

western views



VOLUME 15 • SPRING 2004

2003 Volunteer of the Year – Charlie Green

Charlie Green serves as our webmaster extraordinaire. Although WRA no longer has a formally organized volunteer program, we still need help from time to time. Charlie has hung in there with us for almost two years, having signed on to manage the updates to our website.

However, as our site grew to more than 75 pages, Charlie saw that we needed more than simple maintenance. He went beyond the call of duty to help us rework our navigation so that we could manage all the diverse aspects of the site more efficiently. Together with our web designer, Jeremy Carlson, he's been engaged in re-doing the site's presentation. Check out the new look!

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ADVANCING SOLUTIONS Taking It to the People: A Renewable Energy Ballot Initiative

By Rick Gilliam, Energy Program Senior Policy Advisor

For the third time in three years, WRA has worked with other members of a coalition called Coloradans for Renewable Energy to introduce legislation that would establish a renewable energy standard for the state. Each year, the opponents of the bill grow fewer in number, but more fierce in their efforts to block it. Ironically, the supporters of the bill include both of the state's large utilities, while the major opposition comes from rural electric cooperatives and Colorado Springs Utilities—who are exempt from the bill's requirement to obtain a set minimum amount of energy from renewable resources. The Colorado Mining Association also opposes the legislation.

This year, in addition to our legislative push, we have developed a backup plan—a ballot initiative—for developing renewable energy in Colorado. If the legislative measure fails, going directly to the people to vote on this matter has a great deal of appeal. Last year's Wells Fargo statewide poll found:

- 82 percent of Coloradans think utilities should focus on renewable sources such as wind, solar or hydropower to generate additional electric power
- 84 percent want utilities to use more renewable energy, with 63 percent saying they should use “a lot more” renewable energy, and 21 percent “somewhat more”
- 78 percent support the state legislature requiring the large utilities in



Wind farms are a cost-effective source of renewable energy

Colorado to produce 10 percent of their electricity from renewable sources within the next 10 years. This poll is further validated by public opinion research done by the National Renewable Energy Laboratory, as well as by opinion surveys performed by utilities Xcel, Fort Collins Utility, Colorado Springs Utilities, and others.

In some ways, a ballot initiative would provide a greater benefit from renewables, because many of the compromises made in developing the legislation over the last three years could be removed for a much cleaner, stronger, and more straightforward measure. On February 2, 2004, a ballot initiative written by WRA was filed by Environment Colorado and the Sierra Club. It is similar to the legislation except in the following ways:

- More renewables are required—10 percent by 2012 and 20 percent by 2022, versus 900 and 1800 megawatts by 2010 and 2020, respectively, in the current bill.

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Quiet Use

By Mike Chiropolos & Brad Bartlett

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Off-road vehicle damage, Utah
Photo by Dan Schroeder, Sierra Club

Unmanaged motorized recreation is emerging as one of the leading threats to the ecological integrity of our public lands. Dirtbikes and other off-road vehicles (ORVs) fragment wildlife habitat and detract from the solace and solitude valued by the great majority of public lands users. According to Forest Service Chief Dale Bosworth (in an October, 2003 interview with the Rocky Mountain News):

- “Unmanaged recreation, particularly off-road vehicles that tear up the land” is one of the four leading threats to

- National Forest lands.
- “It doesn’t take too many [motorized vehicles] to cause a lot of damage to grass, watersheds and streams.”
- “My view is that all motorized vehicles ought to be limited as to which roads and trails they can use. We ought to uniformly designate which roads and which trails in which areas can handle a motorized vehicle.”

Existing policies allow unrestricted motorized access to vast expanses of the public domain. WRA collaborates with the Bureau of Land Management and the Forest Service when possible, and will continue to defend agency closures from legal challenges by the powerful ORV lobby. When necessary, WRA will take a stance to see that laws passed to protect our public lands are enforced.

In Colorado and Utah, WRA is working with broad coalitions of conservation groups to apply science and advocacy to

address escalating ORV use on public lands.

