livestock production: animal confinement and the aggregation of family-owned businesses into large corporations.

Intensive livestock operations first appeared in the 1940s when poultry egg producers shifted from bedded chicken houses to metal bird cages.

Corporate Hog Farming

The swine industry provides another example of the industrialization of American agriculture. There is very little difference between the total U.S. inventory of hogs in 2002 (58.9 million) and the total inventory produced in 1915 (60.6 million).

But while overall hog production has scarcely changed, the structure of the U.S. swine industry has shifted radically. From the 1960s to the present, the total number of hog farms declined precipitously from over one million in 1965 to just 67,000 in 2002.

As the number of hog farms rapidly decreased, relatively large operations emerged. For example, from 1994 to 2002, there was a 100% increase in the total U.S. hog inventory concentrated in operations with 2,000 or more hogs each. At the end of 2002, hog farms with more than 5,000 animals controlled 53 percent of the total annual inventory.

Eating Responsibly

Sadly, food production is largely invisible to most U.S. residents, who are usually at least two generations removed from a farm or ranch. But it is possible for many of us to change our buying and eating habits to help small farmers.

I arrived at my personal "solution" of eating locally grown and organic food about 10 years ago. My urban and cosmopolitan lifestyle compels me to be a responsible Safeway shopper and member of an organic buying club. And thanks to my mom and brother, I eat grass-fed beef from their ranch in northeastern Wyoming.

Supporting sustainable local agricultural operations can help minimize the damaging effects of industrial food production.

By supporting sustainable local agricultural operations, we can help minimize the damaging health and environmental effects of industrial food production. But until more of us become reacquainted with farmers and farming, it is going to be difficult to protect croplands, topsoil, clean water and clean air. We must literally save our own bacon. ▶

ALTERNATIVE ENERGY UPDATE

There's yet another incentive to install an alternative energy system now – NO SALES TAX!

Through 2008, there will be no sales tax in Wyoming on purchases of equipment to install wind, solar, hydro, biomass, landfill gas and hydrogen and geothermal energy projects.

In addition, grants of up to \$3,000 for alternative energy systems are available through John Nunley at the Wyoming Business Council, 214 West 15th St., Cheyenne, WY 82002, (307) 777-2800.



Scott Kane

Wyoming's abundant wind and solar resources, combined with a tax incentive and grants to individuals and businesses, should stimulate further alternative energy production. Now's the time to GO ALTERNATIVE!

On a related note, WOC is increasing our solar energy production by 33%! Thanks to a generous contribution of labor and expertise from Scott Kane of Lander's Creative Energies and WOC associate director Christine Lichtenfels' funding for equipment, we are boosting our production of solar energy and cutting the amount of pollution we create. ▶



Nancy Debevoise

Farmers' Market in Lander

WOC executive director Dan Heilig...



...cheerfully awaits his next dunking at a Relay for Life event in Lander, sponsored by the National Outdoor Leadership School (NOLS). Funds raised at the popular dunk-tank booth were donated to the American Cancer Society to support cancer research. To date, ACS has provided more than \$2.3 billion to the nation's cancer researchers.

For more information, contact ACS at 1-800-ACS-2345, www.cancer.org.

Nancy Debevoise

MEMORIAL GIFT HONORS THOMAS L. QUINN

Longtime Wyoming conservationist and WOC member Phyllis Atchison has made a generous memorial gift honoring the late Thomas L. Quinn. Quinn had devoted the last 12 years of his life to protecting Wyoming's water quality. Eight months before his death, he earned his dream job as administrator of the Ground Water Division of the Wyoming State Engineer's Office.

Born November 12, 1963, he died on June 13 after a courageous battle with cancer, leaving his wife Laura Quinn-MacDougall, a son and three daughters.

WOC will devote Phyllis's memorial gift to support our water-quality protection efforts.



Tom Bell Receives UW's Outstanding Alumnus Award

Christine Lichtenfels, Dan Heilig, Tom Bell and Tom Darin.

by Martha Christensen

WOC founder and emeritus board member Tom Bell was honored with the University of Wyoming College of Arts and Sciences Outstanding Alumnus Award at the university's annual awards banquet on June 7.

Jack States, adjunct professor of Botany at UW, nominated Tom for the award, and I wrote a seconding letter, in which I noted that Tom has inspired many of us through his devotion, courage and superb skills as a communicator.

The award citation reads, in part:

Thomas Bell is passionate about Wyoming's wild places and wildlife. And that passion is the impetus that has led him to spend a lifetime defending the natural wonders of the land he loves....

Bell became involved with the Wyoming Wildlife Federation and later served as its president. Eventually he founded the Wyoming Outdoor Council to better coordinate the activities of different groups working on resource management issues.

