



western views

WRA WATER PROGRAM UPDATE A Double Win for the Gunnison

by Bart Miller, Water Program Director

We have excellent news to report! Western Resource Advocates has helped win two major legal victories that will benefit Colorado's spectacular Gunnison River.

Protecting Water Resources in the Black Canyon National Park

In September, in an historic decision, U.S. District Judge Clarence Brimmer issued a decision to protect the magnificent natural resources of the Black Canyon of the Gunnison National Park. This decision blocks the federal government from giving away the Black Canyon's long-standing reserved water right to those who would like to use the water for development on Colorado's Front Range. The decision also establishes an important precedent about governmental responsibility for protecting water resources of national parks across the country.

Carved over the millennia by the Gunnison River, the Black Canyon is recognized as a national treasure for its spectacular gorges, wildlife habitat, and unique scientific value. It is home to a world-class trout fishery and mesmerizes visitors with its wild roar of cascading water, especially when it reaches its peak flow each spring. The Black Canyon became a national monument in 1933 and was elevated to national park status in 1999.

With the court's decision, the Black Canyon was saved from a 2003 agreement between the federal government and Colorado officials that would have opened the possibility of diverting Gunnison River water a hundred miles away from the park to fuel more Front Range sprawl. The back-room water deal the



Interior Department cut with Colorado to give away the Black Canyon water rights was a lot like the Wizard of Oz—lots of smoke and mirrors, but nothing real underneath to protect the park. We explained to the judge that the 2003 deal didn't give the park a water right; it gave it a water wish. The judge understood that, in Colorado, that's like having no water right at all.

Judge Brimmer's decision is the culmination of many years of effort by Western Resource Advocates, representing five other conservation organizations and working in partnership with Trout Unlimited and the National Parks Conservation Association. The law firm of Hogan and Hartson provided invaluable pro bono assistance to us, our clients, and our partners in this litigation.

We are strongly encouraging stakeholders to go back to the negotiating table and develop a solution that protects in-basin water users, while also providing the national park with a water right that protects and restores the Gunnison River.

Continued on Page 4

Working with the Navajo to Protect Cultural Sites in New Mexico

By Mike Chiropolos,
Lands Program Director

To the casual traveler, the stretch of Highway 550 that connects the Four Corners region to Albuquerque is a desolate landscape. To geologists and the hundreds of oil and gas companies operating in the San Juan Basin, the region contains one of the world's most prolific natural gas and coalbed methane fields. To Native American residents, the landscape is distinguished by an abundance of historical, cultural, and scenic riches.

The Bureau of Land Management's (BLM's) current plan for these lands fails to balance mineral development with other values, such as historic preservation and the health and vitality of Native American communities. WRA has filed federal court litigation challenging the plan, on behalf of a diverse group of plaintiffs, including three chapters of the Navajo Nation and the grassroots group Diné CARE.

Although several thousand Navajo reside in the region, individual tribal members and local tribal governments do not receive royalties from oil and gas drilling. Often, neither the energy companies nor BLM provide advance notice before entering tribal lands to drill wells, bulldoze roads, or dig new pipelines. This endangers the integrity of values, including sacred sites, historic properties, natural springs, and plants gathered for traditional uses, such as medicine, handicrafts, and dyeing wool.

During a summer field visit to these lands, hosted by President Samuel Sage of the Counselor Chapter of the

Continued on Page 3

Energy Program Highlights

by Kevin Natapow, Communications Coordinator

Wind for Schools Project Marks First Installation in Walsenburg, CO

Earlier this summer, John Mall High School in Walsenburg, CO became the first school in Colorado to receive a small wind turbine under the Wind for Schools Project. A joint effort of Western Resource Advocates' Green Power Marketing Program, the National Renewable Energy Lab, and Community Energy, this project aims to install small wind turbines at several rural schools by the end of the year. Community Energy, a green power marketer, donated the one-kilowatt wind turbine and equipment to John Mall High School and installation was provided by San Isabel Electric Coop and experts from the National Renewable Energy Lab. According to Susan Innis, WRA's Green Power Marketing Director, "the wind turbine will provide a valuable educational



tool for students, allowing them to learn about the benefits of wind power, while supplying a small amount of energy to the school."

