



## 2018 Annual Report

*Encouraging Responsible  
Development Today – For Tomorrow*



## **Protecting Wyoming's Quality of Life Since 1973**

Powder River Basin Resource Council was founded by ranchers and townspeople concerned about the impacts of strip mining on landscapes, communities, and freshwater aquifers. For 46 years, we have worked for responsible energy development in Wyoming. Using community organizing, science, policy, legal experts, and coalitions with other organizations, we wage effective campaigns to protect Wyoming's air, land, water quality, and wildlife and to promote sustainable agricultural practices and policies. We are committed to community organizing, leadership development, and the empowerment of citizens.

The successes we found in our early work have continued throughout the years. Over the past four decades, the concentration of our work has been on ensuring responsible development that prevents and mitigates the negative impacts of energy development on the environment and Wyoming citizens. We have worked hard to prevent energy companies from harming private property or degrading our clean air and water. Our citizen power has effectively limited energy company influence over the legislative process and administrative agencies.

Additionally, a core part of our mission is protecting Wyoming's agricultural heritage and ensuring a sustainable ag economy. We have helped ensure a future for family farmers and ranchers, worked to curb corporate control of livestock markets, and passed legislation to provide more rights for ranchers and farmers negotiating with energy companies. Recently, we have expanded our work to support our state's growing local food and new agricultural economy.

### **Our Mission**

- The preservation and enrichment of our agricultural heritage and rural lifestyle;
- The conservation of our unique land, mineral, water, and clean air resources, consistent with responsible use of those resources to sustain the livelihood of present and future generations; and
- The education and empowerment of our citizens to raise a coherent voice in the decisions that will impact their environment and lifestyle.

**Powder River Basin Resource Council**

**46th Annual Meeting**



***Our Water, Our Land, Our Legacy***

Saturday, November 3, 2018  
Holiday Inn  
1809 Sugarland Drive  
Sheridan, WY



**Featuring**  
**Michael Forsberg**  
**Award-Winning Conservation Photographer**

**2018 Annual Report  
Powder River Basin Resource Council**

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## 2018 Coal Campaign Victories

### Defending Our Victory on the Ramaco Coal Mine & Challenging the Company's Speculative Coal-to-Products Schemes



*The majestic Tongue River Valley*

At the end of last year, we earned a major victory when we successfully stopped round one of Ramaco's permit application for their proposed Brook Coal Mine north of Sheridan in the scenic and historic Tongue River Valley. Based on our expert testimony, Wyoming's Environmental Quality Council (EQC) issued a tough decision finding significant deficiencies in the company's permit application related to hydrology, subsidence, and blasting.

Our challenge to the mine permit was the first of its kind in Wyoming in three decades, and the EQC's decision set numerous precedents for the state coal mine program, including requiring public participation opportunities for Cumulative Hydrologic Impact Assessments (CHIAs) for coal mine permits. The Council ruled that the CHIA had to be issued before the agency could make a decision on the permit application. Under the EQC's decision all CHIAs from the Department of Environmental Quality are now released in draft form for public comment.

Predictably, Ramaco appealed the EQC's decision to court, and we spent a good portion of 2018 defending the decision. Our legal arguments were well-crafted and well-researched, and we feel confident we are on the right side of justice. The case is now ready for a decision from the judge in Cheyenne, and we look forward to a decision that will settle the law and send the company back for more work.

In early 2018, Ramaco shifted to promoting its new plans to turn coal into various products. Facing the reality that the coal it bought in Sheridan County doesn't have a market for either domestic power plants or exports, the company has rebranded itself as Ramaco Carbon and has proposed research facilities to study how coal can be turned into resins for 3D printers, among other far-fetched ideas. We opposed Sheridan County's rezoning of land for the company's industrial facilities, helping to generate over 100 comments in opposition. After a lengthy public hearing, the



*Tongue River Valley agriculture*

Sheridan County Commissioners voted 3-2 to approve the rezoning in March, but even the supporters provided only tepid backing for the project. We continue to oppose the company's industrialization of the Tongue River Valley.

Our members and staff have also worked tirelessly to combat Ramaco's never-ending stream of misinformation, and we have published a factsheet and a *Powder River Breaks* article on the fraudulent history of the company's main principals: Charlie and Randall Atkins.

In October, the company submitted a revised permit application. The revised application reduces anticipated coal production by 90% from the previous version of the permit, avoids mining in a hydrologically sensitive area next to the Tongue River, and makes several other major changes. We are busy reviewing that new information, and are working with affected members and other local landowners to raise any remaining concerns with our state regulators.

This issue is far from resolved, and we will continue our efforts in 2019 and beyond.

## **DEQ Moves Forward with Rules to Limit Self-Bonding**

In response to public pressure from our organization, the Wyoming Department of Environmental Quality took important steps in 2018 to move forward with its proposed rulemaking that will completely revise how coal companies can qualify for self-bonding, limiting the controversial practice to companies with excellent credit histories and ratings. Since most coal companies do not have excellent credit ratings in the down market, the new rules will effectively prevent self-bonding by the industry, including the larger companies of Peabody and Arch.

While initially bowing to industry pressure asking for a rewrite of the new rules, DEQ's Land Quality Advisory Board reversed course and advanced the rules in September. Our organization was instrumental in showing public support of the rules. We submitted technical comments, including proposed amendments, and generated member comments through action alerts and our new website [reclaimwyoming.org](http://reclaimwyoming.org).

