



Annual Meeting Tackles Wyoming's Economic Future *47th Annual Meeting Scheduled for Nov. 2 in Sheridan*

On Saturday, Nov. 2, Powder River will host its 47th Annual Meeting at the Holiday Inn in Sheridan. This year's theme, *When Coal is No Longer King: A Conversation on Wyoming's Future*, will explore how the state's economy must change as the coal industry shrinks.

Denise Parrish, Deputy Administrator of the Wyoming Office of Consumer Advocate; Robin Cooley, Director of the Department of Workforce Services, and Adele Morris, Senior Climate and Energy Economics Fellow at the Brookings Institution, will discuss the economic transition from a coal-based economy and how communities, and the state as a whole, can adapt. Wyoming House Minority Floor Leader Cathy Connolly will moderate the panel.

"The time has come for Wyoming to address the truth about the declining coal industry. With three coal company bankruptcies in the last year, and PacifiCorp's new resource plan further confirming that the US



is shifting away from coal-fired power, we can't afford to wait any longer," said Joyce Evans, Powder River Chair. "We all have a stake in transitioning our coal communities and entire state toward a new, resilient economy that's not sustained by coal."

The public portion of Powder River's Annual Meeting kicks off at 4 pm with a social hour, music, and live & silent auctions. The dinner and panel discussion will begin at 7 pm. Tickets are \$45 for members and \$55 for non-members (which includes a one-year membership). Everyone is welcome. For

more information or to register for the event, contact Powder River at 307-672-5809 or visit www.powderriverbasin.org.

Robin EH. Bagley
Powder River Staff

Blackjewel & Cloud Peak Bankruptcies Wrapping Up with Mines under New Ownership

As the first snowstorms of the fall reach Wyoming, the tumultuous summer of 2019 for Powder River Basin coal mining is ending. Four Campbell County mines that together amount to a quarter of 2018 US coal production were sold during the first week of October through bankruptcy proceedings. The Eagle Butte and Belle Ayr mines will soon be owned by Eagle Specialty Materials, LLC, a subsidiary of FM Coal – a company created in 2017 that operates mines in Alabama. The Antelope and Cordero Rojo Mines (along with the permitted but not operating Youngs Creek Mine in Sheridan County) were sold to the Navajo Transitional Energy Company (NTEC), a company owned by the Navajo Nation.

While the short-term turmoil may be ending, we must now turn to the long-term future. The market conditions that drove Blackjewel and Cloud Peak into bankruptcy remain. The Powder River Basin keeps losing



customers for its coal, and production will likely keep declining for the foreseeable future. As Rob Godby, the Director of University of Wyoming's Center for Energy Economics and Public Policy, put it in a *Gillette News-Record* story, "In the short term, this is good news for the community of Gillette. But for the long term in the state, it's kind of like 'Groundhog Day.' It's going to keep happening."

Importantly, neither of these companies

has ever owned or operated coal mines the size of these four mines. As Blackjewel's former CEO Jeff Hoops quickly found out, Powder River Basin mines take a lot of capital and business sophistication to keep going. The lack of a proven track record for NTEC and FM Coal is troubling, as is the lack of transparency about financial records and balance sheets. Privately held companies like NTEC and FM Coal are not subject to the same level of disclosure with government regulators, shareholders, and the public.

Additionally, the bankruptcies left some scars – for workers, for our government coffers, and for small business vendors and creditors. While it seems likely the mines will move on, starting over does not erase the problems of the past. Blackjewel's bankruptcy was particularly harmful with workers missing over three months of pay and benefits, leaving families in the lurch and seeking unemployment and other

Powder River Basin Resource Council (Powder River) is a grass-roots organization of individuals and affiliate groups dedicated to good stewardship of Wyoming's natural resources. Powder River was formed in 1973 and stands for the preservation and enrichment of our agricultural heritage and rural lifestyle; the conservation of Wyoming's unique land, minerals, water and clean air consistent with responsible use of these resources to sustain the livelihood of present and future generations; and the education and empowerment of Wyoming's citizens to raise a coherent voice in the decisions that will impact Wyoming residents' environment and lifestyle.

Powder River is a member of the Western Organization of Resource Councils (WORC). WORC member groups are Dakota Resource Council, Dakota Rural Action, Idaho Organization of Resource Councils, Northern Plains Resource Council, Oregon Rural Action, Western Colorado Congress, Western Native Voice and Powder River Basin Resource Council.

The services provided by Powder River include public education, community organizing and lobbying as permitted on behalf of its membership. Powder River is a non-profit, 501 (c)(3) tax-exempt organization.

Membership dues: \$30 for individuals, \$50 for families and \$20 for students and senior citizens. Powder River is dependent on contributions for its work; contributions, large and small, are welcomed.

Active Affiliate Organizations

- Cheyenne Area Landowners Coalition(CALC)
- Pavillion Area Concerned Citizens (PACC)
- Ranchers & Neighbors Protecting Our Water (RNPOW)
- Sheridan Area Resource Council (SARC)

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- Organizers-Shannon Anderson, Robin EH. Bagley, Hesis Brandow, Sheridan, and Monika Leiningner, Laramie.

Powder River Offices:

Main Office:
 934 North Main St
 Sheridan WY 82801
 Ph: (307)-672-5809
 Fax: (307) 672-5800
 Email: info@powderriverbasin.org
 Web: powderriverbasin.org

Laramie Office:
 203 S. 2nd Street, Laramie WY 82070
 PO Box 2074, Laramie, WY 82073
 Ph: (307)-286-5531

Powder River Breaks

Editor: Robin EH. Bagley
 Layout: Stephanie Avey
 Photos by Powder River staff and members.

Message from the Chair



Serving as Board Chair of PRBRC these past two years has been a grand ride. I have had the opportunity to learn from some of the smartest, most dedicated people I have ever met. The staff is amazing, being made up of a group of people with insight, strategic thinking, and vast experience. Their energy is not rivaled by that of a hive of bees. And their victories are just as sweet. Our members are informed, active, and tough. They do not back down when road blocks are thrown in their way; they just find another path and get to the destination anyway. What a fine group of people! I thank you all for your contributions to our state and to our world.

Transitions are difficult. Moving from one stage to life to another, changing jobs, moving to a new community, letting go of those who have passed on, changing responsibilities, giving up status, or accepting economic change are things that challenge even the most stable humans. We are in a time of change, a time of transition in our state, in our nation, and in our world.

