



## New Report Highlights Cost Effectiveness of Rooftop Solar for Utilities & Their Customers

On June 13, energy experts from Crossborder Energy released a new report analyzing the benefits and costs of rooftop solar in Wyoming, from the perspective of utilities and their customers. Powder River hosted the experts to present their findings in a webinar, *Rooftop Solar in Wyoming: Analyzing Benefits & Costs*. The webinar was attended by over 80 people, including a mix of policymakers, utility staff, reporters, and Wyomingites from across the state. The full report was released during the webinar and is now available on Powder River's website and through our social media

**“Our study took a comprehensive look at the benefits and costs of net metered residential solar systems in the Wyoming service territories of Rocky Mountain Power and two rural electric cooperatives. We concluded that the benefits exceed the costs, such that there is no ‘cost shift’ from net metering in Wyoming.”**

**- Tom Beach, Crossborder Energy**

channels. The study was commissioned by Powder River, with financial assistance from the Wyoming Outdoor Council and the Sierra Club.

“Our study took a comprehensive look at the benefits and costs of net metered residential solar systems in the Wyoming service territories of Rocky Mountain Power and two rural electric cooperatives. We concluded that the benefits exceed the costs, such that there is no ‘cost shift’ from net metering in Wyoming,” said Tom Beach, one of the study’s principal consultants. “Our study also found that rooftop solar is a cost-effective resource in Wyoming, and measures to

**continued on page 11**

## Powder River Protests BLM Oil & Gas Lease Sale

In April 2022, the Bureau of Land Management (BLM) announced that it would hold an oil and gas lease sale in June, the first such sale in over a year. Following the release of the agency’s report on the federal oil and gas leasing program in November 2021, which recommended significant changes to the program in the areas of financial assurance, reclamation, royalties and other revenue from the leasing program, and climate mitigation, it was surprising to see BLM announce they would be leasing hundreds of thousands of acres spread across the Western U.S., with the majority of lease parcels located in Wyoming. Powder River submitted comments at all stages of the proposed leasing, urging BLM to refrain from leasing until the recommendations of the November report could be fully implemented, including raising the minimum parcel bids, increasing the royalty rate, and eliminating leasing on low potential lands. We also asked that the BLM refrain from leasing in sensitive habitat areas and fully consider the climate implications of further leasing.

The June lease sale offers 144,000 acres for bidding, an 80% reduction from the originally proposed 733,000. However, 131,390 of those acres are in Wyoming, or over 90%, meaning the agency plans to lease an additional 205 square miles of land for oil and gas companies to develop. Most of the Wyoming parcels are in northern Campbell County and elsewhere in the Powder River Basin, with other parcels scattered throughout the state. BLM has proposed to lease the new parcels with an increased royalty rate of 18.75%, the first federal royalty rate increase since federal royalties were introduced through the Mineral Leasing Act of 1920. Nevertheless, overall implementation of much-needed reforms for the federal oil and gas program have not been implemented, meaning these new parcels will be sold under an outdated framework in great need of overhaul. Low minimum parcel bids remain in place; the orphan well problem has not been addressed, and parcels in greater sage grouse habitat management areas are being offered despite a more than 80% decline in grouse population across the West since 1965.

**continued on page 11**

**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**

- Alliance for Renewable Energy (ARE)
- Clark Resource Council (CRC)
- Cheyenne Area Landowners Coalition (CALC)
- Pavillion Area Concerned Citizens (PACC)
- Sheridan Area Resource Council (SARC)

**Board of Directors**

- Chair.....Joyce Evans  
 Vice Chair.....David Romtvedt  
 Secretary.....Lynne Huskinson  
 Treasurer.....Cissy Dillon  
 Wayne Lax, Gillian Malone, Liza Cuthbert-Millett, Bob LeResche, Barbara Chase, Maria Katherman, Marcia Westkott and Greg Findley

**Staff**

- Executive Administrator- Stephanie Avey  
 Staff Attorney- Shannon Anderson  
 Communication/Dev. Dir- Robin EH. Bagley  
 Organizers- Pennie Vance, Sheridan, Lottie Mitchell, Lander and Michele Irwin, Green River.

