



## Reclamation Benefits Taxpayers & Creates Jobs

In July, Powder River released a new report that found only about 2.4% of approximately 206 square miles of land disturbed by 14 Wyoming coal mines has been fully reclaimed. “Reclaim Wyoming: Prioritize Reclamation” tracked reclamation statistics from these coal mines and 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.



Coal mine in the Powder River Basin, courtesy of Shane Moore, 2018.

“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, a Powder River member and former regulator involved in reclamation.

Powder River found several reasons why mine reclamation lags

requirements by state and federal regulators so that reclamation happens as it should, and more jobs are created.

Reclamation is a key factor in diversifying and stabilizing Wyoming’s economy. Fully reclaiming all of the eligible disturbed acres will require many years of work, which would keep miners working right in their communities during downturns. For communities

behind production, and identified solutions. The report proposes three recommendations to improve reclamation rates. First, it recommends ending the practice of self-bonding to ensure that companies are financially invested in completing reclamation activities. Self-bonding is not a financial guarantee but rather a promise to pay from the company. Second, the report recommends establishing a firm definition of “long-term mining or reclamation facilities” to reduce the amount of land that companies can delay reclaiming. Last, the report calls for increased enforcement of contemporaneous reclamation

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## Landowners Ask County Commission to Overturn Zoning Decision

In early August, a number of Tongue River Valley landowners appeared before the Sheridan County Commission to ask the commissioners to reverse their March decision rezoning 114 acres of agricultural land along the river to light industrial to accommodate Ramaco Carbon’s research facility and industrial park. The landowners asked that the commission require the company to apply for a conditional use permit (CUP) instead, which would allow the county to hold Ramaco accountable to the plans they submitted. As it now stands, the light industrial zoning has no strings attached, and the company is not required to follow any of the plans they presented during the rezoning process. Furthermore, they could sell the land to another entity that could then use the property for dozens of other purposes allowed by the light industrial designation.

The landowners decided to make this request of the commission due to Ramaco’s



Ramaco locked this gate, preventing some area landowners from accessing their hay ground.

continued bullying and refusal to talk to them. Brooke Collins, who lives in Monarch, asked the commissioners to reconsider their decision because there is “no way at all to hold them accountable for their big, beautiful plans.” She also spoke about locked gates across roads that have prevented other landowners from accessing their own hay ground, calling the company “a most un-neighborly presence in the Tongue River Valley.”

Joan Tellez, another landowner, also

asked the county to consider a CUP or to consider zoning in buffers to separate the industrial sites from neighboring residences. She also referred to the locked gate blocking access to a road and noted that this road was maintained by the county when the Monarch Bridge was redone, providing a route for residents while the bridge was closed. There has been a pattern of harassment and trespassing since Ramaco came to the neighborhood, and she noted that none of this type of activity had ever occurred there before. She reminded the commissioners, “We’re Sheridan County residents.”

Bonnie Aksamit, who lives next to the proposed industrial park, said she was worried Ramaco will resell the property, and there are 81 different approved uses for the land, including “a stockyard, a junkyard, or an amusement park.” She asked the commission to revisit their decision, closing with, “It’s my life. I live out there.”

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# Message from the Chair



How quickly the seasons roll these days. Families are preparing to send youngsters back to school; farmers are harvesting crops, and the rest of us are noting that evenings are getting cooler. Autumn is just around the corner, and it is time to consider preparations for the next seasons. This probably means I should wash my windows and straighten the garage, but I think I will probably just concentrate on harvesting the garden and getting enough room in the freezer to insure I can find the frozen green beans throughout the winter.

This transition into colder times always brings memories of the autumns on the ranch and how we worked together with our neighbors. The frenzy of spring calving, branding, fencing, and ditch cleaning was behind us. Summer irrigating was finished. Haying was nearly completed; stack yards and hay cribs were full; the creek was at low-water; berries were turned into jellies and pies; the fire wood piles were growing, and the cattle were starting down from the mountains.

The petty disputes—and major battles—over water and bulls encroaching were behind us. Now was the time of year when we all looked after everybody’s cattle and made sure they got home safely. When I was young, the federal land upon which all of our cattle grazed in the summer was largely unfenced. When the weather began to cool, stock began to move to lower elevations down the natural valleys, following the streams. Cows were unaware of the artificial boundaries drawn on maps or the meaning of the brands on their hides. They just knew that the snows were coming and that the feed was better downhill, so they all came together. We ranchers went out daily and sorted them, letting our own into our pastures and shooing the rest down to their respective homes. Sometimes there were animals that had ventured far away from the proper drainage, and we brought in cattle from other areas, even other states. We looked up brands, and called owners. If they weren’t able to get their animals, we often loaded them into trailers and hauled them home, knowing those folks would do the same for us.

Neighboring took on new meaning in the fall, and we were all good neighbors, even those who disagreed politically and philosophically. No one took out frustrations on the innocent animals. It seemed that the looming winter made us realize that we needed one another.

I wonder now, what could bring that feeling back? Many rural people are faced with neighboring, not with other producers like themselves, but with mines, energy production, and mineral extraction facilities. There is little in common. There is a lack of understanding about what is important to one another. Companies probably really think they are good neighbors but they do not understand that leaving gates open (or closing them when they are found open) may threaten the lives of their neighbor’s stock. They may not realize that constant noise and air or light pollution destroy the very core of rural people’s lifestyles. They may not realize that bringing economic growth to an area is not the most important thing in the view of everyone.