I have spent the majority of my professional life helping children with disabilities adjust to the changes and transitions required for entering and moving through the educational system. Meanwhile, I have spent much of my personal time advocating for natural and environmental systems as our economy expands and contracts and as our knowledge and population grow. As I look back across the years, I see a cycle that repeats: denial and disbelief, fear and distrust; anger and anxiety; learning; finally, acceptance, and adjustment to a new reality.

Completion of these cycles takes time. Some folks get stuck somewhere in the middle and stay there. Sometimes it takes decades or even generations. I have just returned from a region in the mountains of Wales where generations of miners toiled to dig slate out of the mountain centers, shape it into tiles and send it to the world's building sites, providing beautiful black slate roofs. The entire economy of the region was based on the slate mines. Then the world, fickle as always, began to buy cheap Chinese slate instead of Welsh slate. The economy collapsed and the people suffered a tremendous loss. Fifty years later, there is a booming tourist industry with hiking trails, underground mine tours, narrow-gauge rail excursions, and restaurants and rental houses on every web site. Young families are moving in, education is thriving; the cultural staples such as music and literature are growing stronger. The population may have decreased, but it appears that the per capita income has increased, and typhoid no longer claims all the children. The transition was not easy, but the people have accepted that one way of life has given way to another.

The parallels between Blaenau Ffestiniog and the coal-mining communities of Wyoming were certainly not lost on me. The high and rugged Welsh mountains have been in place since before the Romans battled there. The mining operations had some impact on the view sheds, but did not destroy them. Perhaps more modern technology would have caused more damage, but those mountains were spared. The roads and trails simply give more tourism opportunities. Wyoming has many miles of beautiful open spaces. It has wildlife viewing that is world-class. It is not too late to preserve those things and to begin the necessary transitions.

I want to leave you all with a sense of hope. Things can improve for all people who love this wild western landscape. Be kind to those experiencing transitions for they may be in a different place than you are. And, remember another bit of wisdom, shared with my by an old Irish cab driver: there are three sides to every issue; my side, your side, and the truth. Thank you for all the work you do to keep our state strong and to build up our people. Together, we are accomplishing the work of the future!

Joyce E. Evans



Register Now!

November 2, 2019

47th Annual Meeting & Auction

Sheridan Holiday Inn

Call 307-672-5809 to Register

Report Warns of Taxpayer Costs for Orphan Oil and Gas Wells

Federal Legislation Proposed to Increase Bonds

The U.S. Government Accountability Office (GAO) released a new report in September on the growing number of orphan oil and gas wells – wells that have been abandoned by industry. The report indicated taxpayers could be on the hook for \$46 to \$333 million in plugging and reclamation costs and also noted that BLM-required bonds to ensure reclamation have not been increased in over 50 years. BLM requires the oil and gas industry to put up only a minimum bond of \$150,000 nationwide – no matter how many dozens, hundreds, or thousands of wells a company drills across the country.

In Wyoming, the oil and gas industry has a long history of walking away from their plugging and reclamation liabilities. Wyoming has done significantly more than the federal government to remedy the problem, but both the BLM and Wyoming lag in requiring industry to post bonds upfront sufficient to cover the full cost of reclamation. Consequently, there are tens of thousands of fee, state, and federal orphan oil and gas wells in Wyoming. Most of those orphan wells are on private land where landowners struggle to get the state or BLM to

“It’s the American people, all of us taxpayers and especially split estate landowners, who truly bear the costs when agencies entrusted to manage federal minerals fail to set appropriate standards and enforce the law.”

~Bob LeResche

plug the oil and gas wells and reclaim the land in a timely fashion.

The magnitude of the problem got some attention in late September when Congressional representatives proposed legislation to increase BLM bond requirements. Powder River board member Bob LeResche participated in a press conference with Congressional sponsors, commenting that, “It’s the American people, all of us taxpayers and especially split estate landowners, who truly bear the costs when agencies entrusted to manage federal minerals fail to set appropriate standards and enforce the law.”

Powder River is working to ensure BLM is as attentive to the responsibilities of the full life cycle of oil and gas wells – specifically plugging, reclamation and requiring adequate bonds – as they are in pursuing oil and gas leasing and permitting.

Jill Morrison
Powder River Staff

Corporations Committee takes on Net-Metering, Coal Plants, & Tax Exemptions

Currently, Wyoming’s net metering statute allows for measurement of incoming and outgoing energy from a home or business with a personal generating system. When the system generates more energy than is needed, it’s sent to the line for other users, and the customer receives a credit for that power. That credit is provided at full retail rate and carries forward onto future bills until January when extra credits are sold to the utility at the avoided cost rate (about one-third of the retail rate).

Despite passionate and fact-based comments provided by stakeholders from all over the state at a recent committee meeting in Jackson, the Wyoming Legislature’s Joint Corporations Committee is championing proposals that would damage the solar industry in Wyoming. The first proposal on the table is a full repeal of Wyoming’s net metering statutes. The second proposal would eliminate the 1:1 credit solar owners currently receive for power generated by their solar system, force solar owners to sell **all generation** to the utility at the avoided cost rate and purchase **all power** from the utility at the retail rate (about three times avoided cost). The bill does not treat energy generated and consumed on-site any different than extra energy exported to power lines.

The full repeal would leave utilities to decide whether to have a net metering program at all and what the terms of that program would be. There is a strong possibility that many Wyoming utilities would decide not to offer a net metering program. The second proposal would double or triple the payoff time for a solar system. Again, this would effectively reduce the value of a solar system. Either proposal would make solar ownership unaffordable for most people.

While legislators are hitting solar hard, they continue to dive deeper into the quest to keep coal-fired power plants alive. The committee has proposed new amendments to last session’s Senate File 159 - New Opportunities for Coal Fired Generation. The new law incentivizes keeping old, inefficient, and expensive coal plants running longer—at the expense of Wyoming taxpayers and utility customers. New amendments to the law would allow the new purchaser of the plants to sell electricity directly to a consumer.