In the past year, WRA’s advocacy:

- Achieved the closure of more than 100 miles of motorized routes, including a wildlife migration corridor traversing Colorado’s Troublesome Roadless Area
- Defeated industry’s initial challenge to the agency decision establishing a quiet use area by closing Molas Pass to snowmobile use on the San Juan National Forest.
- Successfully opposed a permit for an ORV jamboree that sought to turn public lands into an ORV playground.
- Challenged the designation of an extensive ORV trail system in Utah’s Wasatch-Cache National Forest and the staging of an ORV “safari” in the archeological rich area of Cedar Mesa.

Although ORV users are a small minority of those who use public lands, their machines have a disproportionate impact on other resources. Many Americans want our public lands to be a place where we can leave the city and its noisy machines behind. WRA and its conservation partners will champion quiet recreational uses to ensure that America’s natural heritage survives for future generations.

WRA Acts to Protect the San Juan Basin

Representing an unprecedented coalition of ranchers, local Navajo governments and local groups, WRA challenged the Bureau of Land Management’s (BLM) decision to authorize nearly 10,000 new oil and gas wells in the northwestern New

Mexico portion of the San Juan Basin. (See the Winter 2003 edition of *Western Views* for an overview of this basin’s precarious condition due to existing oil and gas development.) BLM’s new management plan could additionally damage air

and water quality, rangeland health, and Native American cultural resources. The plan is deeply flawed:

Clean Air Act Violations. The National Park Service, United States Forest Service

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Western Resource Advocates - working...

ACROSS THE



WRA Acts to Protect the San Juan Basin continued from page 2

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and New Mexico Department of the Environment commented that the Plan threatens visibility and public health. In effect, residents of this sparsely populated

sions. BLM also violated NEPA by failing to consider alternatives that balanced new drilling with protecting other resources and land uses.

with representatives of the Eastern Navajo Agency. Thousands of tribal members live within the planning area and use lands slated for drilling.



High-density drilling near Farmington, New Mexico
Photo by SkyTruth/EcoFlight

region are facing the same air quality problems plaguing the four million residents of Colorado's Front Range.

Flawed Analysis. BLM violated the National Environmental Policy Act's (NEPA) requirement that agencies consider the cumulative impacts of their deci-

Unnecessary and Undue Degradation. The Plan failed to require that new drilling (1) protect Areas of Critical Environmental Concern, or (2) meet rangeland health or water quality standards set to assure the viability of livestock operations and wildlife populations.

National Historic Preservation Act. Despite federal law and Interior Secretary Norton's emphasis on "consultation," the plan was finalized without conducting any meetings or field visits

Joining with and represented by WRA are Huerfano and Pueblo Pintado Chapters of the Navajo Nation, local ranchers Tweeti Blancett and Don Schreiber, and non-profit groups Diné CARE, San Juan Citizens Alliance, Oil & Gas Accountability Project, and Natural Resources Defense Council.



More high-density drilling near Farmington, New Mexico
Photo by SkyTruth/EcoFlight



Other Lands Program News

The Utah Office is providing legal assistance in a statewide effort to prevent the arbitrary recognition of road rights-of-way across our National Forests in Utah. So far, WRA has helped the public keep on top of this contentious issue by forcing the State of Utah to release documents critical to the road claims. We are working for full disclosure of relevant public records.

THE ROCKIES



Water & Energy

By Bart Miller, Water Program Director

Water resource protection and traditional forms of energy development are often difficult to reconcile. As millions more residents move to the southwest every decade, there is a growing demand for energy. Much of this demand centers around extracting and burning fossil fuels and, to a lesser extent, generating hydroelectricity.

While these traditional forms of energy production can harm river systems, groundwater resources, and wetlands—precious water

urban water supply, recreation, and habitat for native fish and other animals.

Fossil fuel power plants use large volumes of water for cooling. In the Interior West, coal and gas generating plants withdrew over 650 million gallons each day in 2000. Over the course of a full year, this is enough water to meet the indoor and outdoor water needs of nearly 4 million people—enough water to cover a football field with a column of water 138 miles high! Withdrawals and discharges from

Basically, they alter stream flows and temperatures, affecting fish spawning, plant life, and recreational opportunities. (Please check out our website for more details in a report we recently co-authored: *The Last Straw: Water Use by Power Plants in the Arid West.*)

Extracting fossil fuels for power plants can also harm our water supplies. Coal surface mining is increasing to meet the needs of existing coal-fired plants and the long list of newly proposed plants for our region. Coal mining can greatly impair the quality of nearby surface and groundwater sources.