Conversations without rancor and without threats seem to be the only way to resolve some of the difficult issues that arise. It is up to all sides of an issue to recognize and define their own needs; these conversations need to be ongoing and need to be honest. Both companies and individuals need to be committed to resolution and to understanding, to take perspectives that are new, to be forthcoming as to their goals, and to be willing to accept that some accommodations will have to be made. Compromise is not a filthy word, but some things cannot be compromised. Before we *claim* to be good neighbors, we all must actually *be* good neighbors.

*Joyce E. Evans*

## Turnercrest Ranch Turns 100

LJ and Karen Turner were honored for their ranch’s 100th anniversary at the Wyoming State Fair Centennial Ranch Awards. LJ, Karen, and their grandson Ian are pictured with Senator John Barrasso, Congresswoman Liz Cheney, Senator Mike Enzi, and Governor Matt Mead.



**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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### Powder River Breaks

Editors: Gillian Malone & Robin EH. Bagley  
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Photos by Powder River staff and members

# DEQ Questions Ramaco's New Permit Analysis

It's been a year since the Environmental Quality Council (EQC) decided that Ramaco's first attempt to get a coal mine permit wasn't good enough, ruling in favor of Powder River and local landowners that the Brook Mine permit application was deficient in the areas of hydrologic sampling and related impacts review, subsidence prevention, and blasting.

In response to the EQC's decision, Ramaco – through its consultant WWC Engineering – submitted a “Hydrology and Subsidence Sampling and Analysis Plan to Address Environmental Quality Council Findings and Order” in February. The Department of Environmental Quality (DEQ) has been busy reviewing the company's plan. DEQ staff hydrologists sent comments back to WWC detailing numerous questions about the adequacy of the water sampling and analysis plans. The company will have to adequately answer the questions before it can move forward with collecting the water sampling data necessary to submit a revised permit application.

DEQ also invested in hiring a geotechnical expert to provide a review of the subsidence related information in Ramaco's plan. DEQ's expert, Dan Overton of Engineering Analytics, provided his review to DEQ at the end of June. Like our expert, Dr. Jerry Marino, Overton found Ramaco's proposed testing and analysis “deficient.” Overton recommended additional testing and analysis to understand “the site conditions, the potential for subsidence, and the approach for subsidence control.”

Importantly, both the DEQ staff and the consultant told Ramaco

a complete review of the sampling plan cannot be done until a revised mine plan is submitted. DEQ said:

DEQ understands that Brook has revised the mine plan presented in the existing permit application. Please provide an updated mine plan map and a brief description to help evaluate the adequacy of the proposed sampling plan.

Through regular public records requests and reviews of files at the Sheridan DEQ's Office, our staff and members are staying alert and attentive to DEQ's review of Ramaco's new information. And our experts, Dr. Marino and Mike Wireman, remain at the ready to engage when we need them again. We are pleased DEQ is doing a careful review so far, and has engaged necessary expertise to help the agency's review.

Meanwhile, Ramaco's appeal of the EQC's decision is still pending in state district court in Cheyenne. The case is fully briefed and we expect a decision soon. However, even if Ramaco is successful, a complete reversal of the EQC's decision – resulting in approval of the original permit – is highly unlikely given the procedural posture of the case and the substantive issues before the court. Stay tuned!

**Shannon Anderson**  
**Powder River Staff**

## Investigation of Ramaco Principals Reveals Shady History

An investigation into the background of the primary individuals behind the proposed Brook Coal Mine and Ramaco Carbon reveal a disturbing history and serve as a cautionary tale for Sheridan County and Wyoming.

Ramaco's principal officers, Charles Atkins who is the director of development for Ramaco Carbon and his brother, Randall Atkins who is the company's CEO, both have a documented history of fraudulent business activity. In 1987, Charles Atkins was indicted and later sentenced in what the *New York Times* reported as “one of the largest tax fraud cases ever filed.” The *Times* story quoted former Manhattan US Attorney, Rudy Giuliani who said, “It if isn't the largest case, it's one of the largest.”

At the time, Charles Atkins was the managing partner of a company called The Securities Group and he was indicted on 31 counts for “creating \$1.1 billion dollars in bogus trading losses and interested expenses.” The *Times* story notes that Charles Atkins was referred to as “the boy wonder of tax shelters.” His company attracted prominent wealthy investors and produced what the government documented as millions of dollars in fraudulent tax deductions. In 1988, he was found guilty of 28 counts of conspiracy to defraud the Internal Revenue Service and of aiding and abetting the filing of fraudulent tax returns. He was sentenced to two years in jail and four years of community service.

<https://www.nytimes.com/1987/03/26/business/3-indicted-in-huge-tax-fraud.html>

<https://www.nytimes.com/1988/03/12/business/jail-terms-set-for-fraud-on-tax-shelters.html>

Randall Atkins also apparently played a partnership role in The

Securities Group, and he showed up in Chapter 11 bankruptcy proceedings for the company in 1988. According to court documents, the court-appointed administrator initiated adversary proceedings against Randall Atkins for “breach of fiduciary duty, conversion, misappropriation of partnership assets and opportunities and violation of the federal Racketeer Influenced and Corrupt Organizations or RICO statute.” The bankruptcy court found Randall Atkins and others involved in the partnership liable for nearly \$32 million. Randall Atkins appealed the ruling to the district court and lost. The case involved an elaborate New York real estate scheme, and the court found that Atkins and a partner were “guilty of conversion, unauthorized use of partnership funds for non-partnership purposes, usurping a partnership opportunity and of violating their fiduciary responsibilities to the partnerships.”