The new rules now head to the EQC for a hearing in January. In addition to being good policy for Wyoming, the rulemaking could also set a national precedent for the federal Office of Surface Mining and other states.

Relatedly, we provided information to auditors at the Government Accountability Office, who released a scathing report in April calling on Congress to amend the Surface Mining Control & Reclamation Act to eliminate self-bonding.

# Cleanup rules for industry advance

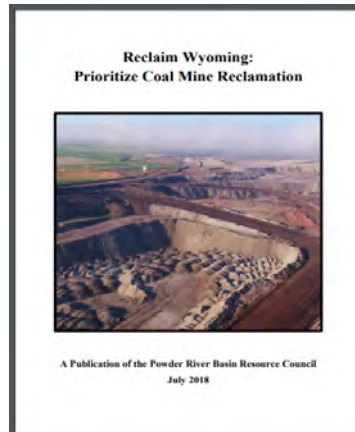
Credit rating would decide whether companies qualify

**HEATHER RICHARDS**  
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## **Making the Case for Reclamation Jobs**

In July, we published a new report “Reclaim Wyoming: Prioritize Coal Mine Reclamation” which tracked reclamation statistics from 14 coal mines in the state. We found approximately 206 square miles of land from these Wyoming coal mines has been disturbed; however, only 2.4% of that land has been fully reclaimed.

The report investigated why the rate of reclamation is slow even though state and federal law requires it to take place alongside active coal mining. The report also highlights the economic benefits of increased reclamation efforts.



“Reclamation takes a lot of time and money and as much as possible needs to be completed while mines are profitable. Waiting until the end of a mine’s life adds risk that reclamation may not meet the required standards and could become a burden to the state, counties, and companies,” said Stacy Page, Powder River Board Member and former regulator involved in reclamation.

The report made headline news across the state, including a front page story in the *Gillette News Record* featuring photos taken on an Ecoflight aerial tour we hosted.

## **Challenging Risky Coal Companies**

With self-bonding on the way out, thanks to our work during coal company bankruptcies and DEQ’s new rules, companies are looking for new ways to avoid third-party financial assurance to guarantee reclamation work at coal mines. Contura Energy, which transferred its mines to Blackjewel, LLC, is using a real property bond for the Belle Ayr Mine. In early October, we objected to the use of backing bonding with ranchland, questioning the company’s appraisal of almost \$27 million.



Separately, we have raised concerns about Blackjewel, which has a spotty history of environmental compliance and worker safety at mines its parent company operates in Appalachia. In November, we will object to the transfer of Contura’s permits to Blackjewel.

### **No New Coal Leases**

There is only one federal coal lease application in Wyoming’s Powder River Basin moving through the process, and even that lease is delayed. All other leases are on hold or have been withdrawn – taking almost three billion tons of coal off the table. We still have a “market moratorium” and not a ton of coal in the Powder River Basin has been sold at a lease sale in over six years.



### **Peabody lets go of uneconomical coal**

In fact, companies are now also giving up portions of their existing leases. We investigated Peabody’s release of now uneconomical coal from the Department of Interior, and worked to highlight that story in the press.

Separately, we continued our challenge to Peabody’s North and South Porcupine coal leases, through an appeal of the Department of Interior’s federal mine plan modification for the North Antelope Rochelle Mine. The leases collectively amount to about a billion tons of federal coal. The case is currently pending before Judge Johnson in federal court in Cheyenne.

### **Obtaining a New Leasing Study from Interior**

In August, we earned an important decision from a federal court judge in Montana who ruled that the Department of Interior must revise its Resource Management Plan for the Powder River Basin to analyze the option of reducing coal leasing to curb runaway climate change. The judge gave Interior a deadline of the end of 2019 to complete its new coal leasing study.

## Defending the Clean Power Plan



*Gillian Malone testifies at the Clean Power Plan hearing.*

The Environmental Protection Agency came to Gillette in March to hold a listening session on whether the agency should rollback its Clean Power Plan – the nation’s first set of standards to reduce carbon pollution from coal plants. Powder River showed up to the hearing and provided a critical local voice in the conversation. Board Member Gillian Malone told EPA: “In spite of the tremendous wind potential in Wyoming, we have placed virtually all of our eggs in the fossil fuels basket. Because, up until now, it’s been easy to do so . . . We are struggling in Wyoming right now to define who we are and how we’re going to participate in a changing world. We can either continue to beat back change until we are beaten down and left behind, or we can take charge, embrace the change and move forward.” In addition to member comments at the hearing, we also submitted a petition from Sheridan area residents in opposition to the rollback. On the technical side, we submitted comments from the organization in support of the Clean Power Plan in April, and in late October, we submitted opposition to the EPA’s revised plan - dubbed in the best greenwashing speak the “Affordable Clean Energy Rule.”

In conjunction with the hearing in Gillette, we published full page ads in the Gillette and Casper papers defending the Clean Power Plan.

## 2018 RENEWyoming



Our RENEWyoming campaign has been working full-tilt on increasing distributed generation (small scale) solar energy in Wyoming. Our primary goal during the first year was to increase the visibility of what is already happening in the state and to give those interested in renewable energy in Wyoming a source for information.

In our efforts to increase solar visibility, we have utilized print media, videos, social media platforms, and live events. The results have been overwhelming. We have discovered that a high level of interest in distributed solar already exists in Wyoming, and we have been able to tap into and amplify that interest. Installation numbers are up and continue to grow!