**Powder River Offices:**

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

**Powder River Breaks**

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

# Message from the Chair



Dear Members,

Well, folks, Wyoming's abbreviated spring seems to be progressing rapidly and the Laramie Range foothills are jarringly green. So, too are the grazing lands and former croplands, the bar ditches, and the town alleyways. All so green, nearly too green. And, the heads of the grasses are waving gently in the breeze, nodding in alluring tranquility. What grass is this that brings such peace and promise to an awakening landscape? Why it is the infamous brome, *Bromus tectorum*, commonly called cheatgrass, a noxious imported annual that is encroaching over the western United States!

Cheatgrass has amazing adaptive qualities. It needs very little moisture to germinate, and it matures very rapidly. Long before the native grasses produce seeds, cheatgrass is sending its wicked little children into the surrounding soil via the fur of animals, the

tread of tires, the cuffs of jeans, and most, effectively into the socks of every human that walks through it. Those seeds embed into the soil, germinate and produce an inhibitor that prevents any other seed in the neighborhood from germinating. The only other plants that seem to thrive near it are kochia and goathead. The three of them make for a lovely gang of vegetative thugs; together, they choke out native plants, contaminate crops, and make moving though an area uncomfortable to dangerous.

Cheatgrass turns from green to dry purple-tan in a matter of days. It burns furiously hot if a spark should fall nearby, and it thrives from the burning that kills other plants. The seeds simply sprout and repeat the process before any other grasses or forbs can even think about recovering from the fire. Pull it up? Sure, go ahead. That leaves room for some of the other ten million seeds stored in the soil to germinate. Mow it off? Go for that. I have seen inch-tall cheatgrass head out with no problem. I have placed pulled plants in black plastic bags and left them in the hot sun to cook. When I came back weeks later, the sacks had begun to deteriorate, but the seeds were enjoying their sauna and were ready to get to the business of growing.

Ruminating on the ruin that cheatgrass brings to a landscape, I began to see some parallels with other issues that are rattling around in my worried mind. My friends in coal mining communities are telling me that they are receiving glorious offers to return to work in the mines, complete with implications that this new job will last forever, and all will be as it was before. After all, how could an industry go bankrupt more than once, and how could workers lose all their security again? It sounds a bit like the annual promise of green made by those early-spring shoots on the roadsides.

Coal mining recovery is not the only cheatgrass mimic in our society today. How could we not love the pretty, waving promise that nuclear reactors can be safely tamed not only to fill the economic hole left by the decline in fossil fuel extraction but also to "cure" climate change concerns? Never mind that there is still no way to safely deal with radioactive waste, that the new cooling systems are less safe than the old water-cooled systems, that there is a greatly increased danger of explosion due to cooling materials used, and that the amount of waste is greatly increased with these small nuclear reactors. Of course, we also should continue to ignore the impact that increased uranium mining will have in our region. Promoters and politicians looking for an easy dollar or an easy fix to every woe also would have us believe their claims that these facilities are economically feasible. Do not be fooled. Do your research, and find out exactly how this new push to find a panacea will impact our pocketbooks and our way of life before you allow the planting and nurturing of a new form of our old, lying, misrepresenting enemy, cheatgrass. Check your socks, my friends.

*Joyce E. Evans*

**Powder River Solar Energy Production**

Energy Produced: 465.4 kWh  
 Carbon Offset: 709 lbs  
 We have offset the equivalent of 8 trees in April & May 2022.  
 With a total equivalent of 18 trees in 2022!