In the appeal, the district court upheld the judgment against Randall Atkins but found the other defendant innocent. The court documents state:

Under the circumstances, Atkins' conduct directly violated his fiduciary duty as a partner of TSG (The Securities Group) and TMG (The Monetary Group) to refrain from personally profiting from the misuse of partnership assets. We therefore conclude that the record amply supports the bankruptcy court's factual finding that Atkins wrongfully participated in the transaction. Additionally, we affirm the court's conclusion that such participation constituted a breach of fiduciary duty by Atkins.

The discussion of the case can be found here: <https://law.justia.com/cases/federal/appellate-courts/F3/2/1098/616185/>

# Broken Promises

## Re: Ramaco Plans

Much has been made recently of a boat access ramp to be donated by Ramaco as part of their façade of neighborliness (ref. SP dated July 18, 2018 “Ramaco Carbon to build boat ramp at Kleenburn Rec. Area”).

Many unfulfilled promises have accompanied this outfit since they came to town seeking development of a 23-square-mile coal mine and receiving a controversial rezone change from traditional agricultural use to allow establishment of an industrial facility on the Tongue River.

What of the promised public park and a new boat access to be located on the Ramaco property that would serve a growing number of kayakers and fishermen? Instead, the company proposes a boat ramp downstream at the county-owned Kleenburn rec area that already has river access, a parking lot and other established public facilities. Ramaco is going so far as to seek others to help defray upfront costs and the long-term maintenance for this ramp, resulting in little investment put forth by this “promising” company.

A long list of promised actions to remediate and reduce the impact of the planned industrial site on the Tongue, such as the tree barriers and cottonwood galleries that take years to grow, show no signs that they will ever be fulfilled.

What of all the surrounding landowners who the company made a commitment to for responsible and respectful interactions and timely responses to their concerns? The good people who live adjacent to the proposed facility have been treated by Ramaco as a nuisance at best.

As landowners speak up for their property rights and seek the initiation of promises made, they are subjected to a covert campaign to force their silence.

Will there be anything positive for landowners, boaters, hunters and the public to look forward to here? That’s as doubtful as all the faux promises made since Ramaco came to town.

**Bill Bensel  
Ranchester**

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## It’s Always Sunny in Wyoming

The RENEWyoming campaign continues the drumbeat of solar energy progress in Wyoming. Installers report a busy summer season with some mentioning almost more work than they can handle. People across Wyoming are taking the opportunity to install solar, and the industry is ready to grow in order to meet the increasing demand!

Of note, a Sheridan area resident recently installed a 25kW system, the largest size allowed under current net metering laws. There are few residential systems in the state of that size. When we spoke to the solar owner, he said he would have installed a larger system if net metering regulations allowed it!

We are still busy with events. In July, Powder River co-hosted a showing of the film *Reinventing Energy* with the Sierra Club at the Cheyenne Botanical Gardens. Our new organizer, Monika Leininger, helped lead an engaging discussion on renewable energy in Wyoming after the film. On August 18<sup>th</sup>, Powder River hosted a Sheridan Solar Tour. Six installations were featured on homes, businesses, and non-profits around Sheridan. Despite the stormy day, dozens of participants turned out, seizing the opportunity to ask questions of current solar owners and learn more about the benefits of solar energy. This winter, Powder River will be in Casper hosting a Solar Festival. Stay tuned for further announcements on this energizing event...pun intended.

As renewable energy is adopted throughout Wyoming, there are more people in the state with solar energy experience to learn from. Solar users tend to be very happy with their choice to install as well as being extremely warm and outgoing people (maybe it’s because of their relationship with the sun). If you are interested in solar energy and want to talk to solar owners before you move forward, contact Powder River. We will put you in touch with people willing to show you their system,

share their solar experience, and provide advice to consider before installing.

As the summer of 2018 draws to a close, it’s time for a reminder on the status of the 30% renewable tax credit that many solar owners have used to bring down their installation costs. This tax credit will start to phase out in 2020; see the sidebar more details on the credit. If you have been waiting for the right time to install, consider making 2018 or 2019 your solar energy year in order to claim the maximum benefit!

**Hesid Brandow  
Powder River Staff**

### Solar Tax Credit Phase-Out Dates

Solar systems must be installed and operational by the final date listed to get the tax credit.

Through Dec. 31, 2019.....30%  
Jan.1, 2020–Dec. 31, 2020...26%  
Jan.1, 2021–Dec. 31, 2021...22%

The credit will not be available after Dec. 31, 2021.

# Powder River Opposes Rollbacks to BLM Sage-Grouse Plans

At the beginning of August, Powder River submitted comments to the Bureau of Land Management (BLM) opposing agency efforts to roll-back protections to sage-grouse habitat. BLM is in the process of revising management plans for sage-grouse across the state. We wrote that BLM should reinstate the purpose of its current management plan, which is to manage sage-grouse habitat in a way that will protect and restore sage-grouse populations to avoid listing the bird on the Endangered Species Act. We told BLM:

Our members are highly interested in sage-grouse conservation from the standpoint of protecting wildlife populations in the state and ensuring that the sage-grouse will not become listed as threatened or endangered pursuant to the Endangered Species Act. Such a listing would negatively impact agricultural operations and could also hinder other economic activities that allow Wyoming's economy to thrive.