A member of the National Wildlife Federation, Craig Thompson, once said, "Around the Rockies Tom Bell is known as the Grand Old Man of Conservation. He had the insight to see the future of unchallenged development at the very beginning and decided he would head 'em off

at the pass, even if he had to do it alone."

Well aware of the power of media, Bell began writing columns for *Wyoming Wildlife* and the *Wyoming State Journal*. In 1969 he became editor of *Camping News*, and within a year renamed the paper *High Country News*. Bell took a paper that celebrated the great outdoors and turned it into a hard-hitting voice for conservation in the Rocky Mountain West...

University of Wyoming alumnus Todd Guenther said, "For nearly eight decades, this quintessential Renaissance man, Tom Bell, has studied and taught the arts and sciences. He is the embodiment of everything that is exemplary in humanity and is an unsurpassed example of the type of human being that a liberal arts education can produce."

WOC members can once again — and always — be proud of our remarkable founder. ▶

Former WOC board member Martha Christensen is professor emerita of Botany at the University of Wyoming, where she taught for 26 years. She recently retired and moved to Madison, Wisconsin, to be closer to her son and his family.

DARIN PUBLISHED IN PRESTIGIOUS ENVIRONMENTAL LAW JOURNAL

In May, the distinguished *Journal of Environmental Law & Litigation* published an article by Tom Darin, WOC's Director of Public Lands and Resources.

The article is succinctly entitled, "Waste or Wasted? Rethinking the Regulation of Coalbed Methane Byproduct Water in the Rocky Mountains: A Comparative Analysis of Approaches to Coalbed Methane Produced Water Quantity Legal Issues in Utah, New Mexico, Colorado, Montana and Wyoming."

"In this article," Darin explains, "I addressed the legal issues associated with massive dewatering of aquifers necessary to free coalbed methane from coal seams. In Wyoming and Montana, ranchers and other landowners rely on groundwater for some of their livestock watering and domestic needs. When considering that trillions of gallons of water will be depleted from the aquifers that lie underneath these lands — and that full recharge will take more than a century — there is a strong argument that our state agencies are allowing these critically important water resources to be illegally wasted." ▶

To read Darin's article, go to our website at www.wyomingoutdoorcouncil.org



RIDE THE RED SEPTEMBER 13!

Please join us for the second annual 48-mile Ride the Red, a non-competitive, mountain-bike circumnavigation of the Honeycombs and Continental Peak in the heart of the Jack Morrow Hills area of the Red Desert.

Riding two-tracks and established dirt roads, you'll see wildlife, enjoy the beautiful and inspiring Red Desert, make new friends and have fun!

We'll have more info available on our website, www.wyomingoutdoorcouncil.org, as the event draws closer. For planning purposes, we'll need you to register before the ride. Please contact Christine Lichtenfels, christine@wyomingoutdoorcouncil.org,

(307) 332-7031 extension 11, for more information.

Last year's inaugural Ride the Red was a resounding success. Don't miss out this year! ▶

HEARING continued from page 10

reliable supply of domestic energy. Establishing a national renewable portfolio standard, requiring every power company to produce at least 20% of its energy portfolio from renewable (non-hydro) sources by 2020, could greatly spur wind and solar energy development nationwide.

The other witnesses provided a range of comments, some predictable, others less so. Notably, State Geologist Lance Cook stated that "there may very well be no quick fix" to the energy supply problem. Gas price oscillations deterring investment, as well as limited gas pipeline transmission capability in Wyoming, are two important economic pressures limiting current gas production.

Rancher Shaun Andrikopolous testified about the inequities faced by surface owners and the dire need for legislation to protect the existing property rights of surface owners. His ranch in the Upper Green is under serious threat from CBM development as part of the South Piney project.

Jim Magagna of the Wyoming Stock Growers Association likewise stressed the need for the BLM to provide surface owners more timely and complete notice of drilling activities on their lands. ▶

To read Dan's and others' testimony, go to: www.house.gov/resources/108cong/energy/2003jul12/agenda.htm



Theresa Kay

Meredith Taylor Honored with GYC's Outstanding Activist Award

by Nancy Debevoise

During its annual meeting in June, the Greater Yellowstone Coalition presented WOC's Greater Yellowstone Program field office director Meredith Taylor with its 20th Anniversary Outstanding Activist Award.

Award presenter Valorie Drake addressed hundreds of conservationists gathered at the event. Her remarks included the following kudos to Meredith:



For almost 30 years, she has been expanding her knowledge of the ecosystem and its wildlife, and she's become a tireless advocate for its health... In addition to GYC, she's been involved with many other conservation organizations over the years, including the Wyoming Wildlife Federation, Sierra Club, Jackson Hole Conservation Alliance, Wyoming Outdoor Council, The Wilderness Society, National Wildlife Federation, Friends of the Red Desert, Audubon, and I'm sure there are more....