The Corporations Committee also tried to revive a bill that didn’t make it past the Governor’s desk last session. House Bill 120, a bill designed to give a tax exemption for land storing energy equipment, specifically laydown yards for wind infrastructure and oil and gas production equipment, is back with support from Casper legislators. During the 2019 legislative session, the bill made it through both the House and Senate but died by the Governor’s veto due to the vagueness of language and the uncertain impact this bill would have on our coffers and counties. At the committee meeting in Jackson, legislators opted not to move it forward after strong comments from Powder River, the Wyoming County Commissioners Association, and the Department of Revenue. However, the committee wouldn’t let the proposal die completely and referred it to a special subcommittee with the hope that a “compromise” bill would be brought forward at the committee’s next meeting.

The committee will meet again on November 18 and 19 in Cheyenne for its final meeting before the start of the 2020 Budget Session.

Power River Staff

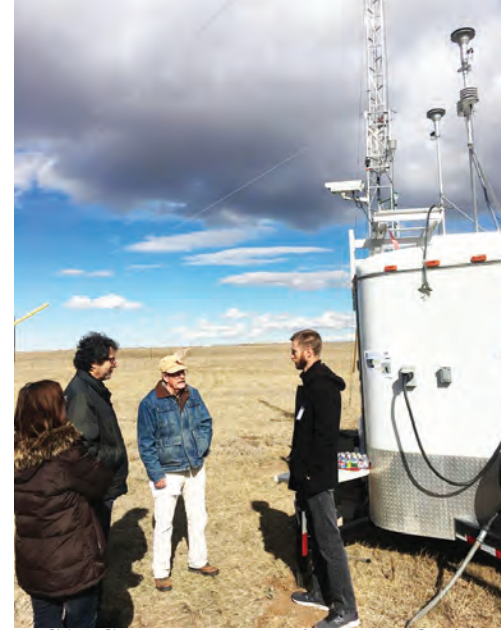
CALC Pushes for Better Air Quality & Road Safety

With ongoing heavy oil and gas development in southeastern Wyoming, the Cheyenne Area Landowners Coalition (CALC) continues to work on key areas for their membership: road use/safety and air quality monitoring.

Unlike many other areas in Wyoming with oil and gas development, Laramie County's activity is situated in close proximity to residential neighborhoods. Oil and gas operators using these county roads for industrial purposes have damaged the dirt roads, which were not designed for these consistent heavy loads. CALC has proposed an updated road use agreement between the county and operators to their county commissioners. The updated agreement would clarify language and monitoring of roads, but also require industry to put money up-front for the repair of county roads so the expense doesn't fall on the taxpayers.

Additionally, as the Wyoming Department of Environmental Quality (DEQ) looks for a new location of the Laramie County mobile monitoring

station, CALC has asked the agency to continue monitoring the air quality east of Cheyenne where heavy oil and gas development is taking place. DEQ originally placed a monitor east of Cheyenne following a resident's complaint of respiratory and other health issues in relation to nearby drilling. The mobile monitoring station was placed several miles away from any oil and gas facility and is not representative of populations living 1,000 feet from an oil and gas well. CALC insists that DEQ has not collected air quality data that would monitor or reveal the risk of the nearby development to public health and is pushing for continued, and more representative, air quality monitoring. If you are a county resident living east of Cheyenne, please visit ProtectCheyenne.org to submit your comments to DEQ by October 31 on why monitoring the air quality is important to you.



CALC members speaking to DEQ air quality technician outside the mobile monitoring unit in Laramie County.

Monika Leininger
Powder River Staff

Laramie's Municipal Carbon Emissions Revealed



UW Senior Xanthe Yorke presents to the Laramie City Council on emissions from municipal sources.

university's spring Sustainability Course set out to inventory Laramie's emissions and create a calculator so departments could track their emissions every year. Due to the enormous amount of work to be completed, the City of Laramie hired an intern, funded in part by the Haub School, to finish the inventory over the summer and tailor the

The main sources of the City of Laramie's greenhouse gas emissions were studied and compiled through a partnership with our Laramie members, the Alliance for Renewable Energy of Laramie, the University of Wyoming's Haub School of Environment and Natural

Resources, and the City of Laramie. Originally, a group of students from the

calculator to fit the city's specifications.

UW senior Xanthe Yorke presented the data showing the city department with the highest emissions is the Public Works Department, which includes the Streets and Solid Waste Divisions, with 3,583.14 metric tons of carbon dioxide equivalent. Public Works was followed by the Police Department at 2,855.60 metric tons, mostly due to vehicles. The Parks and Recreation Department was next with 2,809.31 metric tons of carbon dioxide equivalent, mostly due to vehicles, equipment, buildings, and infrastructure. Additionally, Yorke noted of all the city's 257 full-time employees, 99.94% drive their car alone to work, and the average commute is about four miles each way. This factor also contributes to the city's emissions.

The Alliance for Renewable Energy of Laramie, through collaborations with the city, county, and University of Wyoming, continues to investigate and find ways to reduce the city's carbon and carbon-equivalent emissions with the goal of zero emissions.

Monika Leininger
Powder River Staff

RECLAIM Act Postcards Sent to Delegation



We collected over 300 postcards to our Congressional delegation urging them to support the RECLAIM Act (HR 2156), which would expedite spending \$1 billion in Abandoned Mine Land funds to assist communities struggling with the decline of the coal industry to transition to strong, sustainable local

economies. The bill would create thousands of reclamation jobs across the country and spur economic opportunities.

Powder River Staff

Talking To Your Utility: Hearing From YOU Matters!

Unless there is a power outage or other service issue, most of us have never picked up the phone to call our utility. We can find lots of reasons why we don't, like lack of time, other commitments, we have a show we want to watch, or we just haven't really thought about it. The fact is that it just isn't the kind of thing that gets most of us excited...but maybe it should.

When utilities DON'T hear from us, their customers, they think they know what we want. Utilities frequently send out surveys to portions (but usually not all) of their customers to check in and ask what their customers want to see. These surveys, while "statistically representative," do not always capture the true desire of a utility's customers.

If you are one of those people who wonder why our Wyoming utilities aren't doing more with renewable energy, maybe it's time to pick up the phone and ask them. If you really want to make an impact, ask to talk to your local utility representative and then set up a time to meet with them in person. It's a lot harder to forget about a request when you make it in person than it is when you're talking to someone on the phone or sending email messages back and forth. That's just human nature!

If you are one of those people who wonder why our Wyoming utilities aren't doing more with renewable energy, maybe it is time to pick up the phone and ask them.