We noted that "Wyomingites and citizens across the Western U.S., including farmers, ranchers, and other key stakeholders, support strong management options to protect and restore sage-grouse habitat."

We also told BLM to "stick with the science" and to integrate the numerous studies on sage-grouse populations and habitat into its decision-making process. Specifically, we asked BLM to:



- 1) Prohibit new energy leasing in core (priority) habitat areas;
- 2) Expand buffers between leks and energy development;
- 3) Require habitat restoration both on and offsite to minimize loss of nesting and winter habitat;
- 4) Limit noise and human-activity close to leks during breeding and nesting periods;
- 5) Protect connectivity areas to prevent isolation of sage-grouse populations;
- 6) Minimize the spread of West Nile virus by limiting the use of ponds for produced water;
- 7) Create enforceable habitat density and disturbance caps that when reached prevent new energy permitting, and
- 8) Implement phased development of projects over a large area of land (with reclamation requirements for habitat before future development is allowed to proceed).

Noting that hundreds of other species rely on sage-grouse habitat, we also asked BLM to "disclose the indirect benefits (or impacts) of its proposed action and alternatives on other species and the sagebrush ecosystem itself."

BLM is expected to finalize its new plans within the next few months.

**Shannon Anderson**  
**Powder River Staff**

## Busy Bees: Pollinator Counts Increase



A native bumblebee rolls around in the hollyhocks at the Food Forest's pollinator garden.

This summer's pollinator counts in Sheridan's Food Forest have shown a distinct trend: more native pollinators and fewer wasps and flies. In July's count, 135 native bees were observed compared to 125 in July of 2017. This marks a new record for native bees, which are living high on the Food Forest's continuous blooms throughout the summer.

Planting and tending pollinator gardens is anything but frivolous. Flowers especially perennials, provide the communities with a wide variety of benefits. Flowers are uplifting to look at (and smell), can reduce stress, and add beauty to the surroundings, but the positives do not end there. Flowers

provide food for local pollinators, and pollinators help garden plants to thrive.

The Food Forest has one large and several smaller perennial

gardens. Every year the perennial gardens become more established and attract more pollinators. Flowers are an often-overlooked, but extremely important, part of the food cycle. When we sit down to eat a meal, the odds are that we have pollinators, and the flowers they rely on for food, to thank. One out of every three bites of food is made possible by pollinators!

If you have space in your yard, consider planting some perennials. They will come back year after year, saving time and energy on planting, and provide a consistent and reliable food source for local bees, butterflies, and hummingbirds. The more flower gardens planted in an area, the greater the benefit to pollinators and all types of gardens.

An isolated flower garden provides an isolated resource that can keep a small community of pollinators healthy, but a pollinator garden corridor (multiple pollinator gardens spread over a neighborhood or town) allow pollinators to move from patch to patch. As pollinators move, they take pollen harvested in one place and move it with them. This allows greater cross-pollination, which makes healthier fruits and vegetables.

So, if you love your vegetable garden or fruit trees, plant them

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# Federal Meat Policies Impact WYO Ranchers

Agriculture has a long legacy in Wyoming, predating statehood, and agriculture still has the capacity to be a strong, economic sector. As the state grapples with the question of how to diversify its revenue streams, the dream of a value-added market for Wyoming-branded meat products is gaining momentum. The Governor's touted initiative to create a 20-year vision for Wyoming's economy, ENDOW, has created a "sustainable harvest" subcommittee that rolled out primary recommendations to expand and enhance the Wyoming brand to become a trademark of excellence.



create niche markets and value-added products for our high-altitude and grass-fed meat. The state of Wyoming has around 20 state MPI inspected facilities that have "at least equal" standards as USDA facilities; this bill would allow these facilities to be permitted for interstate commerce and would be a first step to solving some of the meat processing issues in Wyoming. Powder River is supportive of this bill and working to inform our membership and

livestock producers about the opportunities that this bill could create for the Wyoming meat industry. Despite Wyoming's open spaces and abundance of land, the question still remains: How can we empower our agricultural sector? Wyoming's ranchers face a series of challenges when it comes to agriculture such as a lack of USDA-certified processing facilities around the state. Another issue is powerful international corporations homogenizing the market, making it difficult for smaller producers to compete. Despite these barriers, several proactive policies on the federal level might help to even the playing field for Wyoming ranchers.

Introduced by U.S. Senators Mike Rounds (R-SD), and Angus King (I-ME), the New Markets for State-Inspected Meat and Poultry Act would allow meat and poultry products inspected by Food Safety Inspection Service (FSIS) approved state meat and poultry inspection (MPI) programs to be sold across state lines. These state-inspected meat and/or poultry inspection programs are required to meet standards "at least equal to" USDA meat and/or poultry inspection programs but are still restricted to where products can be sold.