Whether she's on a payroll or not, she casts a broad net and does as much networking and outreach as anyone I know....I've heard Meredith described as a "zealot." That description fits — she's ardently active, devoted, diligent, persistent and passionate — and we're thankful to have her boundless energy focused on this area we all care so much about protecting....

She never loses faith and hope that Greater Yellowstone will be a better place for her efforts. She's steadfast in her convictions and never waivers in her mission....

The Yellowstone ecosystem is so completely embedded in Meredith's soul that one cannot be separated from the other. She will, I have no doubt, focus all the power she can muster toward the protection and restoration of this ecosystem forever. ▶

Off to New Adventures

by Christine Lichtenfels

After three years of providing WOC with her remarkable energy, enthusiasm and expertise, attorney Kelly Matheson, our Greater Yellowstone Program coordinator, is headed north.

In September, Kelly will begin pursuing a Masters of Fine Arts degree in Science and Natural History Filmmaking from Montana State University in Bozeman. MSU's fast-paced and highly competitive graduate-degree program will offer Kelly the opportunity to merge her long-standing interests in foreign cultures and travel, environmental activism and conservation education.

During her time at WOC, Kelly has been instrumental in building a broad conservation coalition and campaign to protect the Upper Green River Valley from rampant oil and gas development. She has also successfully defended the Shoshone National Forest's wildlife and water quality from destructive and illegal logging.

"Greater Yellowstone and the people I have worked with, both inside and outside of the WOC office, have a permanent place in my soul," Kelly says. "I am very grateful for the opportunity to work with a coalition of such dedicated and passionate people to protect one of the most beautiful landscapes in the world."

We'll miss Kelly's tireless energy, infectious smile, hard work and amazing ability to reach out to those on both sides of controversial natural-resource battles. In fact, we're only letting her go because she's promised to do a documentary on the incomparable wild places of the Upper Green, the Red Desert or the Shoshone National Forest. ▶



Scott Greene



Thanks
for everything, Kelly.
We wish you the very best.

Laurie Milford Elected to Board

In June, WOC's board of directors welcomed Laramie writer and fundraiser Laurie Milford as its newest member.

Laurie has a B.A. in English from the University of Iowa and a Master's in English from the University of Wyoming.

Before joining the staff of Biodiversity Conservation Alliance as its development director in 2002, Laurie worked as a book editor for Perseus Books, the University of Kansas Press, HarperCollins and other publishers, focusing on the natural sciences, natural history and the environment. She's also worked as an editor and research associate for the Carnegie Foundation for the Advancement of Teaching; a teaching assistant, instructor and grants coordinator at UW; and a publications intern at the World Resources Institute in Washington, D.C.



"WOC is a bellwether in Wyoming conservation," Laurie says. "Its skilled board and staff have dedicated themselves to protecting wild places and their inherent powers of renewal and insight. It is a love of open spaces — and my trust in WOC to protect them — that motivated me to volunteer for the board, and I am honored to be a member." ▶



Mike McClure

Tova Woyciechowicz Joins Staff

by Christine Lichtenfels

Tova Woyciechowicz has joined WOC as our community organizer. She's working with our inveterate Red Desert rat and outreach coordinator, Mac Blewer, as we continue to ramp up our efforts to educate citizens and decision-makers about the Greater Red Desert's unique natural, cultural and historic values and build support for federal legislation that would protect the desert as a National Conservation Area.

Tova comes to WOC from the Northern Plains Resource Council in Billings. A 2002 graduate of the University of Montana with a B.A. in Environmental Studies and a minor in Studio Art, Tova recently completed a temporary assignment as NPRC's Good Neighbor Administrator. She's also worked as a campus organizer for the Clark's Fork Coalition in Missoula, a research assistant for the Forest Voles Research Project in Condon, MT, a trails laborer and crew supervisor in both Yellowstone and Glacier National Parks and a canvasser and petitioner for the Montana Public Interest Research Group.

A native of Montana's Bitterroot Valley, Tova learned first-hand how tied she is to the wild places and wide-open spaces of the West when she traveled east to Providence, RI, to attend the Rhode Island School of Design. With that realization, she re-committed herself to advocating for protection of the West's treasured places.

We are delighted to have Tova on board to help bolster the effectiveness of our Greater Red Desert protection campaign.

"I'm excited about joining WOC's dedicated staff," Tova says. "I welcome this opportunity to further refine my passion into a more effective tool for conserving the natural world and our rural quality of life." ▶

Welcome to Lisa Dardy McGee

by Kelly Matheson

On June 1, Lisa Dardy McGee arrived in Lander to begin her two-month summer legal internship at WOC after completing her second year of coursework at UW's College of Law.