One form of energy production in our area—coalbed methane—is simply exploding. In the Powder River Basin (primarily in Wyoming), over 50,000 new wells are proposed that could withdraw nearly 700 million gallons of extremely saline water each day from underground aquifers and discharge it into surface streams, where it will greatly disrupt natural temperature, water quality, and native species.

Hydroelectric production, and the dams it depends upon, also affect the West's river systems in dramatic ways. In addition to altering water quality and temperature, dams transform the shape of a river's natural flow pattern (called a "hydrograph") by reducing spring peak flows and increasing winter base flows. Flow changes affect sediment levels and the structure of downstream river channels,



Barlett Dam, Arizona
Photo courtesy of Bureau of Reclamation

resources already under strain. Today our waters must meet a wide range of demands, including agricultural and

power plants can have substantial, localized impacts to the water quality and quantity of particular water sources.

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Western Resource Advocates - working...

ACROSS THE

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as well as reducing habitat and species diversity. Losing the hydrograph has contributed toward pushing several fish species to the brink of extinction.

Because of this growing tension between clean, adequate water and energy development, WRA is pursuing a three-point plan for the future. First, we work diligently to promote the use of renewable energy (with a heavy focus on promoting wind energy) to decrease the need for traditional sources of fuel like coal and coalbed

methane. Second, we work to ensure that when traditional fuel sources are developed, such development is done in an environmentally responsible manner, and one that protects treasured public lands and waterways. Third, we work to alter the traditional storage and release patterns at major dams that have historically maximized hydro-electric production at the expense of the natural hydrograph. To this end, we recently became involved in the Upper Colorado River Endangered Species Recovery Program, a multi-agency

(and non-government organization) effort to restore populations of Colorado pikeminnow, razorback sucker, humpback chub, and bonytail.

Though we certainly have our work cut out for us, we are hopeful that energy development and protection of our precious water resources will come into better balance and be the new *status quo* for current and future residents of this special place.



Other Water Program News

- A Federal District Court Judge adopted many of WRA's arguments recognizing the strong public interest in holding on to and protecting sovereign lands underlying critical water bird habitat on Utah Lake. He has scheduled a trial to determine the actual boundary between sovereign and private lands and has ordered private land owners not to disturb the contested lands until the boundary has been established.
- In response to WRA's protest of several water rights change applications, the Utah State Engineer has instituted an instream flow, which ensures that water can legally be kept in the creek, in East Canyon Creek and a policy of reducing appropriations by 25 percent to help protect this ailing and over-appropriated watershed.
- Comments prepared by WRA's Utah Office led the Utah Division of Water Quality to revise its proposed rules governing water quality to better protect and restore aquatic ecosystems.

Upcoming Event to benefit WRA's Utah Office!

Hiking the Escalante

Sept. 26-Oct. 1, 2004

Join the Utah Office and spend six days exploring the fabulous red rock country of the Escalante River Basin in Southern Utah. Led by expert trail guide Steve Allen, author of "Canyoneering 3: Loop Hikes in Utah's Escalante," you'll discover places few ever see and learn about the unique desert environment. Don't miss this incredible chance to experience one of the most beautiful places in the world.

For trip details and prices, contact Melanie Newton, melanie@westernresources.org, or visit our website: www.westernresourceadvocates.org.

ROCKIES

Advancing Solutions: A Renewable Energy Ballot Initiative continued from page 1

- All retail electric providers with over 100,000 megawatt-hours in annual sales are included. This covers about 98 percent of all electricity sold at retail in Colorado. Under the proposed legislation, only large utilities would be included under the standard and the smaller providers would be exempt.
- Only renewables built after January 1, 2003 are eligible, whereas the current bill allows Xcel to apply existing renewable programs to its requirement for meeting the standard.

The most controversial aspect of the ballot initiative is its inclusion of publicly owned power entities (*i.e.*, cooperative and municipal utilities). These utilities were excluded from the legislation because private and public utilities have fundamentally different structures. Private investor-owned utilities like Xcel Energy serve two masters—their customers and their shareholder-owners—and operate in a regulated environment, far from anything one might consider a free market. Municipal utilities and Rural Electric Associations, on the other hand, are structured to align the interests of owners and customers, as these are one and the same. As a result, local constituencies have, in theory, greater ability to provide policy input to the utility, and to influence its direction.