**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 oil & gas impact videos are available to watch.



# Growing the Grassroots: The Benefits of Community Organizing

Powder River staff organizers had the opportunity recently to attend a number of trainings, including the Western Organization of Resource Council's Continuing Education for Organizers and some sessions that Midwest Academy provided to organizers across the state through the Wyoming Civic Engagement Network. Both were good refreshers on some basic concepts of grassroots organizing that are worth sharing.

Community organizing is a way to both effect change and grow as human beings. Building capacity on behalf of the places we live and love, organizing is how we wage winnable campaigns and build a culture of well-being. Because grassroots power is not the norm in our society, reorienting toward it as both a philosophy and a model for action has value.

Grassroots organizing is building and deepening relationships, with the goal of building power. It is meeting people where they are, while supporting an environment to broaden civic engagement skills. Organizers work with community members through a public education process of co-learning and strategic action.

The role of community organizer requires what Midwest Academy trainers call "tactical self-awareness." The work is challenging, with risks of overwhelm and burnout. Work to be done will always exceed capacity and acknowledging that is a good first step. But there are some best practices to follow, including linking the organization's strategic planning to work plans. It



**Powder River organizer Pennie Vance used a recent tour of the Sheridan Food Forest to share how community organizing led to the success of the project. Board member Bob LeResche, member Nancy Drummond and various staff from within the WORC network are also pictured.**

is also an opportunity to invite others to join us, and support their growth and development, while building capacity within the organization.

Organizers show up and follow up, educate, advocate, recruit, mobilize, organize, strategize, analyze, research, and build relationships with others. They are connectors, who link people and information, so we collectively make informed decisions.

Anything others can do is an opportunity to provide meaningful work. Together we build confidence and skills through strategic action, and

support structures of accessible participation that bring together unique capacities for increased effectiveness.

Recruiting others to join us, building relationships with others, and deepening our relationship to power itself, means we empower ourselves. Together we identify strategies to win and build organizational capacity.

A culture of mutual aid encourages people to care for themselves, and one another, and to enjoy the work for the long haul. Grassroots community organizing is an enjoyable way to build power for viable solutions and sustainable communities.

It is said that governments and corporations move at the speed of greed, but the power of the grassroots is in slowing that pace. Slowing down to deeply listen to one another with the intention of discovering each other's interests and strengths, we build the power to change the world, one relationship at a time.

**Michele Irwin  
Powder River Staff**

## Laramie Earns SolSmart Designation

The burgeoning solar-friendly city of Laramie recently earned the highly coveted SolSmart Silver designation, furthering Laramie's commitment to solar power growth in the community as the city strives to reach carbon neutrality by 2050. Funded by the United States Department of Energy's SunShot Initiative, SolSmart recognizes local governments who take key steps to reduce barriers to solar energy growth and streamlines the solarization process for homes and businesses.

Homeowners, businesses, and Laramie's local government have quickly learned over the past few years that solar installations reduce overhead costs. In the era of climate change, they have also learned that solar reduces our dependence on carbon-based natural resources, and provides an excellent back-up energy supply when combined with batteries. SolSmart designation is important for our community because it shines a light on the progress that Laramie has made, and facilitates technical assistance for future solar installations. Spearheaded by Derek Teini and Joseph Shahidi of the City Manager Planning Division, Resolution No. 2021-62 reads: "The technical assistance provided by SolSmart will allow city staff to consult with industry leaders to ensure the implementation of industry best practices in city processes and

improve the likelihood of residential and commercial solar within the community." In essence, local government works with SolSmart advisors to reduce some of the "soft costs" associated with going solar by streamlining the permit and inspection processes. This creates a simpler and more standardized process that benefits the homeowner and local solar companies who typically have had to pass on these costs to the consumer.

In addition to surpassing the Bronze designation, Laramie became the first city in the state of Wyoming to achieve this classification. Once again, the City of Laramie is leading the state and paving a path for renewable energy adoption amongst its citizens. SolSmart designation demonstrates Laramie's commitment to responsible energy development to current and future business and homeowners, to potential students at the University of Wyoming, and to our current and future city and county representatives. We applaud the City of Laramie and the city council members instrumental in supporting this resolution, although we know that there is still more that we can do. We also know that we ARE ready.