### **Print Media**

Our RENEWyoming publication *Solar Stories from the Cowboy State*, released in February, features solar users from every region of Wyoming, including homeowners, business owners, solar installers, and the administrator of the Renewable Energy for America Program (REAP) grant. The publication has been distributed at all of our events, as well as at coffee houses and brew pubs around the state.

We have produced Wyoming's first Solar Installer Directory. We have it linked on our website and are actively seeking other organizations to host the information. The Wyoming Business Council has agreed to post the directory. We are working with the University of Wyoming to update their renewable energy listings, which have become outdated, and information from our installer directory will be featured in their updated listing.

## **Solar Videos**

When trying to reach all audiences, we have identified the importance of visual and auditory information. During the past year, we have produced nearly 20 short videos with solar users. These include businesses, homeowners, and non-profits as well as solar installers. The videos are popular on our social media platforms, and we are working to increase traffic to our website where all of the videos are accessible.

Like our print media, we are seeking to represent all regions of Wyoming through our digital media to show the diversity of solar use and to highlight the importance of solar in key legislative districts. Currently, we are working to increase our presence in the Casper area and Northwestern Wyoming. We are also actively seeking stories that highlight uses for solar that we have not previously documented, such as irrigation and ranching applications.

## **Solar Events**



*The Future of Solar in Wyoming event in Laramie*

In 2018, we held four events in Sheridan, and one event in each Laramie and Cheyenne. Several of our events were co-hosted with other organizations, increasing our reach and paving the way for future collaborations.

In April, we held “The Future of Solar in Wyoming” event in Laramie. Legislators from both sides of the aisle were present to discuss solar energy in Wyoming and what is needed to increase solar rights and make the resource more accessible. Over 100 people attended, packing the venue. It was truly standing room only. Solar events have proven to be an effective way to reach new audiences, distribute resources, and solidify interest in solar installation.

## Collaborations

Our RENEWyoming Campaign has afforded us the opportunity to collaborate with other conservation groups in the state. We co-hosted the Laramie event with the Wyoming Outdoor Council. Additionally we worked with Science Kids and the Sheridan Community Land Trust for the Picnic on the Pathway event in June. This event has been taking place in Sheridan for the past three years as part of Unplug, an outdoor educational activity series during summer months.



Unplug events are intended to be recreational and educational in nature. It was noted that the Picnic on the Pathway did not always have a strong educational component, so Powder River brought together installers from around the state to provide solar education for the picnic.

In July, we were offered the opportunity to co-host a showing of Reinventing Power in Cheyenne with the Sierra Club. Powder River staff Monika Leininger helped to facilitate the event, including a community conversation after the screening of the film.

## Solar Financing

Reliant Federal Credit Union has become the first bank in Wyoming to openly offer solar financing to its members.

This is an exciting development, as it will open solar ownership opportunities to those who cannot afford to buy a system all at once. We have been actively conversing with other banks to increase solar lending options in the state.



*Bernie Barlow's Sheridan Home*

# Tackling Oil & Gas Impacts

## Protecting Aquifers

Powder River scored a significant victory this past year with the successful challenge to an industry proposal to exempt the Sussex freshwater aquifer from drinking water protection standards and inject fracking waste and produced water into it. The wastewater disposal well and aquifer exemption, proposed by EOG Resources (Enron Oil and Gas), was just outside Cheyenne. We protested the proposal and, with help of our affiliate, Cheyenne Area Landowners Coalition (CALC), we organized and engaged homeowners to send 125 letters in opposition to the proposal to the Wyoming Oil and Gas Conservation Commission (WOGCC). Shortly thereafter EOG withdrew the permit. Furthermore, two other proposed EOG injection well permits have been put on hold by the Commission.

EOG Resources withdraws one of three Laramie County wastewater well applications

By Austin Huguelet, Wyoming Tribune Eagle Feb 27, 2018



We organized a public presentation on May 7<sup>th</sup> in Cheyenne featuring groundwater and geology experts, Sue Spencer and Mike Wireman. The presentations focused on lessons learned from other oil and gas fields and how to protect valuable groundwater resources. Powder River and our members will continue our successful work to hold industry and policy makers accountable and to protect our critical water resources.

## Protecting Health and Safety

Our organizing and outreach to citizens and proactive efforts to date have helped keep the oil and gas industry from siting most drilling rigs and facilities closer than 1,500 feet from homes and businesses. (Industry is allowed to drill within 500 feet and must notify residents within 1,000 feet). However, even at over 1,000 feet, homeowners still feel the harmful impacts of oil and gas air pollution, increased traffic, noise, and light pollution.

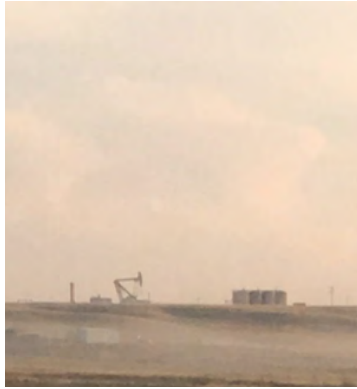
This past year, we provided a drum beat of health impact studies and analysis to the WOGCC to urge them to revise their regulations and expand setbacks to provide additional protections to nearby homes, businesses, and schools. Intensive oil and gas development is an industrial activity with serious pollution effects and does not belong near homes.

Unfortunately, we are seeing an unprecedented number of oil drilling permits in the Cheyenne area, with 5,000 oil wells permitted, and in the Powder River Basin, where over 10,000 oil wells are projected. With rising oil prices, we expect to see more active drilling and development.