Boulder County Wind Challenge—October 1st through November 30th

Building upon the phenomenal success of last year's City of Boulder Wind Challenge during which over 1,100 new participants signed up to purchase wind power or wind credits, Western Resource Advocates is now working in partnership with Boulder County. As we take the Wind Challenge beyond the city and into the county, our goal to sign up 1,500 new customers. The program will run from October 1st through November 30th and will encourage residential and commercial customers to purchase wind power credits through participating suppliers or directly through their energy provider, if available. For more information and to sign up for wind power, please visit www.westernresources.org/greenpower.

2 WRA Ensures Public Participation in the Face of Oil and Gas Development in Great Salt Lake

Earlier this year, almost 180,000 acres of the bed of Great Salt Lake were at risk for oil and gas development. Concerned about one of the most important ecosystems in the western hemisphere, Western Resource Advocates stepped in to challenge the leasing decisions. We worked on behalf of Friends of Great Salt Lake, National and Great Salt Lake Audubon, and the Utah Chapter of the Sierra Club.

WRA is committed to protecting Great Salt Lake because it provides crucial habitat for 257 bird species. Two to five million birds, including at least 33 species of shorebirds, use



Great Salt Lake annually. In addition, up to 5 million waterfowl migrate through the Lake each year, stopping along routes that take them as far away as Central and South America. Indeed, approximately 30 percent of the waterfowl migrating along the Pacific Flyway depend upon the Great Salt Lake wetlands. For these birds, the lake provides a critical food supply, allowing them to fuel up for the rest of their migrations, sometimes doubling their body weight before they leave.

Because the bed of Great Salt Lake is sovereign land, held in trust for the citizens of Utah, WRA argued that the state had failed to determine whether the leasing would jeopardize the public good. After long negotiations, the parties resolved the case in a settlement touted by both sides, in the editorial pages, as a significant victory for anyone concerned about the Great Salt Lake and its complex and fragile ecosystem. The settlement suspends leases on more than 116,000 acres of Great Salt Lake and promises a complete analysis of the potential development impacts. Going forward, the public will be involved at every

By Joro Walker, Utah Office Director

stage and will ultimately determine if any benefits from oil and gas development will outweigh costs to Great Salt Lake recreation and ecological values.

Going forward, the public will be involved at every stage and will ultimately determine if any benefits from oil and gas development will outweigh costs to recreation and ecological values.

The conservation groups also reserved the right to challenge any development proposed for the remaining 55,000 acres of Great Salt Lake still subject to lease, and we will keep WRA members informed as this process evolves. For now, we are pleased that we have been able to suspend a large part of the proposed development and ensure public participation in protecting the lake.

WRA Supports Cleaner Coal Technology

by John Nielsen and Anita Schwartz

This year, Colorado Governor Bill Owens signed a bill that opens the door for the development of an IGCC (integrated gasification combined cycle) coal plant to be built in Colorado. Western Resource Advocates, along with others in the conservation community, worked with Xcel Energy to develop and support the legislation.

So you may be asking yourself—how can WRA be in favor of legislation that would enable the construction of a new coal plant? As our supporters know, WRA is actively opposing almost 30 new pulverized coal-fired power plants that are proposed for the Interior West. However, we also recognize that coal is an abundant resource in the West, and that it contributes to many state and local economies. We believe that moving toward a cleaner coal technology, like IGCC, is much better than sticking with traditional pulverized coal.

Old-style pulverized coal plants emit sulfur dioxide and nitrogen oxides, which cause health problems and hazy skies; mercury, which can work its way up the food chain to poison fish, other wildlife, and even people; and carbon dioxide, a major global warming gas.

IGCC technology is more advanced and holds promise for allowing us to use our region's abundant coal resources while protecting human health and the environment. IGCC gasifies coal and then burns the gas to pro-

duce electricity. Excess heat, instead of being wasted, is recycled to make steam to generate additional power. This dual process makes IGCC power plants more efficient than pulverized coal plants, so that it takes less coal to generate the same amount of electricity. Because most of the impurities in the coal are removed during the gasification process, the technology also results in far less air pollution

IGCC can help us turn down the heat on global warming in an economically sensible way.

and solid waste. IGCC power plants also use 30-50 percent less water than pulverized coal plants, an advantage in the arid West. But perhaps most importantly, IGCC plants lend themselves to the capture and storage (or “sequestration”) of carbon dioxide at much lower cost than pulverized coal plants. This can help us turn down the heat on global warming in an economically sensible way.

John Nielsen, Energy Program Director at Western Resource Advocates, believes that “Xcel’s proposal to develop an IGCC facility that captures and stores carbon dioxide is a giant step forward in how America produces electricity from coal while grappling with the pressing need to reduce greenhouse gases from the power sector.”

www.westernresourceadvocates.org

Protecting Cultural Sites in New Mexico, cont.