So, if you want to see changes in your utility, start by picking up the phone and then take the next step and set up an in-person meeting with your local utility representative. If you are a real go-getter, take a further step and attend your utility's next public meeting. And if you want to *really* get involved, consider running for your utility's board the next time a position opens.

If even a quarter of the people reading this article were to pick up the phone and start this process today, I think we would all be surprised by how much could change at our state utilities. I also think most people would be surprised by the warm reception they would receive. Utilities WANT to know what their customers think! So, what are you waiting for? Pick up the phone and become an advocate! If you want specific ideas of what to talk to your utility about (or you just want to bounce ideas around before you call), give me a call, text or email, and I would be happy to help. Call 307-752-9028 or email info@powderriverbasin.org.

**Hesid Brandow
Powder River Staff**

Court Rules in Powder River's Favor *Requires DEQ Release of Appraisal*

In a precedent-setting Public Records Act case, a Wyoming District Court judge ruled in favor of Powder River, ordering the Wyoming Department of Environmental Quality (DEQ) to release land appraisal documents directly related to Contura Coal West's bond renewal for the Belle Ayr coal mine in Campbell County.

"In short, the court concludes the appraisal was 'made for' a governmental agency (DEQ) as an important part of the reclamation bonding process, and that the public possesses a strong interest in knowing that the mining company posted adequate collateral to secure its reclamation obligations," Judge Steven Sharpe wrote in his decision.

"We are pleased that the judge agreed with us that this needs to be an open, transparent process in order to protect Wyoming's taxpayers from taking on too much risk. Contura is the first coal company to use a

real estate bond for reclamation, but they may not be the last, and we need to know that companies are being up-front in this important process. Had this appraisal been allowed to remain confidential, it would have set a dangerous precedent for other coal companies to do the same," said Joyce Evans, Powder River Chair. "The Wyoming people would have remained in the dark, not knowing if they were getting a good deal or not. Ensuring that mines have adequate bonds in place for reclamation and cleanup is vital to the well-being of our state."

The DEQ immediately complied with the court order and released the appraisal to Powder River.

Powder River Staff

Wyoming Public Lands Day



Powder River and several other area conservation organizations celebrated the first Wyoming Public Lands Day on Sept. 28 by cleaning up trails at the Welch Ranch BLM Special Recreation Management Area near Sheridan.

Wyo Legislators Explore Nuclear Waste Disposal in Wyoming

Once again, a few Wyoming legislators are pushing the idea of offering up the state as the ideal place to “temporarily” dispose of spent nuclear waste from nuclear power plants. This proposal has been considered and defeated twice in the last 25 to 30 years. (Some of us remember the full page ads we ran in the *Casper Star Tribune* and the thousands of faxes sent to Governor Sullivan.) As a result, Wyoming’s laws were strengthened to ensure any proposal to dispose of nuclear waste in Wyoming must meet strict criteria to protect our environment, health, and safety.

Offering up Wyoming as the site for nuclear waste disposal is being pushed by Senate leaders Eli Bebout and Jim Anderson and House member Donald Burkhart. These legislators say it will bring big money to the state of Wyoming. A subcommittee that was appointed from members of the Minerals Committee (with the addition of Senator Eli Bebout who put himself on the committee) met in early September to discuss the idea. The subcommittee heard from officials with the Nuclear Regulatory Commission, the Department of Energy (DOE) and the Wyoming Department of Environmental Quality (DEQ) to answer questions about the process for permitting and storing spent nuclear fuel waste and to address questions about safety, transportation and other issues related to nuclear waste disposal.

The committee quickly learned that any “temporary” storage site cannot move forward without a “permanent” site, and since the

designated permanent site, Yucca Mountain in Nevada, is still in limbo, no temporary site can be funded. (Never mind the concern about moving nuclear waste twice – first to a temporary site and then a permanent site.) The committee also learned from the DOE official that the revenue from such a proposal would only amount to about \$10 million a year. This left many members, including Senator Anderson, remarking that it may “not be worth it.”

Senator Bebout and Rep. Burkhart introduced the idea of the State of Wyoming pursuing, constructing, and managing a nuclear waste disposal site as a state-run enterprise in an effort to streamline the process. The subcommittee agreed to look at the state laws and see how existing legislation could be amended to make this possible. They directed the staff to draft legislation for consideration by the Minerals Committee that would authorize further study of the viability of temporary storage of spent nuclear fuel in Wyoming and that would enable the state (likely the DEQ and the Governor’s Office) to begin discussions and negotiations with the DOE for the licensing and construction of a spent fuel storage facility in Wyoming. The Minerals Committee meets on November 4 and 5 in Casper where this draft legislation will be discussed and voted on.

Jill Morrison
Powder River Staff

14th Annual Harvest Celebration

Powder River held its 14th Annual Harvest Celebration & Potluck on Aug. 24 at Kearney Hall. Not only is this annual event a fabulous meal celebrating local foods, it’s also a fundraiser for the organization. This year we raised over \$10,000 from the event!

We would like to thank all of our sponsors, attendees, volunteers, and pie makers. And a very big thank you to our pie auctioneer, Larry Brannian. We also appreciate everyone who brought food—as usual, it was bountiful and delicious! A very special thank you goes to Barlow Ranch for donating the beef and lamb for the two main dishes, and to Bernie Barlow and Gillian Malone for preparing those dishes. If you missed out on this year’s curried lamb meatballs and beef bourguignon, well, you missed out!

Lastly, support from the area’s local food producers was tremendous. They donated an array of locally grown and produced foods for our raffle. We are grateful and humbled by those generous offerings. They really showcase what a

tremendous amount of food is available right here in Northeastern Wyoming. Support your local farmers and ranchers by buying direct, either at the farmers’ market or direct off the farm. *See the sidebar for a list of local producers.*

Sponsors: First Federal Bank & Trust, Barlow Ranch, Prariana Farms, Lorean’s Kitchen, Sagewood Café, 3A Cosmetics, Robert & Nancy Sorenson, Margo’s Pottery, Cottonwood Kitchen & Home, Landon’s Greenhouse & Nursery, C&B Equipment, Heartland Kubota, Bank of the West, and Christy Gerrits.