Powder River along with our Cheyenne affiliate, CALC, continues to engage citizens in meetings before the Laramie County Commission to address and reduce oil and gas truck traffic, ensure speed limits are enforced, and dust is controlled in rural subdivisions. This is an ongoing effort.

We have been actively engaged in pushing the Wyoming Department of Environmental Quality (DEQ) Air Quality Division to require strict pollution measures to control oil and gas air pollution, limit methane emissions and maintain and implement Best Available Control Technology.





*Air pollution near Cheyenne*

CALC and Powder River pushed to get the stronger Upper Green and Pinedale area air pollution requirements implemented statewide. We have also commented on monthly oil and gas air permits to get improvements and urged stronger pollution control requirements that will limit the methane, volatile organic compounds, and other harmful pollution being released into the air.

We have contacted the Governor and DEQ director and continue to work with our members and citizens to help the state implement stronger rules that protect public health and limit methane and hazardous air pollution at both the state and federal level.

The WOGCC continues to scrutinize, and in some cases reject, industry proposals for increased flaring, but industry pressure and loopholes around the rules appear to be resulting in more flaring than reported by WOGCC once flaring permits are under the DEQ's jurisdiction. We have to be a vigilant watchdog to help the state implement stronger regulations to cut waste and limit flaring.

Along with the Western Organization of Resource Councils, we opposed rollbacks to federal flaring rules proposed by EPA and BLM, but we continue to believe our best course of action is at the state level.

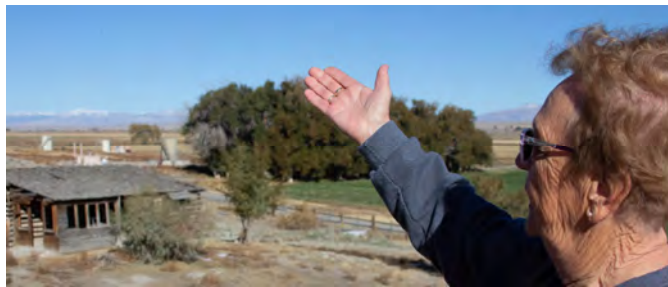
### **Bonding for Grandfathered Oil and Gas Waste Disposal Facilities and Waste Injection Wells**

Last year we predicted that our multi-year campaign to get bonding for grandfathered commercial oil and gas waste disposal facilities would meet with success in December 2017. We were right. In December, the Wyoming Environmental Quality Council (EQC) approved and passed final rules requiring full bonding for the \$9 to \$12 million in liabilities facing Wyoming. Powder River launched a campaign four years ago to highlight the lack of bonding and the taxpayer liability on these oil and gas waste facilities.



We also celebrated the passage of bonding and plugging requirements for waste injection wells in March of 2018. These multi-year campaigns to ensure industry is responsible for providing financial guarantees to ensure reclamation and remediation of their operations and facilities has been one of our most successful campaigns over the past decade.

### **Continued Pressure for Clean-up and Accountability in the Pavillion Area oil and Gas Field**



*From her deck, Evelyn Griffin points out nearby wells.*

Under pressure from Powder River and impacted citizens to address additional contamination uncovered by recent studies, Wyoming required Encana to reopen investigations into previously closed and buried unlined pits. Encana is now required to reinvestigate and complete additional clean-up of these pits. There were 57 unlined production pits in the field. Hundreds of thousands of gallons of diesel fuel and flowback water was disposed of in these unlined pits within 2,000 feet of 48 domestic wells.

Encana also started plugging several problem gas wells that were leaking and improperly cased. DEQ continued additional groundwater testing of water wells and identified high sulfates, high TDS, volatile organic compounds, methane, and bacteria feeding on that methane. Encana has been required to continue delivery of water for homeowners. In October, Powder River and our affiliate, Pavillion Area Concerned Citizens (PACC) hosted a forum in Riverton to highlight the ongoing concerns of landowners and independent scientists regarding contamination and finding a long-term solution to provide a clean water supply. We continue to keep this issue in the spotlight by working with reporters and news outlets to carry the story.

## Focus on Plugging and Reclamation of State, Fee and Federal Orphan Wells



*Impacts from CBM stand out against the landscape.*

We continue our campaign to ensure orphan wells are addressed by the Wyoming Oil and Gas Conservation Commission (WOGCC) and the BLM. According to the WOGCC's 2018 data they had a total of 5,740 orphan wells on their list and they have plugged 2,075 oil and gas wells (mostly CBM wells) at a cost of \$5.7 million. Of those, 143 have been turned into water wells, and 20 have been mined through. The WOGCC still has 3,502 orphan wells to plug, consisting mostly of orphaned CBM wells. BLM continues to lag far behind in plugging federal orphan wells with only about 350 to 400 orphan wells plugged and no accurate total of orphaned federal wells due to BLM's differing definitions of idle and orphaned wells. Along with leaders in Congress, we worked to get a Government Accountability Office (GAO) audit of the federal orphan well problem released in May, and GAO provided seven recommendations to BLM, which we will pressure them to implement. The recommendations included reviewing nationwide and statewide bond amounts to better reflect liabilities and risk to the taxpayer.

## **Working to Reduce Impacts from Federal Oil and Gas Permitting and Development**

Powder River's comments and efforts to organize landowners to pressure BLM to address impacts of EOG's Crossbow development, a 5,000-well oil and gas development project, met with some success. The company recently announced they were suspending that proposed development. While that is good news for the time being, the adjacent 5,000 new oil and gas wells proposed in Converse County will present significant challenges that will need to be addressed. Through the detailed comments of our organization and our members, we pushed for an alternative that would reduce the impacts of the proposed wells, and we called on BLM to increase its study of the serious impacts to water, air, wildlife, citizens, and communities.