Wyoming has only one full-service USDA-certified processing plant. Meats processed at this facility can be sold across state lines and even internationally, however, this facility is located in Cody, which is not centrally located. This leaves producers in other parts of Wyoming hauling their cattle out of state if they intend to sell their products across state lines. Transporting these animals to remote USDA processing plants can diminish the quality of the product as well as leaves ranchers with extra costs. This challenge also limits Wyoming's potential to

livestock producers about the opportunities that this bill could create for the Wyoming meat industry.

Another opportunity for change in national policy is the proposed alteration of USDA's policy about what meat qualifies as a product of the U.S.A. The current policy allows meat from around the world to be processed in a plant on American soil and still receive a "Product of U.S.A" label regardless of the country of origin. Many times, international meat is imported from large corporations that flood the market with low-cost products making it difficult for local producers to compete. In 2015, Congress repealed Country of Origin Labeling under international pressure. However, USDA has yet to provide a sufficient policy alternative giving consumers the choice to support American beef. USDA's current practice of labeling internationally raised meat as a "Product of U.S.A." provides consumers with misguided information about the origin and ethics of the product they are buying. This policy also raises questions about other countries' commitment and standards on food safety and health issues. Powder River submitted comments on this matter to USDA and encouraged members to speak out for their support of true American grown beef and truth in labeling. A national organization, National Family Farm Coalition also shared Powder River's comments with their membership, asking them to join the fight. If you would like a copy of these comments, please email Monika Leininger at [monikal@powderriverbasin.org](mailto:monikal@powderriverbasin.org) or call the office at 307-672-5809.

**Monika Leininger**  
**Powder River Staff**

## Farm Bill Update

After all the activity surrounding the Farm Bill earlier this summer, the situation is now fairly quiet. Both the House and Senate passed their versions of the bill, and both houses have now named their members to the conference committee.

The conference committee's job is to iron out the differences between the two bills, hopefully coming up with a bill that both houses can agree on. In the case of this Farm Bill, it's easier said than done. The bills are exceedingly different, and members are quite entrenched in their positions, especially in the House. While both houses are on recess, staff level work is being done so the committee can meet after Labor Day. This will leave conferees with little time in September to address these complex bills. The current Farm Bill expires on September 30<sup>th</sup>, so if no agreement is reached, both houses will have to vote on an extension to continue the current bill, or there will be no Farm Bill at all.

Powder River sent a letter to Congresswoman Cheney opposing the House Farm Bill as it is not friendly toward independent farmers and ranchers, as well as eliminating funding for local foods, farmers market promotion, and the Renewable Energy for America Program (REAP) grants. The Senate bill, which is also less controversial and passed with bipartisan support, is far better for Wyoming producers and contains REAP grant funding. So as we wait for the conference committee to get to work, our hope is that the final Farm Bill will most closely resemble the Senate's version. Stay tuned for updates!

**Robin EH. Bagley**  
**Powder River Staff**

# Climate Fight Can't Be Slowed, Even by the EPA

At this point, the marketplace is doing more to cut emissions than the Environmental Protection Agency is.

The best that can be said for the Environmental Protection Agency's new plan to loosen restrictions on coal-fired power plants is that it will probably never be put into practice. States are expected to sue, rightly, because the proposal fails to comply with the Supreme Court's 2007 demand that the EPA responsibly regulate U.S. carbon emissions.

The EPA itself acknowledges that its plan would not only increase carbon emissions but also lead to as many as 1,600 premature deaths annually.

Unfortunately, the plan's inevitable failure to launch means the federal government's longstanding policy of doing nothing to curtail emissions from the power sector will continue. The Obama administration's Clean Power Plan meant to lower those emissions by 32 percent from 2005 levels by 2030, by encouraging the shuttering of coal plants. But it, too, was held up in court after 27 states charged that the plan *overstepped* the EPA's authority on greenhouse gases.

Happily, the marketplace has taken its own action against coal. With the price of natural gas, wind and solar power falling steadily, power plant owners have closed or announced plans to close 270 coal plants nationwide — more than half the total — since 2010. The country is on track to lower carbon dioxide emissions 28 percent by 2030, close to the Clean Power Plan target, with no EPA power-sector rules in force.

True, it doesn't help that President Donald Trump is doing all he can to stave off coal's inevitable decline. In addition to the EPA's

new, doubly misnamed "Affordable Clean Energy" proposal, the president's Energy Department is pushing a separate strategy to force electricity-grid operators to buy power from coal plants that are at risk of closing — all in the name of national security.

Of course, if national security really were the issue, slowing climate change would be of paramount urgency. As the concentration of carbon dioxide in the Earth's atmosphere rises beyond levels not seen for 800 millennia, as sea levels continue to rise and the Northern Hemisphere finishes up another deadly hot summer, the U.S. needs to push harder to curtail emissions.

President Trump is not alone in his failure to exercise responsibility. Congress has pushed away sound proposals to enact a carbon tax — the simplest way to cut emissions. With a carbon tax, fuels for electric power and transportation alike would be priced to account for the damage they do to the atmosphere. Businesses could find the most efficient ways to phase out coal, oil and other high-carbon options.

Americans can be thankful that power markets—along with cities, states and businesses—are helping lower carbon dioxide emissions. And they can hope that one day the federal government will join the fight.

**Bloomberg Editorial Board**  
**Editors: Mary Duenwald, David Shipley**

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## Reclamation....Continued from page 1

heavily dependent on coal, reclamation can help ease the boom-and-bust cycle until new industries are established.