Raffle winners: 1) Heartland Kubota Equipment Rental - Julie Whyde, 2) Durham Ranch Bison Meat Package - Cathi Kindt, and 3) Local Foods Basket - Rosie Gaviotis.

We’ll see you next year on Aug. 29 at Kearney Hall—mark your calendars.

Robin EH. Bagley
Powder River Staff

Local Foods Basket Contributors

Thank you to these local producers & businesses for contributing to this basket! You can find many of these producers at the Saturday morning Farmers Market at Landon’s Greenhouse.

- Box Cross Farms
- Lower Piney Heirloom Vegetables
- Cross E Cattle
- Papa Joe’s Produce
- Jamie’s Cheese
- Rocking Chair Farms
- Shiloh Valley Family Farm
- Zorumske Creations
- Pepper King
- Murphy Gulch Ranch
- The Cookie Lady
- Grass King Cattle Company
- Brooke Holstedt
- Anton Bocek
- Christy Gerrits
- Carol LeResche
- Manchester Street Coffee



In Memory of Joan Malone

Joan Skewes-Cox Malone was born in Valparaiso, Chile on February 21, 1916, to Edith Page Smith and Vernon Skewes-Cox. Her family's tenure in Chile extends back generations—both her mother and grandmother were born there—while her father arrived in Valparaiso from England in 1912, marrying Edith in 1915. When Joan was three, the family left Chile for the San Francisco Bay Area, where they lived south of the city in an area known as “Little Valparaiso” while their house was being built; they moved to 2020 Broadway in 1920. Spanish was Joan's first language and she returned to Chile several times over her long life.



Joan was the oldest of four children and the only girl. Her brother Bennet was born in Valparaiso in 1918, and Robin and Martin were born in San Francisco in 1923 and 1927, respectively. In 1928, Vernon and Edith bought property in Ross, naming it “Monte Alegre” (“Happy Hill”). Before the Golden Gate Bridge opened in 1937, they would travel by ferry across the bay where Joan and her brothers spent idyllic summers riding their ponies over the dirt roads of Marin County. In 1947, Monte Alegre became their permanent home.

Joan attended Miss Burke's School in San Francisco. Her parents also sent her to adult art classes at age six (she was often found eating “bonbons” and perusing art books in a sunny stairway window seat.) She went to the nearby Katherine Branson School for high school, but for college she chose to go far from home, taking the train east to Vassar, where she pursued studies in English, Philosophy, and Art, graduating with a degree in Philosophy. She met her future husband, Adrian Malone, an Architecture student at Harvard, on a blind date. They were married on August 11, 1938, in San Rafael, California. They spent the first two years of marriage in Cambridge, Massachusetts, while Adrian finished his degree and where their first child, Judith, was born. Then they moved to San Francisco, where Adrian established an architectural practice. Their second child, Sara, was born in 1942, and their only son, Nicholas, in 1946. A couple of years later they moved to San Anselmo, in Marin County, to a house designed by Adrian. Their last child, Gillian, was born after the move, in 1950.

Aside from childrearing, Joan pursued her love of art, taking classes and working in her studio. She also volunteered with the San Francisco Children's Theater, writing and directing a children's play, “The Lollypop Shop.” She was an active member of the Jr. League of San Francisco.

In 1962, the Malones pulled up roots and moved to Big Horn, Wyoming. Having spent summer vacations for many years at the Three Rivers Ranch in Jackson Hole, settling in Wyoming felt like a homecoming. Adrian established a new practice in nearby Sheridan,

and they built their second house. With only one child at home, Joan was free to devote more time to art. She also partnered with Adrian in interior design projects, and volunteered in various capacities, including doing set designs for Civic Theater productions and producing a play for the Girl's School. One of her last civic contributions was creating a centennial image for Sheridan's Book Review Club, founded in 1913.

When Joan and Adrian were in their seventies, they embarked on a new adventure, mortgaging their house in Big Horn in order to buy property in rural France. They bought and remodeled a house in a Provencal village, then

added a guest house with a garden down the alley which they named “La Folie.” Those were some of the happiest years of Joan's life, and they continued visiting their French home each spring and fall until they were well into their eighties.

Adrian died in 2006, and Joan was left to recreate her life as a widow. Although she missed him right to the end, she picked herself up, joined a poetry group, continued to entertain, and was engaged in life. She and Adrian had a constant stream of pets, and most recently, her Standard Poodle, Cassie and yellow tabby, Freddie, were her constant companions.

Joan was a life-long Democrat, supporting numerous non-profits including ACLU, League of Women Voters, Planned Parenthood, and a variety of environmental organizations. She loved to entertain, and was famous for hosting dinner parties and mixing up the guests to foster lively discourse. She worked “across the aisle” and had many friends and almost no enemies. She was uncannily observant of human nature and recognized the potential in young people, encouraging them to get the proper education and see the world. She was opinionated—and often right—about many subjects, and held her own in most arguments. She was very well read, both in literature and public affairs. After she died, people variously described her as: “strong”, “intelligent”, “witty”, “a pistol”, “a knuckle buster”, “straight”, “tough”, “a force”, “full of humor”, and “someone you could feel privileged to call your friend.”

Joan was preceded in death by her three brothers, her husband, and one daughter, Sara Malone Harrah, who died in 1999. She is survived by her son, Nicholas Malone (Elizabeth Devereaux), two daughters, Judith Malone Hayne (Elliot), and Gillian Malone, seven grandchildren, and seven great grandchildren. A memorial will be held October 5, 2019, at 4:00 p.m. at the Equestrian Center in Big Horn. In lieu of flowers donations may be made in her name to the Powder River Basin Resource Council 934 N. Main St. Sheridan, WY 82801.

Powder River Solar Energy Production

Energy Produced: 477.82 kWh
Carbon Offset: 724 lbs

We have offset the equivalent of 8 trees in August/Sept 2019!



Did you know that Powder River has a YouTube Channel?

You can find us by going to YouTube.com and searching PowderRiverBasinRC. All of our solar stories and our new oil & gas impact videos are available to watch.

ENGAGE Summit on Economic Diversification Talks Ag

Following former Governor Matt Mead's creation of the Economic Diversification Initiative (ENDOW), a group of young people emerged, demanding to be at the decision-making table. ENGAGE was formed, consisting of people ages 18-35 focused on economic growth and diversification. In September, ENGAGE held its second annual summit with the goal of attracting youth to talk about what the younger generation wants to see happen in Wyoming in order to create a sustainable future. Breakout sessions featured conversations on civic engagement, entrepreneurship, diversity and inclusion, agriculture and local food, and more.