In the spring, BLM's Buffalo Field Office issued a draft decision that proposed allowing hundreds of miles of coalbed methane access roads on BLM-administered public lands to become a permanent fixture of the landscape in Johnson and part of Campbell County, and allow motorized recreational use of these roads. Powder River organized landowners and citizens to raise serious concerns about the proposal, including the prospect for damage and trespass on adjacent private lands, possible deterioration of wildlife habitat and the greater landscape from off-road use, soil erosion and the spread of noxious weeds, and the lack of BLM enforcement and funding to maintain hundreds of miles of permanent roads. In addition, and perhaps most importantly, BLM had committed during the permitting process to require full reclamation of well pads, roads, and infrastructure for tens of thousands of CBM wells. BLM has been re-assessing the proposal and we expect a decision before the end of 2018.



Powder River continues to review and file comments on proposed federal oil and gas leasing and is working in coalition with other groups to keep protections in place for sage grouse.

# Ad Valorem Mineral Taxes

## Ad Valorem Taxes and Counties

*Ad valorem* mineral production taxes are property taxes on minerals collected by counties. *Ad valorem* taxes are collected 18 months after minerals are produced...enough time for a lot of problems to occur in minerals markets.

Recently, several large companies entered bankruptcy due to downturns in mineral sales. When this happens, secured lenders are prioritized for debt repayment. Counties are not considered secured lenders, so debts owed to them do not take priority. To recapture debts, counties often have to hire legal experts to represent them in bankruptcy court.

## Powder River's Work on Ad Valorem Taxes

This year, Powder River published two reports on *ad valorem* tax issues and potential solutions. Thirteen Wyoming counties are owed \$55 million in delinquent mineral taxes from 2006 to 2016, not including debts deemed uncollectable, nor any debts prior to 2006. We proposed the following solutions:

Campbell-----\$32,740,475.11	-Change county collection of mineral production taxes to a monthly schedule;
Carbon-----\$10,386,688.94	
Sheridan-----\$7,457,659.00	
Natrona-----\$926,682.79	-Attach automatic and perpetual liens to mineral property when it is produced;
Sweetwater-----\$910,792.09	
Johnson-----\$779,723.93	
Crook-----\$500,352.57	-Create a fund to assist counties that do not have the upfront capital to hire bankruptcy lawyers, and
Fremont-----\$124,449.62	
Converse-----\$297,331.00	
Sublette-----\$214,180.00	-Implement automatic tax status checks by the Wyoming Department of Environmental Quality and the Wyoming Oil and Gas Conservation Commission prior to allowing transfer or sale of assets.
Hot Springs-----\$392,268.00	
Laramie-----\$116,882.43	
Weston-----\$75,957.99	
Total-----\$54,923,443.47	

## 2018 Agriculture Work

### Farm Bill Stranded

Powder River remained engaged throughout the 2018 Farm Bill process, mainly tracking local foods/farmers market programs and the Rural Energy for America Program (REAP), which provides business grants for solar systems. The House's version was disastrous for independent producers and defunded REAP, so in May we sent a letter to Congresswoman Cheney asking her to oppose the bill, though she ultimately voted in favor of it. Powder River member Theresa Shaw published an editorial about the bill in the *Sheridan Press* in May.

Our hope was that the Senate's more palatable version would prevail in conference committee. However, committee members were unable to work out their differences prior to the September 30<sup>th</sup> deadline, nor did Congress pass an extension. This left many small programs, including REAP and the farmers market initiatives, orphaned until a new bill is passed. At this time, we are not sure if the committee will reconvene following the November elections.

### Food Forest Bears Fruit



*A bee harvests comfrey pollen.*

The Forest hosted a tree pruning workshop in April, four pollinator counts (May – August), plus four workdays (June, July, August, and October). Wyoming Public Broadcasting shot a segment on the pollinator habitat at the Food Forest in September. The Forest's impact on native pollinators is evident; the August pollinator count noted 138 native bees compared to 15 two years ago. Lastly, thanks to pollinators and Forest volunteers, the fruit trees and berries produced fruit this summer. Bob LeResche baked the Food Forest's inaugural pie for the Harvest Celebration Pies by Guys Auction.

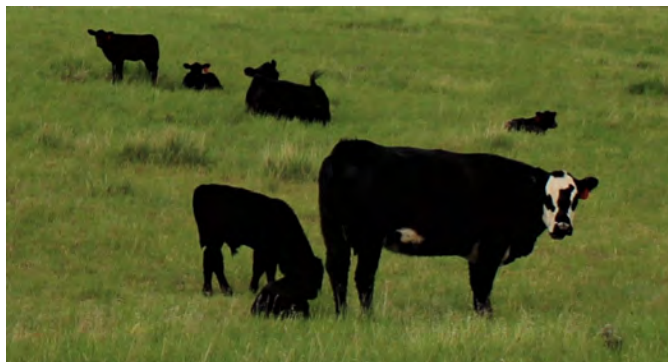
## **America the Bountiful Tour Stops in Wyoming**

Powder River welcomed the National Family Farm Coalition (NFFC) on their America the Bountiful Tour this summer. During their visit, we took them on a whirlwind tour including the Gillette Downtown Farmers Market, Carol and Bob LeResche's organic vegetable farm, and Shiloh Valley Family Farm where they met Theresa Shaw and her family.