It has become clear that the managements of many of these public entities are not reflecting the desires of a majority of their constituents, who are also their owners. As

such, a ballot initiative is the best way for the people of Colorado to express their will.

Publicly owned utilities that do listen to their constituents have indeed begun to use cleaner energy resources. For example, as a result of a customer survey in 2002, the City of Fort Collins utility implemented both renewable and energy efficiency standards that will increase this municipal's efficiency by 10 percent by 2012 and the portion of renewables to 15 percent by 2017. Cooperative utility Delta-Montrose Electric Association developed a popular and cost-effective geothermal energy efficiency program after listening to its member-owners through focus groups and surveys. Similarly, Holy Cross Electric Association has been steadily increasing its use of micro-hydro, solar, and wind because that's what its members want.

The initiative process requires about 67,000 valid signatures, which must be collected by the end of August to secure a spot on the ballot in November. If the legislative measure fails, we are confident that we can pass a ballot initiative. Perhaps a successful ballot initiative here will also spark a similar approach in other states.

Other Energy Program News

- WRA's study, A Balanced Energy approach for the Interior West, analyzes the costs and benefits of bringing a significant amount of efficient, renewable, and distributed energy resources online by 2020 in comparison with a business-as-usual approach. It is slated for release at the Western Governor's Association summit in April.

- The Colorado Green wind farm, a 162-megawatt facility near Lamar, came online in January. Supplying enough electricity for 75,000 homes, the plant was the least expensive way for Xcel to provide more power to customers and is expected to save consumers and businesses millions of dollars. WRA played a crucial role in the negotiations for this project.

Western Resource Advocates - working...



SPOTLIGHT



Sarah Krakoff Board Member

A new member of our Board last year, Sarah Krakoff finds time for WRA amid myriad other activities, including

marathon running. An Associate Professor at the University of Colorado School of Law, she's approaching tenure review in 2005. "I'm lucky," Sarah says. "Some professors really enjoy only teaching or writing or research, but I love all three." At the moment, she is teaching a course on public lands law, which Sarah finds an object lesson on the reluctance of the courts to get involved in overseeing public agencies.

Sarah grew up in New Jersey, majored in literature at Yale, then went to Berkeley's Boalt Hall School of Law. She spent three years working on the Navajo Reservation, where she met her husband, John Carlson, currently a federal public defender. Sarah maintains her connection with Navajo people, having visited there twice in the past six months to research a paper she's writing on the development of the Navajo legal and political system. Sarah looks forward to introducing her four-year-old daughter, Lucy, to Navajo culture.

Sarah came to know WRA through a stint with the Indian Law Clinic. Through her work at the law school, she came to know more of WRA's staff and was eventually recruited for our Board. "I really respect the multi-resource, solutions-oriented approach WRA takes," Sarah says. "The problems we face protecting what's left of our natural resources are so huge, it's important to have a group like WRA that can both work in the trenches and take a longer, more strategic view."

Sarah is in the planning stages for a book called *Consuming Wilderness*, in which she'll look at the cultural and economic transition from wilderness as a storehouse for extractable resources to wilderness as a consumer good. "Does this transformation foster a true environmental ethic?" Sarah wonders. "And if not, how can it be managed so that it does?"

WRA is grateful for all the time Sarah spent on our strategic planning process in 2003.

2003 Volunteer of the Year—Charlie Green



Charlie Green

Always upbeat and enthusiastic, Charlie helps us from his home in Texas Creek, Colorado, which is located near Cañon City. Previously a control specialist for a Colorado Springs power plant, Charlie retired with his wife three years ago to 10 acres they'd purchased as their dream retreat. They call the place Valentine Ridge, and when Charlie isn't at the phone when WRA calls, it's often because he's out working on fencing for his wife's horse. He loves the property because it keeps him in touch with the outdoors and removes him from what he has come to see as the "frenzy" of life in Colorado's Front Range cities.

Charlie most enjoys the technical challenge of managing websites for WRA and for other non-profit and political entities. Each case brings something new to learn. "I didn't want to just sit around in my retirement. I started out volunteering at Memorial Hospital's emergency room, but that's a long drive now. By helping WRA, I get the stimulation from solving technical problems, plus the feeling that I am doing something for the environment."

