

The PRBRC: Who are these people? Are they holding up energy development in the Powder River Basin?

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For some, the mere mention of their name — Powder River Basin Resource Council — elicits a response similar to dragging fingernails across a blackboard.

Energy industry workers blame the PRBRC for actions they say have resulted in less work for their companies and higher costs for their employers, both of which mean less money in their pockets to provide for their families.

The allegations are ones the PRBRC has been saddled with since it was founded in 1973. They now come as no surprise.

But are the allegations unfounded?

What is the goal of the self-described "landowner advocacy group?" Does it want to shut down all energy development in the Powder River Basin as its accusers claim?

Does it want to create a basinwide wilderness area where sage grouse and elk can flourish and Wyoming energy industries are choked out of existence by regulations, lawsuits and a sky-high price of doing business?

Or is the PRBRC asking for responsible development and actually looking out for the best interests of the people who live in this basin? Does the PRBRC simply get a bad rap because it's associated with the word "environmentalism" in one of the most conservative areas of the country.

Whatever side of the line you fall on, most people can agree the group has a significant influence on the "energy capital of the nation."

Drilling on private land

PRBRC community organizer Jill Morrison and Campbell County landowner Bernie Barlow examined maps of Barlow's land one afternoon in October seated in a conference room in the Bureau of Land Management Buffalo Field Office. The map is part of an oil and gas company's proposal to drill on the property and included a few things Barlow didn't remember speaking to the company's representatives about.

"They just assume you don't come to the BLM. You don't refute what they offer," Barlow said of the companies. "Then, when you get an on-site (visit) you are not prepared to ask the questions."

That is where the PRBRC and Morrison's expertise come in, Barlow said. Negotiating leases and rights-of-way with oil and gas and pipeline companies is time intensive and can create huge problems for landowners if they don't understand what they are signing. Getting help from PRBRC organizers like Jill Morrison, who has more than 20 years of experience with the group sifting through the jargon-packed documents, can be a big help.

"Comparatively speaking to the other projects I have reviewed, which has been hundreds, this one looks pretty minimal right now," Morrison said.

But Morrison still jotted down some notes and after some time spent hunched over the maps and documents, the two came up with a few questions and concerns that need a closer look. The hope is that when Barlow finally signs documents, she'll know exactly what is in them and the company will know exactly what she expects.

It is a common story for many Powder River Basin ranchers: An energy company comes in and wants to develop on their land and before long the rancher is in over his or her head or the company is not as honest as it could be. They ask their neighbors what to do and soon are pointed toward the PRBRC.

Pete Dube was one of those landowners. He and his wife own land near Arvada where they operate a hunting outfitting business. When oil and gas companies approached them wanting to develop on their land, Dube turned to the PRBRC for advice on surface use agreements.

"You didn't have to reinvent the wheel because these people have already been there and done that," he said.



Jill Morrison sifts through documents for a proposed oil and gas development in the Powder River Basin. As a PRBRC community organizer, Morrison has spent decades serving as a voice for many landowners negotiating with energy companies. - News Record photo by Joy Lewis

Dube is now a PRBRC board member and helps landowners dealing with energy development like he faced.

"The Powder River Basin Resource Council is not anti-development, despite what a lot of people think," Dube said. "We are for responsible development. I don't want the benefits and all of the economic boon of the oil and gas industry to be born solely on the back of the landowner."

Dube said it is easy to get companies to do things that immediately get gas out of the ground, but it is harder to get them to do things that don't immediately get gas out of the ground like road maintenance, dust control, weed control or reclamation.

"All those things don't get gas out of the ground, so they (the companies) kind of drag their feet on that. So the Powder River Basin Resource Council has been helpful on that as well," he said.

Many harsh words are used in Campbell County in connection with the PRBRC, but it doesn't take long to find landowners like Dube to come to its defense and attest that the group is standing up for landowner rights and is just a collection of local people who don't want to see the Powder River Basin damaged beyond repair by energy development.

"If Powder River (Basin Resource Council) doesn't do it, who is going to do it? I would rather have people who live and work here ... to be the ones doing the watchdogging instead of some outfit out of Washington D.C.," Dube said.

Rancher LJ Turner, a longtime PRBRC member, claims his ranch in southern Campbell County is losing underground water to both coal-bed methane development and the coal mines.

"They are the only organization that I have found that is concerned about the Wyoming of the future. Most of the members are in for the long haul," Turner said. "They are not afraid to take an unpopular position or to ask politically incorrect questions."

The list of ranchers goes on. Not liberal environmental activists out to stop energy development, but conservative Wyoming born and raised ranchers.

Through industry eyes

It might sound like David against Goliath.

The PRBRC, working on behalf of a local rancher, can hold up a major project of an international company.

Energy industry companies don't see themselves as Goliath.

The companies pushing the project provide thousands of jobs in Gillette and surrounding communities, along with the majority of the taxes that pay for schools, roads, police, fire protection and government programs not only in Gillette but in every town across the state.

Despite their frustration with the PRBRC, a handful of oil, gas and coal companies wouldn't comment on the group for legal reasons. It's delicate subject matter for them to address.

Daryl Hill of Basin Electric Corp. was willing to try.

Basin Electric is building the Dry Fork power plant north of Gillette. The PRBRC opposed to it from the start.