**Joseph Schroer  
Alliance for Renewable Energy Board Member  
Laramie**



# Rooftop Solar Is More Than a Way to Decrease Electricity Costs

While politicians squabble over the reality of catastrophic weather events and climate change, Wyomingites are quietly spreading rooftop solar installations all across the state. Solar panels are popping up on roofs of barns, workshops, greenhouses, Main Street businesses, apartments, and single-family homes. This is the first of a series of solar stories from across the state that Powder River will feature in upcoming issues of the *Breaks*.

Because rooftop solar panels are usually unnoticed, and sometimes out of sight, we tend to be unaware of their growth, until an installation is made in our neighborhood. Then curiosity is piqued, often leading to more rooftop solar. Such is the case of David Romtvedt and Margo Brown, longtime residents of Buffalo, whom I recently visited for their story.

David is a professor emeritus at the University of Wyoming and writer, Margo a potter who owns a gallery on Main Street. The couple had long considered solar for their home and Margo's business. A little over a year ago they took the leap.

As David and I chatted at their home, he told me that while saving utility costs mattered, there were more motivating factors to go solar. As parents of a young adult daughter, and through David's teaching, the couple are tuned into the deep concerns of today's generation about the impacts of a changing climate. While the problems can be overwhelming, David said it feels good to DO SOMETHING, like installing solar.



**The solar panels on Margo's Pottery aren't visible from the ground but they are helping power this historic building on Buffalo's Main Street.**

Margo's two-story, historic brick shop on Buffalo's Main Street was chosen as the couple's first installation, which was challenging because of an array of paperwork and installation requirements in place at the US Departments of Agriculture and Defense, State Office of Historic Preservation, State Fire Marshal's office, City of Buffalo, and Rocky Mountain Power.

Once the requirements were filled, the Rural Energy for America Program's (REAP) solar grant, which they had applied for (available to small businesses and agriculture operations), covered 25% of the installation, and the system generated enough power to reduce their electricity cost to zero. While the shop's central heat cost is separate, the

vast, high-ceilinged retail space required electricity for central air conditioning during a long, hot summer, as well as lights and space heaters.

While the solar panels were being installed on Margo's shop, friends who lived in a condo across the street grew curious and began asking questions. David and Margo shared their experience with them as the project moved along, and eventually the friends across the street installed solar panels on their rooftop. Seeds were planted, and solar power spread.

Once the shop installation was completed, David and Margo



**Solar panels on David and Margo's home**

began the project on their home, an artsy mix of very old (1888), middle-aged (1910), and new structures which resulted in a rooftop of many angles. Their installer, Bobby Price of Price Solar and Electric, designed an array of panels able to capture solar rays throughout the entire day. The panels do not yet cover the full electric needs of the house but are successful enough to warrant adding two or three more panels and hopefully a battery storage component in the future.

The existing panels are nearly out of sight, but the project still caught the attention of a neighbor, this time a family who lived across the alley. The young couple and their two children were new to Buffalo and had only recently purchased their home. After they watched the project develop and asked many questions, they too decided to install solar panels on their home.

As we talked the afternoon away, David shared other factors to consider when thinking about cost and benefits. He noted that while the decision to install solar on one's rooftop is assuredly a microeconomic decision, he likes knowing that that decision also has a positive macro influence on the broader economy.

We also talked about how decentralization of electricity production through rooftop solar can reduce the possibility of families and communities being caught in massive blackouts that could last for weeks. Rooftop solar with battery storage can greatly increase a family's security and keep home systems functioning for long periods of time.