Charlie's two grown sons continue to live in Colorado Springs. Charlie is a Colorado Representative to the national Green Party.

SKI SNOWBIRD!

WRA is pleased to be able to offer an efficiency timeshare for the week of April 19-26, 2004 in Snowbird Utah. Part of the Iron Blossam Lodge (www.ironblossam.net) at the base of Utah's Snowbird Ski Resort (www.snowbird.com), the unit sleeps four and includes a kitchenette. The timeshare can be purchased for \$4000, allowing you to return for a week each year. The unit can also be rented this year for \$189/night. All proceeds will benefit WRA's Utah Office. For more information, please call our Utah office at 801-487-9911, or email jwalker@westernresources.org. Thanks to Alex Steckel for generously donating this timeshare.

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THE ROCKIES

From the Director



It is still a common impression that environmental advocacy springs up to tackle a specific problem, like a new mine or a dam, or a toxic dump, and that once the mine or dam is defeated or built, or the dump cleaned up, the advocates disappear and the world goes on. In the early days of the movement, this impression was more or less accurate. Even today, a fair amount of local advocacy falls into this category. However, there is now a community of environmental advocates that is organized for the long haul to work for systemic change nationally, state-by-state, regionally, and increasingly, even locally.

The environmental movement evolved because, as time went by, those of us who work to restore and protect the environment realized that many of the problems we address cannot be resolved by a victory over a power plant here or over a highway there. Instead, there are root problems that are much larger and more complicated. They can be solved only by making multi-year, institutional commitments to work on solutions to the underlying problems that drive, for example, our dependence on fossil fuels, our wasteful use of water, and our misuse of our region's magnificent public lands. We need solutions based on sound economics and science that acknowledge the underlying needs that create the problems. These solutions must also be people-friendly.

Western Resource Advocates develops solutions for three very large problems, all of which resemble the proverbial supertanker whose course takes enormous energy, distance, and time to alter significantly. One of these is regional energy policy. WRA has had an Energy Program since 1991. The goal of this program, which has not wavered much since then, is to wean the electric industry in our region away from its heavy reliance on polluting fuels, in particular conventional coal technologies, while setting the industry on a path toward investment in clean resources, like renewable energy technologies and energy efficiency. While we have had many successes over the years, we are still working on this problem and likely will be for a while. Old habits die hard, especially when they are supported by scores of billions of dollars of investment in polluting technologies, and a political and regulatory support structure that is tied to the past. We believe that this is a noble and important struggle. Victories come in small packages that over time will amount to a sea of change.

WRA also works to restore and protect our rivers and streams for their aquatic life as well as for their role in maintaining the quality of life of westerners, so dependent on fresh water in this arid region. There are many ways to approach this problem. We have chosen two—direct intervention in river management in key river basins, and better urban water use efficiency. Urban water use is increasing in our region, a result of our steady population growth. It is urban water use, stacked on top of long-standing irrigation water uses, that now most threatens our region's already stressed rivers and streams. WRA's Smart Water Project combines analysis with local and state-by-state advocacy to encourage greater urban water conservation, the best solution to this problem. But achieving improvement in this area, like reforming the electric industry, will take time.

Finally, our Lands Program works to protect and restore the ecological integrity of our region's federal public lands, roughly 50 percent of the land area of the region. These lands are besieged by poorly regulated energy development, out-of-control motorized recreation, logging in roadless, old-growth forests, and poor livestock grazing practices, especially in areas that are particularly arid. We have taken on the protection of federal lands against all of these assaults and, among many other accomplishments, have stopped energy development where natural values are pre-eminent. We have many partners and colleagues in this work throughout the region. Notwithstanding our numbers, we do not see an end in sight to the challenges. The struggle to protect our public lands, begun by people like Gifford Pinchot and Theodore Roosevelt, has been around for almost a century. A great deal has been accomplished in this time, but we still may be decades away from resting.

As you can see, WRA is involved in trying to solve some of the most important, complicated, and long-lasting environmental problems our region faces. Our solutions do not deny human needs, but try to meet these needs in more sustainable ways, such as with clean energy technologies, better water conservation practices, and energy development practices on public lands that respect the environment. We hope you will support us as we tackle these long-term problems.

A handwritten signature in dark ink, appearing to read "Bruce C. D...".

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