"In an economic downturn, if contemporaneous coal reclamation is a priority, as it should be, miners will not be laid off as quickly because there is still important work to do," said Joyce Evans, Powder River Chair. "Reclamation jobs are good jobs and ensure that the mine workers will have employment for several more years, no matter what happens with the coal markets. Plus, coal miners already have the skills

needed for successful reclamation."

For more information on the report, contact Powder River at 307-672-5809 or email [info@powderriverbasin.org](mailto:info@powderriverbasin.org).

**Powder River Staff**

## Landowners...Continued from page 1

As when the county was considering the rezone application, there were also people present who do not live in the area, but recreate there and count the Tongue River Valley landowners as friends. Kris Korfanta spoke in this capacity, saying she wanted to support the neighbors, "I think it's a travesty that fine, fine people in this community are being put under so much stress by this outfit that wines and dines

and schmoozes and promises." The county commission took no action on the landowners' request at that meeting.

**Robin EH. Bagley**  
**Powder River Staff**

## Investigation....Continued from page 3

Charles and Randall Atkins have made a lot of promises to local Sheridan officials and citizens, but their past actions and business

history might be the real indicator about whether we can believe those promises.

**Jill Morrison**  
**Powder River Staff**

# Oil and Gas Development Impacting Laramie County Residents

In the winter of 2017, Powder River began working closely with individuals southeast of Cheyenne, just off of Campstool Road. The area consists of country homes, ranches, prairie, and the increasing presence of oil and gas development.

In the early 2000s, people began moving into this particular area for its tranquility, privacy, and quiet way of life. However, many did not know that within several years the area would become a prime target for oil and gas operations. Around 2013, drilling began noticeably taking place in the community. Since then, hundreds of wells have been erected with hundreds more permitted to drill, surrounding homes and pastures traditionally used for livestock grazing.

This area is unique in that it is not as densely populated relative to other subdivisions in Laramie County and is completely out of sight from those traveling along the interstate as well as the residents of Cheyenne. Most residents have no need to go to the area and are somewhat unaware of the massive amount of oil and gas development taking place.

While we generally have concerns for individuals living within close proximity to wells given their tendency to spew volatile organic compounds (VOCs) into the air through leaks and flaring, it seems to have even worse effects on people who are not only living near the wells but also under them. Many homes in the area are located in a valley at the base of hills and plateaus where the majority of the wells operate. As these wells flare, many of the noxious chemicals present at the site can settle below. Because of their location, families in the area have been experiencing symptoms that began arising after the first few years of oil and gas development. The symptoms range from rashes, hair loss, earaches, deteriorating teeth, to even more severe symptoms such as the development of asthma and lung disease. In Powder River's experience, many of these symptoms are not uncommon for people who live near oil and gas.

We have been organizing in the area and meeting with homeowners to hear their stories. We have also been discussing and strategizing to help this community with their issues regarding oil and gas. Watch for updates throughout the rest of 2018, as a more detailed story will develop on the area as Powder River works with these families.

I am leaving my post at the end of August and will be handing this responsibility to new Powder River staff Monika Leininger, who will undoubtedly do good work for CALC. Laramie County will continue to be a priority of the Powder River, who will continue to work with families and state agencies to mitigate the severely harmful impacts from nearby oil and gas operations.

**Casey Quinn**  
**Powder River Staff**

## Happy Trails Casey Quinn

Casey Quinn, who has spent three years organizing around oil and gas issues in the Cheyenne area is moving on from Powder River. We wish him all the best in his new endeavors!

## An Aerial Look at Powder River Basin Mines



EcoFlight flew Powder River, WORC, and Northern Plains Resource Council over the Powder River Basin coal mines in July. From the air, the massive scale of the mines is truly apparent. We truly appreciate the opportunity to fly with EcoFlight and appreciate the good work that they do. All photos by Bruce Gordon, EcoFlight.

# Carlile Area Landowners Give Their Side of the Story

The Carlile area landowners affected by the Gillette Madison Pipeline Project would like to convey a few key facts in order to clarify the issues that have been shared recently.

Nine years ago this particular project started with the city of Gillette beginning new drilling and eventually building pipeline from the wells near Carlile to Gillette, crossing land that has been in our families for generations. Over the course of these years there have been a multitude of issues with land reclamation, contract completion and communication. Many of us have had problems with the city and its contractors trespassing outside of easements, fences not being replaced to Department of Transportation specs, gates not being put back in fence lines or being put in the wrong place, drainages changed entirely, and more. These are issues that affect the daily operation of lives and businesses. Despite this, we continued to work with the city of Gillette. Like most Wyomingites, we are people who abide by the code of the West; we are used to conducting business on a handshake and faith in a person's good word. The city continually made promises that things would be returned to how they were found and we would be left whole.

When the city of Gillette asked to discharge water in order to get their wells online and move the project forward, we agreed, thinking we were helping the city and that the water would potentially be good for our land and livestock. Instead, what happened was catastrophic. After the release of millions of gallons of water, multiple area wells went dry or turned acidic. Reservoirs that normally fill with runoff remained dry, despite a wet spring. We contacted the city, not to lay blame, but hoping to be put on the Madison pipeline that runs through our properties in order to have water for our homes and families foremost, but also for our livestock that provide our livelihood. Several houses in the area had taps prior to this issue and are receiving water, so we knew it was possible. Despite this, we were denied access to any water.