Eastern Navajo Agency, WRA attorneys viewed firsthand the impacts of drilling on tribal lands. By visiting with local Navajo and hearing their stories, we gained a new appreciation for the need to comply with federal environmental and cultural protection laws.

Navajo people are entitled to safeguard the cultural and ecological integrity of their lands. To expect the Navajo to bear the brunt of development, without receiving any benefits, is fundamentally unfair.

The National Historic Preservation Act requires the government to closely consult with tribes on oil and gas development that affects tribal interests.

WRA is working with the local communities in the Four Corners region and has petitioned the courts to require balanced management of federal lands. Navajo residents will continue to dwell in their ancestral homeland long after the last gas well has been plugged and abandoned by industry.



spot
light

Carrie
Pearse

by Andria Bronsten,
Human Resource Director

Carrie Pearse can tell you how to program an iPod, how to navigate Emma (an e-mail communications program), what not to wear, and where there is a sale on giant artichokes. In an office with varying degrees of current culture awareness, Carrie fills in the blanks.

As Development and Communications Coordinator, Carrie assists in every aspect of the department's activities: publication production, grant and report writing, donor appeals and mailings, event planning, e-communications, and membership database maintenance. She relishes the variety of her work, particularly growing WRA's on-line communications and membership. Carrie joined WRA almost two years ago, and it seems like she has been here forever—in a good way!

Carrie worked with Environmental Defense in a similar capacity after moving back to Colorado from a year in New York City. There, she had assisted the Red Cross in the September 11 Long-term Recovery program, and when the work was done, she was anxious to return to the West. A graduate of the University of Colorado in Boulder with a degree in political science, Carrie grew up along the Front Range, and has watched expansion, urbanization, and weather changes occur in her lifetime. She cites these as reasons “WRA's work is even more important” and why she loves working with people who are making a real difference in the region.

This fall, Carrie will be enrolled in a five-week basic cooking techniques course at the Cooking School of the Rockies to hone her culinary skills. Her lucky friends, family, and co-workers can't wait to sample the results!

Gunnison River

Two wins for the spectacular Gunnison River

Partnering with the Navajo in New Mexico

Oil and gas development can impact cultural resources

Wind Energy

Wind energy for schools and the 2006 Wind Challenge

Great Salt Lake

Oil and gas development proposed for the lake bed inspires WRA's involvement

Cleaner Coal

WRA supports development of cleaner coal technology in Colorado

A Double Win for the Gunnison, cont.

Union Park Dam Stopped—Again

This fall WRA also helped secure a second victory that will protect the headwaters of the Gunnison basin from construction of the proposed Union Park dam. The dam would have been ecologically destructive, and was strongly opposed by local water users.

The concept of a large new dam in the headwaters of the Gunnison River—often called the Union Park project—has been around for many years. A first proposal for a huge dam was rejected after a decade-long legal battle in the 1990s, when the courts ruled that there simply wasn't enough water available for a new water right of such massive size. The project rejected this fall was for a scaled-down Union Park reservoir.

WRA worked for over a decade with our client High Country Citizens' Alliance (HCCA) to stop this proposal. Our work also united us with many others in the Gunnison basin, including the Upper Gunnison River Water Conservancy District, the Colorado River Water Conservation District, Gunnison County, and private land owners.

WRA is committed to protecting the Gunnison River for the long haul, and we hope you will join us in celebrating our recent victories.

PRINTED ON 100% POST-CONSUMER RECYCLED PAPER 

www.westernresourceadvocates.org



**WESTERN RESOURCE
ADVOCATES**

2260 Baseline Road, Suite 200
Boulder, CO 80302

Non-Profit Org.
U.S. Postage
PAID
Boulder, CO
Permit No. 406

Board of Directors

- Eric Hirst, President Bellingham, WA
- Chris Wirth, Vice-President Boulder, CO
- A.J. Grant, Secretary Boulder, CO
- Kim Kasic, Treasurer Boulder, CO
- Bonnie Colby Tucson, AZ
- Martha Davis Littleton, CO
- Donna House San Juan Pueblo, NM
- Sarah Krakoff Boulder, CO
- Brooke Mayer-Larson Boulder, CO
- Heidi McIntosh Salt Lake City, UT
- Wayne Petty Salt Lake City, UT
- John Taylor Boulder, CO
- Charles White Denver, CO
- Stewart Udall, Honorary Director Santa Fe, NM