## **Federal Livestock & Labeling News**

Labeling continues to be an issue for Wyoming livestock producers and consumers. USDA allows meat from foreign animals processed in US meat processing plants to be labeled as "Product of the USA." Not only did we submit official comments, we also sent out an action alert to our membership, which was shared nationally by the National Family Farm Coalition.

A lack of USDA-certified meat processing facilities in the state has been a barrier to branding Wyoming beef and lamb, and forces producers to out-of-state facilities. This year we supported "The New Markets for State-Inspected Meat and Poultry Act" introduced by Senators Rounds (SD) and King (ME). It would allow 27 states, including Wyoming, to permit their state-inspected facilities for interstate commerce. It would impact about 20 meat processing facilities in Wyoming. We produced a factsheet that we shared with producers, including at the R-CALF Convention at the Independent Cattlemen of Wyoming booth. The bill will be reintroduced in 2019, and we will continue to seek Wyoming Congressional support for it.



## Sheridan Seed Library

We have been promoting the Sheridan Seed Library to increase its recognition and use in the community. This year we produced a video for the seed library for social media, and began collaborating with Sheridan 4H. We worked with the 4H program to start a mobile seed library for the Downtown Farmers Market, which was successful in getting more seeds out in the community during the growing season. In October, we co-hosted a seed saving workshop for 4H students. We are planning another seed workshop next spring to kick-off the growing season.

## Members Featured in Homegrown Stories

Homegrown Stories is a storytelling project by the Western Organization of Resource Councils (WORC). Rachel & Luc Bourgault, Carol LeResche, Theresa Shaw, Tom Varcalli, and Judy McCullough have already been featured with several more Wyoming stories in the queue. This platform presents us with an opportunity to showcase our independent producers who are bucking the corporate food system and making a difference in their communities.

## Harvest Celebration

Powder River's 13<sup>th</sup> Annual Harvest Celebration & Potluck was held on Saturday, September 8<sup>th</sup> at the Big Horn Woman's Club and featured locally raised beef and lamb burgers. As always, our members provided a bountiful amount of local, homemade side dishes, salads, and desserts. Approximately 100 Powder River members, family, and friends gathered for an evening filled with local food, brews, and music. "Pies by Guys" continued its fun tradition of scratch baking for a good cause, and set a record this year. The Harvest Celebration raised over \$7,000 for Powder River this year.



## 2018 Legislative Victories

We had another successful year of lobbying at the Wyoming Legislature. Notably, this year every bill we actively opposed failed to make it to the Governor's desk or was vetoed. Here is a quick rundown of some of our biggest legislative victories this year.

**Keeping Citizen Voices in Mine Permitting:** We successfully opposed a bill that would have gutted public participation rights during gravel mine permitting. The bill would have also rolled back environmental and public safeguards for small mining operations in the state.

**Better Bonding for Oil and Gas Facilities:** We supported legislation to remove a grandfathering loophole that prevented DEQ from adequately bonding wastewater injection wells.

**Environmental Quality Council Funding:** We fought back against legislative attempts to defund the Environmental Quality Council – attempts that were in retribution for our win on the Ramaco coal mine permit. A budget bill amendment restored full funding to the agency.

**Stopping the Criminalization of the First Amendment and Impacts to Property Rights :** We opposed a bill aimed at creating a new category of crimes against “critical infrastructure,” a category of things which was broadly and ambiguously defined. The bill would have chilled and penalized protected speech and unconstitutionally impacted the right to free association. It would have also impacted the day-to-day operations of landowners who have oil and gas infrastructure and powerlines on their land. Our landowner leaders were instrumental in helping to defeat the legislation.

**More Farm to School:** We supported a budget provision that provides \$50,000 to the Department of Education to help schools cover the costs of increasing usage of Wyoming-raised meat.

**Stopping New Tax Breaks for Oil & Gas:** We opposed a bill that would have cut taxes in half for new oil and gas wells.



**Opposing Burdensome Taxes for Renewable Energy:** We opposed a bill that would have created a new tax for wind and solar energy systems in the state.

**Stopping Wasteful Pro-Coal Lawsuits:** We opposed a bill that would have funded state sponsored litigation in favor of coal export terminals.

**Landfill Cleanup:** We continued to support the legislature's effort to fund cleanup and closure of landfills that are contaminating groundwater.

**Increased Transparency:** We worked with the Equality State Policy Center to pave the way for recording of interim legislative committee meetings. This year, we've already benefited from audio recordings of all meetings and from livestreaming of a selection of meetings this summer and fall.

## Opposing Public Records Fees

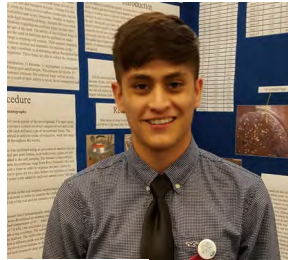
Powder River and our members spent significant time in 2018 opposing a controversial new policy from the Department of Environmental Quality (DEQ) that will charge members of the public to access government records, such as documents and emails. In our digital age, DEQ staff uses email to make important decisions, and the record of these decisions should be available to the public. Unfortunately, charging high fees to make the records available means that public access and information will be effectively denied.

We opposed the rules before DEQ's three advisory boards, and scored a temporary victory when the air quality board voted down the proposal – twice. But DEQ brought the rules back to the board again in July, putting pressure on them to move forward with the agency's position. The rules head to the Environmental Quality Council for a hearing on November 6<sup>th</sup>, which will be the last step in their rulemaking process before the Governor's signature.