Lisa is already familiar with the work of our conservation partners and well-versed in the state's natural-resource challenges. Her impressive experience includes conducting research for respected water-law attorney Reed Benson, doing field research for the Wyoming Natural Diversity Database program, cataloging plants at the Rocky Mountain Herbarium in Laramie, working as a naturalist in Grand Teton National Park and interning with the Jackson Hole Conservation Alliance.

Her work experience and leisure time spent exploring Wyoming's spectacular public lands ultimately inspired Lisa to pursue a law degree to better protect the wild country that means so much to her.

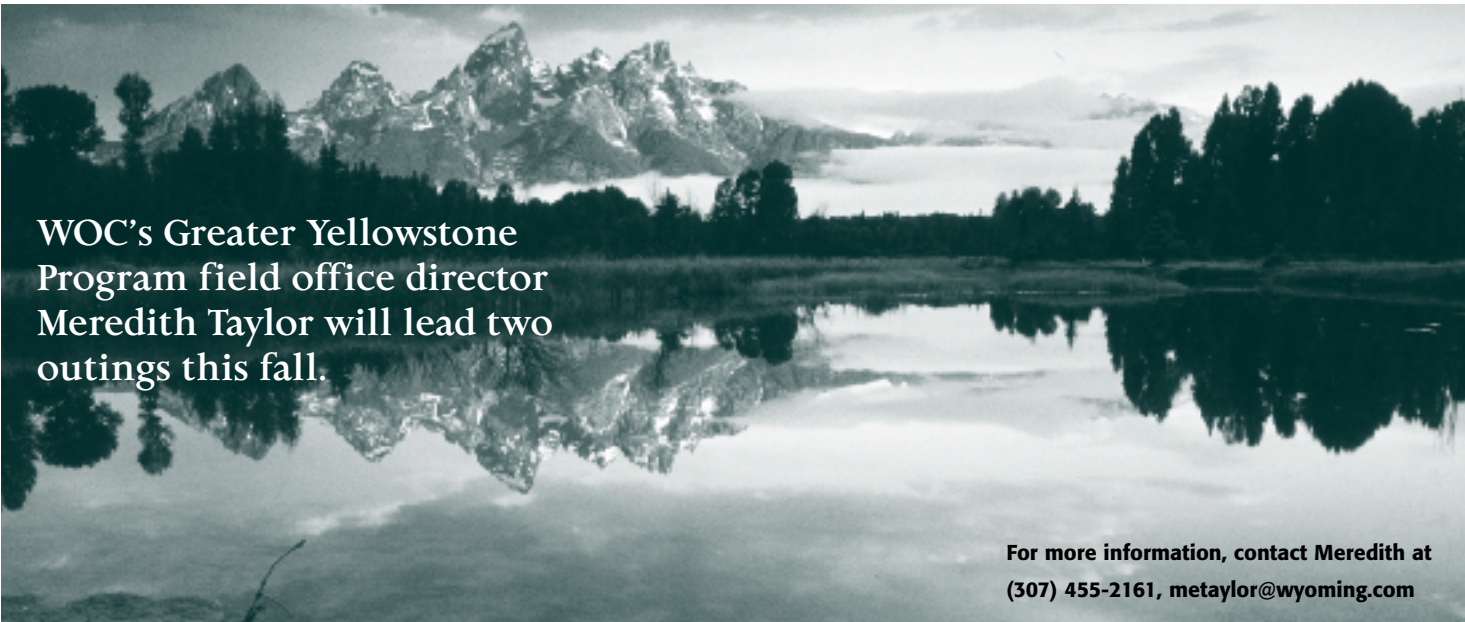
"I had a very specific focus when I applied to law school," Lisa explains. "I

hope a law degree will allow me to work for a non-profit environmental advocacy group. So it's really special that my first legal internship is with WOC, a group doing such meaningful work in support of

Wyoming's public lands. I'm looking forward to a great summer!" ▶



Allison Stauffcup



WOC's Greater Yellowstone
Program field office director
Meredith Taylor will lead two
outings this fall.

For more information, contact Meredith at
(307) 455-2161, metaylor@wyoming.com

🦌 **On September 26-30**, Meredith will lead a volunteer service trip to the Thorofare area of the Teton Wilderness to reclaim salt-bait sites illegally placed by outfitters just outside the southeast border of Yellowstone National Park to lure elk out of the park for their hunting clients.

🦌 **On October 18**, Meredith will guide participants on a day-long field trip to explore part of western Wyoming's ancient big-game migration corridor that travels from Grand Teton

National Park, up the Gros Ventre and down to the Green River and the Pinedale Mesa. The outing is part of WOC's Restoring Wild Patterns Program, which works to protect healthy, free-ranging wildlife in the southern Greater Yellowstone Ecosystem. The nearly 10-million-acre RWP area provides a vital link between the Yellowstone-to-Yukon migration route to the north and The Wildlands Project's corridor-protection program in the southern Rockies. 🦌



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