The summit was organized by Tim McAteer an AmeriCorps VISTA volunteer and moderated by Powder River staff, Monika Leininger, and brought together producers from across the state to talk business. The panel consisted of Melvin Arthur, from Growing Resilience, research project designed to bring home gardens to households on the Wind River Reservation; Lindsey Washkoviak,

owner of Slow Goat Farm in Lander; Joshua "Jay" Bliss, owner of Jay's Livestock in Casper; Jamie Purcell, Wyoming Food for Thought, a nonprofit focused on closing gaps in the food system, and Cole Ehmke, from UW Ag Extension.

The panel had vibrant conversations on what Wyoming is doing right in the food sector such as unique legislation like the Food Freedom Act; and downfalls in Wyoming such as our access to USDA processing facilities for the locally raised meat industry. Panelists also shared their thoughts on how corporate producers negatively impact local producers, the importance of educating children about their food, and resources available to producers in the state. Tim McAteer is working to create a statewide food coalition, please contact him at Tim.McAteer@uwyo.edu to learn more or get involved.

Monika Leininger
Powder River Staff

See you at Powder River's 47th Annual Meeting November 2, 2019

Powder River Basin Resource Council Presents

WHEN COAL IS NO LONGER KING

A Conversation on Wyoming's Future



Saturday November 2nd 4:00-9:00pm

Sheridan Holiday Inn, 1809 Sugarland Drive
Members \$45 Non-Members \$55 Panel Only \$15

Denise Parrish
The Deputy Administrator of the Wyoming Office of Consumer Advocate

Robin Cooley
Director of the Department of Workforce Services

Adele Morris
Senior fellow for Climate and Energy Economics at the Brookings Institution

Moderated by:
Wyoming House of Representatives Minority Floor Leader Cathy Connolly

Social Hour, Live Music and Silent Auction-4:00 PM
Keynote Panel and Dinner-7:00 PM

RSVP by October 25th 672-5809 or info@powderriverbasin.org

The RECLAIM Act Will Be Good for Wyoming

Troubled times continue to grow in the Powder River Basin. This summer two large coal companies declared bankruptcy, impacting four large coal mines in Wyoming. While Cloud Peak and Blackjewel's respective bankruptcies played out very differently, they do point out that Wyoming's coal industry is in trouble.

The US coal industry, including Wyoming, has been in trouble for years. We felt this pain three years ago when Arch, Alpha, and Peabody all filed for bankruptcy, and we're feeling it again this year. The coal market has been declining since 2008, and we must start thinking about what's next for our state.

To help our communities around the state get to "what's next," we could use some help. We need something to bridge this gap between a fully-employed Wyoming coal industry where the mines are operating at capacity, and the future when they are closing. Whether that happens in six months or 20 years, we really don't know. We can't continue to pin our hopes on a robust coal economy—those days are over.

We may think we have years to figure out this whole new-economy plan, but putting off real discussions doesn't prevent the inevitable. It just makes us less prepared. It's like when we look at things in our rearview mirrors: Objects may be closer than they appear. We may not have as much time as we think.

Our coal communities need solutions now, which is why the bi-partisan RECLAIM Act, HR 2156, is so important. The bill simply expedites spending \$1 billion in already-collected Abandoned Mine Land funds to assist communities like ours that are struggling in the face of the coal industry's decline. This money is earmarked to help transition our communities to sustainable new economies by spurring economic activity.

Wyoming is a top recipient of AML funds, and we have used those funds well since 1977. We have reclaimed over 25,000 acres of land and restored these mined-out areas for other use, such as agriculture, recreation, and wildlife habitat. AML funds have also helped restore miles of impaired streams, and the state has also allocated AML monies to address many other impacts.

Just last year, more than 550 people were employed by AML contracts all around the state. These are good jobs that provide economic growth. More AML funds could put the employees laid off in the bankruptcies to work. And in the meantime, our state leaders can work on finding ways to permanently diversify our economy and our state revenue stream.

The RECLAIM Act is not a permanent fix for Wyoming's coal woes, but it is an opportunity for Wyoming and other coal states to help create jobs and fund some economic development. Whether we like it or not, the U.S. coal industry is standing at the edge of a cliff, but it doesn't need to take us all over the edge. We need a bridge. Our Wyoming delegation in DC needs to support and push for the passage of the RECLAIM Act for the benefit of Wyoming and other coal communities.

Nancy Sorenson

Nancy Sorenson is a retired cattle rancher from Campbell County and a member of the Powder River Basin Resource Council.

Editor's Note: This is reprinted from the October 9, 2019 issue of the Gillette News Record.

PacifiCorp Announces Coal Plant Retirements, Buildout of Renewable Energy

PacifiCorp, the Western U.S.'s largest utility operating in six states including in Wyoming as Rocky Mountain Power, announced its new plan for generating energy in the least-cost, least-risk manner for its customers this month. The plan includes retiring four Wyoming coal plant units early: Jim Bridger #1 in 2023, Naughton #1 and #2 in 2025, and Jim Bridger #2 in 2028. The plan also includes a large increase in renewable energy, including battery storage, to meet customers' needs going forward.

The plan calls for more than 3,500 megawatts of new wind generation by 2025. The windy Cowboy State will largely be the location for all of those new turbines. The plan also calls for nearly 3,000 megawatts of new solar by 2025, along with nearly 600 megawatts of battery storage. This is the first time that PacifiCorp has identified battery storage as part of its generation mix.

While it will create benefits for public health and the climate, PacifiCorp's plan isn't chosen for environmental reasons. Instead, the



plan is based on sophisticated modeling analysis that shows it will save customers money over the long-term. The analysis indicates PacifiCorp could save nearly \$600 million over 20 years, largely by replacing coal-fired power with low-cost renewable energy.

PacifiCorp also announced commitments to economic transition in Lincoln and Sweetwater Counties where the Naughton and Jim Bridger power plants are located. Company representatives said further community conversations are needed, but that education assistance for workers would be available if job retention is not possible. Additionally, PacifiCorp will be converting the Naughton #3 coal plant to natural gas, which will

keep the plant running into the future.