In the meantime, those with affected wells contacted the Department of Environmental Quality for water testing to try to get some answers as to what happened to the quality of water. As a group we requested that no more water be discharged on our properties since there is speculation that the released water may have been what affected the aquifer. Several of us were forced to drill new wells at tremendous cost in order for our homes to have water. We are awaiting the results of ongoing water tests.

Requests for assistance or open communication from the city of Gillette became more and more difficult. They began sending their lawyer and city manager out to us with legal documents and (what turned out to be) empty promises. Eventually, we turned to Sen. Driskill and Rep. Lindholm for assistance since we are their constituents and at the end of the day the Gillette Madison Pipeline Project is using state of Wyoming money to develop state of Wyoming resources.

Sen. Driskill immediately offered his assistance. Despite recent

publications stating ethical issues with his involvement, his son-in-law and daughter's ranch has not had trouble with their water and did not request water. They have had issues with easement violations and contracts not being completed, but they were not part of the group of landowners who needed water. They worked with Rep. Lindholm to get action from the city of Gillette. Their concerns and issues continue to be largely unaddressed.

Sen. Driskill approached the issue with us as a matter of "good neighbors." Here in ag country if your neighbor needs help, you help them. In this case, many of us needed clean drinking water and the city of Gillette has water running in their pipeline through our land. Meetings were held, many of which the landowners were purposely excluded from, but the city of Gillette was included. There were no positive outcomes. When the city continually stonewalled and refused to provide water to those who needed it, Sen. Driskill ran the amendment to provide water to the affected parties.

Sen. Von Flatern was provided information about the amendment 24 hours before it was discussed on the floor of the Wyoming Senate. Sen. Driskill disclosed his relationship to his daughter and her family's ranch location during the amendment discussion. He also shared letters from us about what happened to our land and water wells. The final bill passed with the intact amendment in the Senate 28-1 and in the House 51-5. Rep. Clem was the only Campbell County legislator to vote no.

Our legislators in Cheyenne, from districts all over the state including Crook and Campbell counties, saw and understood that we and Sen. Driskill were only looking for the city of Gillette to be good neighbors and help us in our time of need. The amendment asked us to pay for the taps and the water, just like any municipal customer.

To date, the city of Gillette has refused to follow the legislation, which was signed by the governor in March and OK'd by the attorney general — making it legal. We remain less than whole and with a bad taste in our mouths for the city of Gillette and its refusal to be good neighbors and honest stewards of the state of Wyoming's resources.

It is our hope that the city of Gillette will choose to share the state of Wyoming's resources with us in order that we may have potable water for our families and our businesses. We are thankful for the assistance Sen. Driskill and Rep. Lindholm have provided us in this process. We look forward to a positive outcome.

The Carlile Landowners:

(Bill Altaffer, Lily Altaffer,  
Ivan and Jennifer Cranston, Mike Cranston,  
Joey and Janet Kanode, Justin and Marti Wood,  
Matt and Andrea Wood, Minnie Williams and family)

*Reprinted from the Gillette News Record, July 18, 2018.*

## Busy Bees...Continued from page 5

some flowers. The plants and pollinators will appreciate it and so will you! If you need information on flowers that do well in Wyoming, the University of Wyoming Extension Office has a great resource: <http://www.uwyo.edu/barnbackyard/resources/landscaping.html>.

The next time you are in the Sheridan Food Forest, check out the pollinator gardens. Take a moment and see if you can spot any

pollinators. Notice the fruit hanging heavy on the young trees. Enjoy the beautiful colors and take a moment to smell the scent of nature.

**Carol LeResche - Sheridan Food Forest Coordinator**  
**Hesid Brandow - Powder River Staff**

# It's Harvest Time!

There's nothing better than good friends, good food, and good music, so join us on Saturday, Sept. 8<sup>th</sup> for the 13<sup>th</sup> Annual Harvest Celebration & Potluck at the Big Horn Woman's Club. This year we are featuring local beef and lamb burgers, donated by Powder River Angus and Barlow Ranch, respectively. Veggie lovers, don't despair—we'll have vegetarian burgers on hand too.

We are doing potluck this year, so please bring a side dish, salad, or a dessert to share. It's a great way to use up some of that produce from your garden! Dinner will start at 5:30 pm, and the famous "Pies by Guys" Auction follows at 7 pm. Mark Paninos & Friends will be providing live music throughout the evening, and No Name Bar will be on hand with a cash bar, including Luminous brews.

Don't forget to buy your Harvest Celebration raffle tickets; our prizes this year are outstanding! We have 20 pounds of bison burger donated by the Durham Ranch, a \$250 equipment rental from Heartland Kubota, and an amazing local foods basket with a variety of products, including a \$100 gift certificate from Sheridan Meat Market. Raffle tickets are \$5 each or six for \$25.

Come for the food, stay for the fun! We'll see you in Big Horn on Sept. 8<sup>th</sup>. Tickets are \$15/adult and \$10/child (12 & under). Please call Robin or Stephanie at our office, 307-672-5809 if you have any questions.