In response, we have been pushing legislators to take action to institute a legislative fix to the fee rule and otherwise increase transparency through amendments to our Public Records Act.

## Youth In Conservation

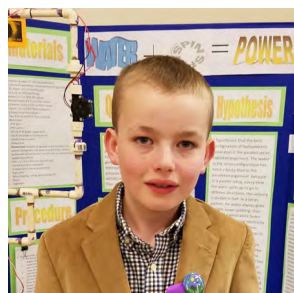
Powder River presents two sets of awards each year at the Wyoming State Science Fair. The “Bill Barlow Memorial Youth in Conservation Awards” are presented in the memory of Bill Barlow, a rancher and visionary conservationist who was also a founding member of Powder River. Powder River members Wayne Lax, Kathleen Selock, and Stacy Page traveled to Laramie in March to judge these awards.



Eduardo Burgos from Greybull High School was the recipient of the “Award for Impacts on Development” and a \$350 monetary award. Eduardo’s project, *Potential Bioremediation of Waste Hydrocarbons: Utilization of Mycorrhizal Fungi as an Environment Agent*, tested several commercially available

mycorrhizal formulations for their effectiveness of breaking down hydrocarbons in crude oil-contaminated soil.

Kort Bannan from Lusk Elementary Middle School won the Environmental Award and received \$200. His project, *Saving the Ocean 1 Fiber at a Time*, explored using sheep wool to clean up oil spills in water.



Rueben McGuire of Pioneer Park Elementary in Cheyenne won the Renewable Energy award and also received \$200. His project, *Water + Spin = Power* tested the configuration of hydroelectric generators—series, parallel, or parallel-series hybrid—to find the most efficient at generating electricity.

## Protecting Fortification



On February 20<sup>th</sup>, the Johnson and Campbell County Commissioners endorsed the Fortification Citizen Advisory Committee recommendations for permanent protections to be put in place for the Fortification Wilderness Study

Area. Powder River worked with the 12-member citizen advisory committee who met nearly every month over the past year to study and develop a final recommendation for the protective management of the 12,500-acre Fortification Wilderness Study Area.

Powder River supported the final decision by the Fortification Creek Advisory Committee to recommend a hard release from wilderness and replace it with a permanent Congressional designation known as the Fortification Creek Management Area which would require the following protections: 1) No new surface disturbance unless needed for fire suppression; 2) No new permanent roads; 3) Maintain existing characteristics; 4) Existing uses continued such as grazing, hunting, and recreation; and 5) No motorized or mechanized vehicles allowed other than reasonable fire suppression, weed and pest control, wildlife/stock water, or emergency needs.

The Campbell County Commissioners also asked Congresswoman Cheney to respect the local county and state processes for determining future management of Fortification. The final recommendation for Fortification is supposed to be forwarded to the Wyoming County Commissioner's Association and Governor Mead later this year in order to be combined with other counties' wilderness study area recommendations. With those recommendations, our Congressional Delegation is supposed to sponsor one piece of Congressional legislation, finalizing the issue; we'll see if that happens.

## Treasurer's Report

The Powder River Board of Directors approved a 2018 amended budget of \$506,164. As of October 31<sup>st</sup>, we have spent 73% of our budget, or \$371,478. The good news is we have raised 107% of our budget. We expect to finish the year on-target or slightly under for our expenses as well as exceed our fundraising income goal due to an ongoing major donor campaign and member match effort. This will help ensure we have a strong start in 2019. We have a few line item expenses that have slightly exceeded our projected spending in the 2018 budget: travel, printing, and subscriptions. However, we are under budget in several other line items which we believe will keep us overall within our budget by the end of 2018.

We recognize and thank the Western Organization of Resource Councils for their partnership in helping with our foundation outreach and fundraising. We continue to be financially sound, and our strong fundraising campaigns have helped us build a reserve to buffer us in times of budget shortfalls.

Thanks to our fundraising committee, our major donors, and our generous members who keep us strong and successful!



## Administration

Powder River's work is overseen by the Powder River Basin Resource Council Board of Directors. Board members are elected from and by the Powder River membership for two-year terms. As a membership-driven organization, members decide the direction and focus of Powder River's work. Members bring resolutions for a vote of membership approval at the annual meeting and lead the campaigns embraced by the organization.

Powder River Basin Resource Council maintains two office locations in Wyoming. The main office is located in Sheridan, and in September our second office moved from Cheyenne to Laramie where our new organizer, Monika Leininger is based. In Sheridan, we added a new staff position in 2018 and welcomed our first communications / development director, Robin EH. Bagley. Robin's experience managing websites and social media platforms has been invaluable in expanding Powder River's reach and our message.

Additionally, our Sheridan office houses Jill Morrison, our executive director, Stephanie Avey, our ace executive administrator, and Shannon Anderson, our energizer bunny who serves as our staff attorney/organizer and handles coal campaigns and assists with oil and gas, uranium, and many other thorny issues. Hesid Brandow joined Powder River as a community organizer in late 2017 and launched our RENEWyoming solar campaign, researched and wrote our mineral tax policy reports, and our recent Reclaim Wyoming report. Our newest organizer, Monika Leininger, started in June and is organizing for our Cheyenne Area affiliate working on intense oil and gas impact issues and covering the numerous policy-making meetings that happen in the southern part of the state.