PacifiCorp's plan was submitted to the Wyoming Public Service Commission on October 18.

Shannon Anderson
Powder River Staff

Proposed SNAP Rules Will Decrease Food Security

In September, Powder River submitted comments to USDA's Food and Nutrition Service regarding the agency's proposed changes to how eligibility is determined for the Supplemental Nutrition Assistance Program (SNAP). In reading USDA's proposal, we determined that the agency was searching for a solution to a problem that doesn't exist.

In our comments we wrote, "The agency states that an estimated 4.1% of currently participating SNAP households, approximately 1.4 million people, have resources above the SNAP limit...the agency estimates that approximately 9% of the current SNAP participants, approximately three million people, will no longer meet the SNAP income and asset eligibility under the new rule...in essence, the new rule will likely disqualify 4.9% of eligible, participating SNAP recipients. So in order to remove 1.4 million possibly ineligible participants, the new rule will kick out 1.6 million eligible, food-insecure participants."

Furthermore, it was evident from the agency's announcement that the proposed rule was influenced by the media attention garnered by a Minnesota millionaire who gamed the system and signed up for SNAP. Once he received benefits, he went public and appeared on several news programs and talk shows, ginning people up about how



This year the Downtown Sheridan Farmers Market implemented SNAP in order to increase access to healthy, local food.

fraudulent the system was. However, the statistics show that's not the case. In 2017, the Congressional Research Service found that approximately 11% of SNAP benefits were overpayments, and only five percent (or 2.2% of the total) were fraud. Stripping benefits from millions of hungry Americans hardly seems to be an appropriate response to this situation.

Our comments pointed out that USDA "acknowledges that the proposed rule will increase food insecurity and reduce savings rates among people who will not meet the income and resource eligibility requirements. Exacerbating hunger and poverty should not be the goal of the Food and Nutrition Service, yet this is an acknowledged consequence."

Furthermore, the proposal will disproportionately affect the elderly, reduce SNAP earnings for small retailers, and cost more to run. In trying to ferret out any possible fraud, the rule increases bureaucracy and paperwork. At every turn, the proposed rules are detrimental to the nation's most vulnerable and underserved populations, and for those reasons, we asked the agency to reject the proposed rules. We will monitor this issue throughout the coming months—stay tuned for updates!

Robin EH. Bagley
Powder River Staff

Thank You to Wyoming Senators for Co-Sponsoring New Markets for Meat Bill

No one gets into ranching because it's easy or lucrative. Ranchers may be rich in a number of things, like fresh air, open space, hard work, callouses, and cattle dogs, but money isn't one of them. Ranching is a lifestyle, a way of life. That being said, it would be nice to make ends meet so you can at least stay on the land and hopefully pass it on to your family.

Being able to sell your product is a pretty important part of making that dream a reality. Limited markets mean limited income and limited opportunities. But open those markets up, and life seems a little brighter. That's why the "New Markets for State-Inspected Meat & Poultry Act" is an important step in creating new markets for Wyoming's livestock producers. This bill is sponsored by Senator Rounds of South Dakota, and we need to thank both of our Wyoming Senators Mike Enzi and John Barrasso for being co-sponsors.

The way it stands now, unless we haul our cattle, sheep, or hogs to a USDA-inspected facility, we can't sell our meat across state lines. Of course the irony of this is how many of us are forced to haul the livestock across state lines to an approved facility. Currently Wyoming's only USDA-inspected meat processing facility is in Cody, and another is planned to open in Laramie in January 2020. This situation leaves many of us producers hauling livestock to Montana, South Dakota, or Colorado to be processed. Then we have to go back for the processed meat when it's ready. It's a costly way of doing business, plus those processing dollars are flowing directly out of the state.

This legislation would change all that in a very common-sense manner. The bill would allow meat and poultry that has been inspected by state agencies with equal-to or stricter standards as USDA's Food Safety and Inspection Service (FSIS) to be sold across state lines. Wyoming is one of 27 states with such a program, and we have approximately 20 qualifying meat processing facilities in the state. That means these processing plants are much closer to where we live and raise our livestock. Not only will we save on transportation costs, but we'll keep that money much closer to home and employ folks who live right here. It's a win-win situation.

This bill could be an economic driver for Wyoming's ag industry by helping open up new markets for our Wyoming-raised meat, which is the best in the world, as well as supporting businesses in our communities and helping them grow. Be sure to tell Senators Enzi and Barrasso thank you for supporting this legislation.

Liza Millett

Liza Millett is a cattle rancher and member of Powder River Basin Resource Council.

Editor's Note: This is reprinted from the October 2, 2019 issue of the Newsletter Journal.

Coal is No Longer King

Two months after Blackjewel LLC abruptly declared bankruptcy, closed its Belle Ayr and Eagle Butte mines, and locked out 600 Campbell County workers from their jobs, Wyoming remains in limbo. No one knows when or if mines will re-open, and millions of dollars in unpaid debts and taxes owed to workers, local businesses, and local, state and federal governments remain unpaid.

Wyoming's elected officials have had since July 1 to formulate a response to this crisis and much longer than that to develop a real plan to address the sharp contraction of the coal industry that the closures represent. Unfortunately, these politicians so far exhibit neither the willingness to acknowledge the hard truths of this pivotal moment in Wyoming's history, nor the courage needed to steer our state through it.

What are the hard truths Wyoming and its elected officials need to accept?

First, some argue that Blackjewel is just a bad actor in an otherwise sound industry. The reality is far different. The structure of America's energy market is evolving, and the arrival and swift end of Blackjewel in Wyoming is symptomatic of a permanent shift in U.S. demand away from coal. Driving this shift is a vice-like squeeze between the lower cost coal alternatives, and the new energy preferences of Wyoming's former customers.

As Professor Rob Godby, Director of the University of Wyoming's Center for Energy Economics and Public Policy, recently testified to the Wyoming Legislature's Joint Minerals Committee hearing, fracking has driven the price of natural gas down to one third of what it was before the advent of that drilling technology. Add in that natural gas plants don't require expensive systems to mitigate harmful pollutants like mercury, sulfur oxides, and particulate matter intrinsic to burning coal, and it becomes clear why in 2018 natural gas-fired combined cycle power plants surpassed coal facilities as America's leading source of electricity generation. According to the Department of Energy (DOE), new gas plants will continue to replace shuttered coal plants for years to come, solidifying them as America's foremost generation fuel.