The PRBRC, along with the Sierra Club, has been fighting to keep the new power plant from getting its air quality permit. Dry Fork can't operate without it.

The groups claim that the plant will use obsolete technology that will violate the Clean Air Act and pose significant health risks to the surrounding communities. They also argue that the plant won't have adequate control for mercury emissions.

After winding its way through the court system with hearings and appeals, the Wyoming Supreme Court in March ruled in favor of Basin Electric. The plant now has the permit to start up when it is finished in June. In an e-mail response to questions, Hill said the group's opposition to the power plant was not a surprise.

"Environmental groups have been very open about stalling or halting the development of coal-based power plants. So it isn't surprising that the Dry Fork Station was targeted. They are filing lawsuits or appealing decisions made by regulatory agencies. They are exercising their legal rights," Hill said.

Under Wyoming law, construction on the power plant was allowed to continue while the air quality permit was under appeal. So, the appeal didn't really hold the project up, Hill said. But environmental groups have had an impact on the industry as a whole.

"It can make the decision-making process longer and more time-consuming, thus adding to costs," he said.

Similar permit appeals and lawsuits are impacting coal mines in the Powder River Basin. The PRBRC is not often the lead environmental group involved, but it is sometimes a party in appealing federal coal reserve leases area mines need to continue to operate.

It's not the Sierra Club

Helping landowners work through leases is only one of the things the PRBRC does.

The group's main focus is organizing landowners around the state into groups that have a better chance being heard by energy companies and state agencies. It provides public education on environmental issues that local residents may not get from industry or the media. The group also lobbies the state Legislature on behalf of its members. Despite the notoriety the group gets for its involvement in energy development, it also is quite involved in agricultural issues important to its members.

PRBRC community organizer Shannon Anderson has been helping a group of landowners in Crook County with proposed in-situ uranium mines on their property. The proposed mines are close to their houses and water wells and the landowners want to make sure the impacts are mitigated. As a group, the landowners can get their side heard, Anderson said.

"Often, the voice of responsible development isn't in the mainstream media the way the voice of pushing for any kind of development is," she said. "There is always a lot of emphasis on jobs and tax revenue. We really try and get out the other story and make sure what the public is hearing is balanced and informed."

The group often is asked to be at the table for important discussions about energy and the environment in Wyoming. The one or two group members often are in the extreme minority at the meetings with the other seats filled by federal and state regulators and energy industry representatives. Sometimes brows furrow and eyes roll when a PRBRC representative speaks up, but their opinion is heard and considered.

"They know who the Powder River Basin Resource Council is. They know who the players are, and I think there is a respect there," Dube said. "I think in general the industry and others have a respect for Powder River (Basin Resource Council) and realize they are looking out for the other side."

The resource council's reach is wide and its impact is significant for such a small organization. With only six people on staff and less than \$500,000 in reported revenues each year, the group is able to do a lot with a little.

There is a notion that the group is just the local face of national environmental groups like the Sierra Club or WildEarth Guardians, and that it is funded through those groups. The PRBRC gets most of its money from membership dues and some from grants according to paperwork it must file with the Internal Revenue Service.

Morrison explained the PRBRC's goals are very different than that of the national environmental groups and other conservation groups in Wyoming.

"We have a tendency not to get involved in the issues that other typical, what you would call environmental groups, are working on ... like wolves or grizzly bears," Morrison said. "We are working on issues that are affecting people where they are. Impacts to their land, impacts to their water, impacts to their air ... how they make a living farming and ranching."

Delays and high costs not the focus

PRBRC members say they are not trying to cause delays and increase the cost of energy development when they file appeals or take companies to court. The PRBRC files appeals and gets involved in lawsuits because of specific concerns. It's not just to be adversarial and slow development. Most of the time, the group tries not to get involved in lawsuits because of the expense, Morrison said.

"I think we are misunderstood and actually maybe even misrepresented by industry," Morrison said.

The energy industry paints the PRBRC as a group that is against any kind of energy development at all, and if they continue to say it enough people will believe them, she said.

"So, we continue to do our work and try and correct the misrepresentation," she said.

What they said

"We were a group of ranchers that got together because we read this north central power study put out in the early '70s by the federal government that said they were going to build 150 mine-mouth power plants between Colstrip, Mont., and Douglas, Wyo. I looked at that line and I am east of most of it. That would have put all that down-wind stuff on my ranch, covering me up."

"I'm not a tree hugging rabid environmentalist and I love my electricity. I know how they generate my electricity, they generate it out of coal," he said "As long as they're doing it about half way right, I don't have a lot of gripes with them."

Ed Swartz,

Campbell County rancher and one of the original members of the PRBRC. He served on its board for many years

"We feel by being part of a larger organization, we are doing much better than if we tried as individuals."

Evelyn Griffin

A Pavillion resident who, along with others, worked with the PRBRC to help them organize the Pavillion Area Concerned Citizens when they found out their water was contaminated, presumably by nearby oil and gas drilling.

"I know PRBRC has made a significant difference in how BLM and other agencies that are entrusted with protecting our natural resources now conduct their analysis. Without PRBRC's constant vigilance and oversight, many important areas such as Fortification Creek, and issues such as water disposal, reclamation of disturbed areas, and sage grouse habitat would not be addressed."

Larry Gerard

A PRBRC board member and was a wildlife biologist for the BLM for 33 years.

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