**Robin EH. Bagley**  
Powder River Staff

## Powder River Basin Resource Council



**13<sup>th</sup>  
Annual**

## Harvest Celebration & Potluck

**September 8, 2018**

**Big Horn Woman's Club**

**314 South 2nd Street, Big Horn**

Cash Bar &  
Local Brews by:



### Main Meats:

**Gourmet Lamb Burgers-Donated by Barlow Ranch**

**Beef Burgers- Donated by Powder River Angus**

*Guests encourage to bring a side dish or salad.*

**Harvest Dinner 5:30 p.m.**

**\$15 Adult \$10 Children (12 & under)**

**Music Prior to Dinner - Mark Paninos and Friends**

**Raffle Tickets:**

**\$5 per ticket or 6 for \$25**

- 1st 20lb Bison Burger**  
*Donated by Durham Ranch*
- 2nd One Day Equipment Rental (\$250 Value)**  
*Donated by Heartland Kubota, LLC*
- 3rd Local Foods Basket**  
*(locally produced food & includes \$100 gift card to Sheridan Meat Market)*

**Not to be Missed!  
Our Famous**



**"Pies by Guys"  
Pie Auction  
Begins at 7:00 p.m.**

All Proceeds Benefit the Powder River Basin Resource Council

## Thank you to all our local sponsors



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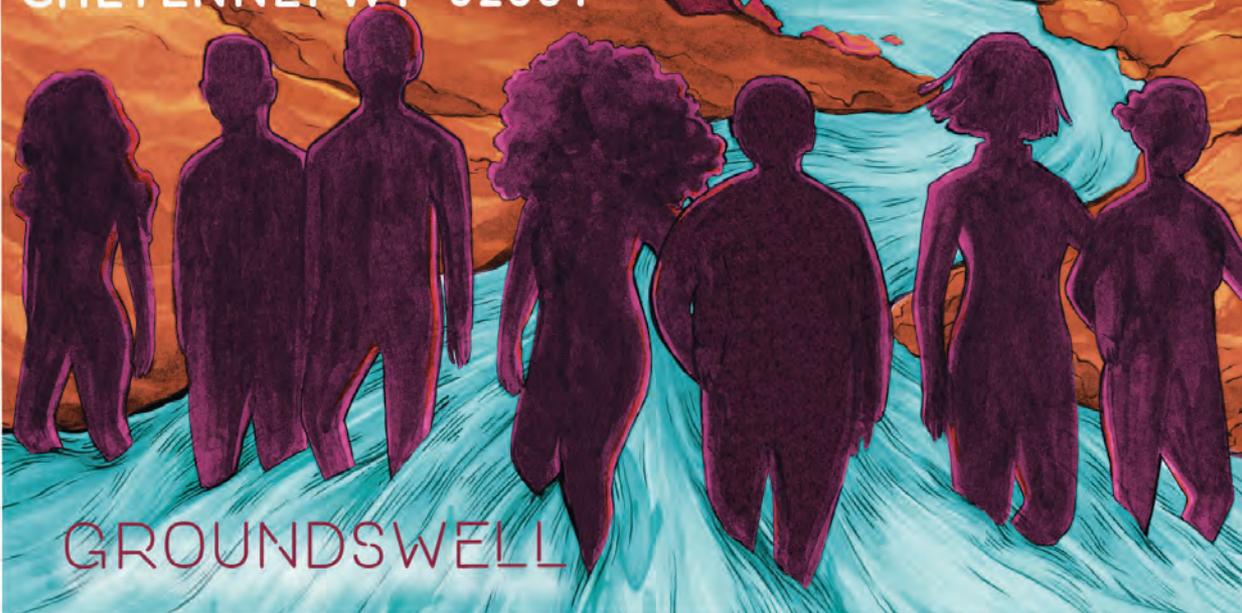
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## Cheyenne & Laramie Venues for Wild & Scenic Film Festival

There will be two opportunities to catch the Wild & Scenic Film Festival this fall. The first film festival will be Sept. 22nd in Cheyenne at the Altas Theater from 4 pm - 6 pm. The second event will be on Oct. 6th in Laramie at the Biodiversity Institute at the University of Wyoming

from 4 pm - 6 pm. Tickets for both events are \$10 or \$5 with student ID. For more information, visit [www.powderriverbasin.org](http://www.powderriverbasin.org), email [info@powderriverbasin.org](mailto:info@powderriverbasin.org), or call 307-672-5809.

**Powder River Staff**



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## Save the Date

- September 8<sup>th</sup>, Harvest Celebration, Big Horn
- September 9<sup>th</sup>, Board Meeting
- September 22<sup>nd</sup>, Wild & Scenic Film Festival, Cheyenne
- October 6<sup>th</sup>, Wild & Scenic Film Festival, Laramie
- November 3<sup>rd</sup>, Powder River Annual Meeting, Sheridan
- November 4<sup>th</sup>, Board Meeting, Sheridan

# Planned Giving and Estate Planning Gifts: Don't Forget Powder River Basin Resource Council

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. For this reason, we are inviting you, our extended family of members and donors, to consider including Powder River in your estate plans.

More specifically, we are asking that you consider designating Powder River Basin Resource Council as a beneficiary in your will. Your gift will create a living legacy allowing Powder River to continue our work far into the future and helping to ensure that 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 with a

generous bequest to Powder River.

Please consult your legal and financial advisors about how you can use a variety of estate planning tools to support Wyoming's most effective grassroots member organization, and how you might benefit. For example, there is a tax exemption for estate tax rates of up to \$5 million.

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

**Powder River Basin Resource Council  
Fundraising Committee**

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