Second, many of Wyoming's old coal customers are taking action to reduce what they view as their impact on climate change. Coal boosters can quibble all they want about that perspective, but it's the energy consumers that get to make that call, and that call has been made. By the end of 2018, 29 states and the District of Columbia—accounting for 63% of 2018 U.S. retail electricity sales— had laws requiring utilities to procure minimum quantities of renewable energy. And those standards will continue to tighten. At least eight states and DC now legally require at least 50% renewable energy in state supplies within the next 10 to 30 years. This is the policy landscape that major utilities—Wyoming's customer base—are planning and investing for, and it does not include burning coal.

The net effect is a price-tanking, profitability-destroying market for Wyoming's signature commodity. Blackjewel's bankruptcy is just the latest in a parade of Chapter 11s that has humbled the state's foremost coal corporations.

Some of Wyoming's elected officials argue that Asia will buy the excess output no longer wanted by domestic customers. Yet China's coal demand is on track to begin falling by 2025 due to aggressive buildout of nuclear and renewable energy projects, and India's fleet of coal plants is now being hamstrung by water shortages, overcapacity, and spiking renewable energy supplies that are cheaper.

The bottom line is that Wyoming coal will never regain its former glory. So how will we respond?

Governor Gordon, the state legislature, and our delegation to Washington D.C. owe Wyoming's citizens a robust, substantive, fact-based debate on ideas to help our state through what will be a wrenching and painful transition. To keep schools open and roads in repair, we will need a new tax structure that doesn't depend on a collapsing industry. To retain our talented young people and preserve the vibrancy of our communities, we need to fast track labor-intensive mine reclamation and make smart new investments in worker retraining and the industries that will continue to pay their bills—tourism in Wyoming's great outdoors, high value agriculture, and innovative manufacturing and technology.

Appropriating scarce tax dollars to fanciful coal marketing schemes or foolish litigation against other states is both wasteful and dishonest.

Wyoming politicians who refuse to acknowledge this reality and do the hard work they owe us to move our state forward deserve to be held to account in the next election.

Marcia Westkott

Marcia Westkott is a board member of the Powder River Basin Resource Council, a family agriculture and conservation organization.

Editor's note: This was reprinted from the September 17, 2019 issue of WyoFile.

Blackjewel & Cloud Peak...Continued from page 1

assistance to make ends meet. Luckily, Campbell County struck a deal with new owner FM Coal for repayment of some taxes left unpaid by Blackjewel that also included paying back workers for lost wages, benefits, and healthcare claims up to \$1.79 million. But, half of the local taxes and state severance taxes won't get paid – along with an undisclosed amount of federal royalties. FM Coal will also have to pay some of Blackjewel's other debts, in order to take over contracts for supplies and services to get the mines back up and running. Likewise, NTEC has promised to pay back taxes and vendor contracts, along with also providing a royalty to Cloud Peak's former executives and senior lenders. With all of these payments, the profit margin will be stretched

even thinner going forward, and frankly these mines can't afford to spend any more than they already do.

Needless to say, our organization's continued focus on bonding and reclamation at the mines is more important than ever. Powder River will continue to be vigilant in our work to ensure full compliance with the law – no matter who operates these mines. The coal industry's economic troubles must not become an excuse to erode our health, safety, and environmental protection standards.

Shannon Anderson
Powder River Staff



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- 2 Nov ~ Annual Meeting/Auction
 - 3 Nov ~ Board Meeting, Sheridan
 - 4-5 Nov ~ Minerals Committee Mtg, Casper
 - 18-19 Nov ~ Corporations Committe Mtg, Cheyenne
- 2020**
- 31 Jan ~ Raffle Drawing

Planned Giving and Estate Planning Gifts

The Powder River "family" has been thinking a lot about the future lately, because, as the saying goes, "We aren't getting any younger." We want to make sure this organization remains viable for future generations in the same way it serves today's members. So we're inviting you, our extended family of members and donors, to consider including Powder River in your estate plans.

Your gift would create a living legacy allowing Powder River to continue our work far into the future and helping ensure Wyoming remains the place we know and love for our kids and grandkids.

As one long time Powder River member, Digger Moravek stated, "I want to raise Hell long after I'm gone." You too can do this through a bequest to Powder River.

The two easiest ways to include Powder River in your estate planning take little time (and no legal assistance).

- **THROUGH YOUR RETIREMENT ACCOUNT** (Your IRA, Roth-IRA, SEP-IRA, 401(k), or other such account): Name *Powder River Basin Resource Council* as a Primary beneficiary for a percentage. One percent, 10%, 25% or whatever you wish. You can do his through the account custodian, or often even on the custodian's website in a few minutes (Powder River's Tax ID is 74-2183158).

- **THROUGH YOUR LIFE INSURANCE POLICY:** - Name *Powder River Basin Resource Council* as a primary beneficiary of any percentage of your life insurance policy. You can do this through your insurance agent or the insurance company, or often even on your insurance company's website in only a few minutes (Powder River's Tax ID is 74-2183158).

If you are preparing a formal will or living trust document, you can include Powder River Basin Resource Council as a primary beneficiary of a specific dollar amount or percentage of your estate. If you already have such an instrument, you can have it revised to include Powder River. This is probably best done through your attorney.

Finally, there are several more complex tax-advantaged ways to contribute to Powder River's future and receive continuing income and tax advantages during your lifetime. These include "charitable remainder trusts" and sale of appreciated and depreciated securities. Please consult your legal and financial advisors about how you can use such tools to support Wyoming's most effective grassroots member organization, and how you might benefit.

If you have any questions, please give Powder River a call at 307-672-5809

Thank you!

Wyoming Delegation Contact Information

Barrasso, John (R)
307 Dirksen Senate Office Building
Washington, DC 20510
Website: barrasso.senate.gov
Phone: (202) 224-6441
Fax: (202) 224-1724

Enzi, Mike (R)
379A Senate Russell Office Building
Washington, DC 20510
Website: enzi.senate.gov
Phone: (202) 224-3424
Fax: (202) 228-0359

Cheney, Liz (R)
416 Cannon House Office Building
Washington, DC 20515
Website: cheney.house.gov/
Phone: (202) 225-2311
Fax: (202) 225-3057