We launched our new website in February of 2018 with a new online donation platform and critical information about our campaigns, check us out at: [www.powderriverbasin.org](http://www.powderriverbasin.org). Also, we are active on Facebook, Twitter, and Instagram. Powder River stills mails our award-winning bi-monthly newspaper, the *Powder River Breaks*, to update our membership on topics of interest and keep them involved in public processes that directly impact their lives.

## Coalitions and Affiliates

### **Western Organization of Resource Councils (WORC)**

Powder River is a founding member group of WORC, an association of grassroots organizations in seven states including North Dakota, South Dakota, Idaho, Montana, Colorado, Oregon and Wyoming. Through WORC, these local organizations join together to provide training and technical assistance, policy analysis, research and networking to improve the effectiveness and regional coherence of the coalition members efforts. WORC provides consolidated fundraising and a critical presence in Washington D.C.

### **Equality State Policy Center (ESPC)**

Powder River has been a member of the Equality State Policy Center since ESPC's inception. ESPC is a coalition of a broad range of Wyoming organizations from labor unions to conservation groups, dedicated to good government for the people of Wyoming.

### **Community Affiliates Across Wyoming.**

Ranchers & Neighbors Protecting Our Water  
Cheyenne Area Landowners Coalition  
Pavillion Area Concerned Citizens  
Sheridan Area Resource Council  
Clark Resource Council

Each affiliate may have representation on the Powder River Basin Resource Council Board of Directors. Affiliates are self governing and decide their own priorities and issues to pursue. Some issues become shared priorities with Powder River.

# 2018 Board and Staff

## 2018 Board

### Officers

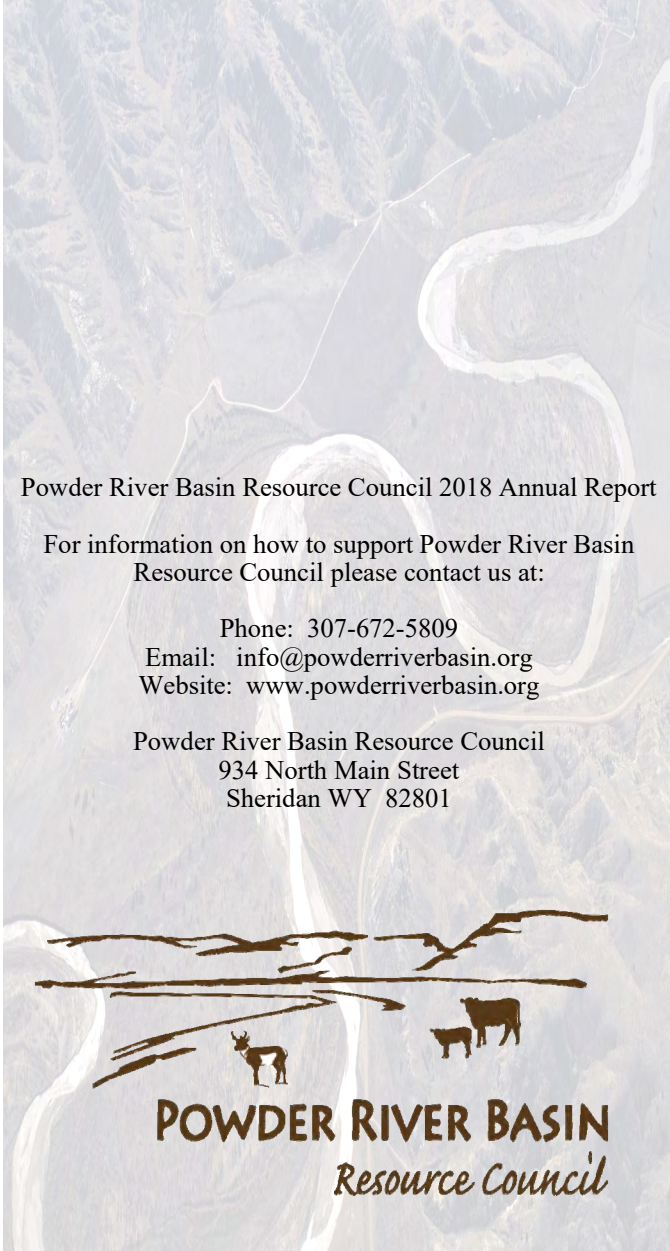
Joyce Evans ~ Board Chair  
Robert LeResche ~ Vice Chair  
Christy Gerrits ~ Secretary  
Roger Davidson ~ Treasurer

### At-Large

Judy Leggett                      Joan Tellez  
D.J. Purcell                      Wilma Tope  
Wayne Lax                      Marcia Westkott  
Carol LeResche                  Gillian Malone  
Stacy Page

## 2018 Staff

Jill Morrison ..... Executive Director  
Stephanie Avey .....Executive Administrator  
Robin EH. Bagley....Communications & Development  
Casey Quinn.....Organizer  
Monika Leininger.....Organizer  
Shannon Anderson .....Organizer/Staff Attorney  
Hesid Brandow .....Organizer



Powder River Basin Resource Council 2018 Annual Report

For information on how to support Powder River Basin Resource Council please contact us at:

Phone: 307-672-5809

Email: [info@powderriverbasin.org](mailto:info@powderriverbasin.org)

Website: [www.powderriverbasin.org](http://www.powderriverbasin.org)

Powder River Basin Resource Council  
934 North Main Street  
Sheridan WY 82801



**POWDER RIVER BASIN**  
*Resource Council*