When I asked David if he had any final tips on getting started, he said it's important to find a good installer. He said his experience with Price was excellent. He provided in-depth estimates on total costs and a willingness to answer endless questions. David ended our conversation by urging us to talk to our neighbors. David and Margo's story confirms that neighboring not only helps increase community and family security, it also helps spread great ideas, like rooftop solar.

**Pennie Vance  
Powder River Staff**



# Coalfield Advocates to Urge Administration to Fill Vacant OSMRE Director Role

On June 14, community leaders from coal-impacted communities launched a joint effort to urge the Biden Administration to nominate and confirm a director for Office of Surface Mining Reclamation and Enforcement (OSMRE). While \$11.3 billion in new investments in the Abandoned Mine Lands (AML) program was allocated by the bipartisan infrastructure bill, the federal agency in charge of managing and distributing these resources nationwide remains without a director nearly one-and-a-half years into the Biden Administration. A petition including 2,284 signatures was delivered to the Department of Interior office in Washington, D.C., and an online press conference was held urging the administration to promptly name a new director for OSMRE.

“With the coal industry in decline, it’s vital that OSMRE has strong leadership,” said Lynne Huskinson, a former Blackjewel coal miner and Powder River Board member from Gillette. “We need the agency to help plan for the responsible wind-down of mines. As an environmental regulator, they can help address the time and pace of coal mine closure to protect workers and communities,” Huskinson added.

Advocates made clear that the lack of leadership at OSMRE could undermine issues their communities are facing and threaten the decades-long work by community leaders to secure investments in the AML program. The \$11.3 billion over 15 years in AML funding secured in the *Infrastructure Investment and Jobs Act* represents a massive increase compared to the current annual distribution for AML reclamation and restoration. But the distribution and administration of most of these funds will be overseen by OSMRE, which remains without a director.

“Appalachian states are also receiving a surge of funds from the Abandoned Mine Land program authorized through the Bipartisan Infrastructure Law, with the Central Appalachian states receiving between 8-10 times as much funding compared to recent years,” said Erin Savage, Senior Program Manager for Appalachian Voices. “A



**Powder River Board member and retired coal miner Lynne Huskinson advocates for the administration to nominate a director for the OSMRE.**

permanent OSMRE director is needed to provide oversight to ensure these new funds are spent efficiently and effectively.”

The petition notes that the ongoing decline of the coal industry increases the number of unreclaimed mine sites, threatening coalfield regions with polluted streams, damaged aquifers, and heightened risks of landslides and flooding. A permanent director of OSMRE could ensure the agency tackles these unprecedented challenges while ensuring that every coal mine is fully reclaimed.

“There is some work still yet to be done. That’s exacerbated by the absence of a director at OSMRE,” said Nicole Horseherder, the Executive Director of Tó Nizhóní Ání from the Black Mesa Region of the Navajo

Nation. “I hope they get someone immediately who understands the importance of compliance and enforcement on tribal lands. The most important thing is that people out here are still waiting to see a reclamation plan and a timeline.”

OSMRE was established by the Surface Mining Control and Reclamation Act of 1977 (SMCRA) “to administer programs for controlling the impacts of surface coal mining operations.” However, SMCRA was not set up to regulate a failing industry and advocates note that it is essential to secure leadership with the long-term vision to adapt OSMRE’s work and regulatory structure to these changes.

“In this current moment, business as usual just won’t cut it,” said Peter Morgan, a Senior Attorney with the Sierra Club’s Environmental Law Program. “We’re now 510 days into the Biden Administration and we still haven’t seen a nominee to lead this important agency. We’re now seeing that mine operators are not being required to reclaim as they go, as the law requires, and we’re seeing that many forms of reclamation bonding are proving to be illusory at best. [...] The window is rapidly closing for this current moment that we’re in where industry still has funds available to clean up its own mess if it’s compelled to do so. We need a nominee to run the agency who recognizes this urgent need for action.”

## Powder River & Appalachian Voices Staff

## Please Renew Your Powder River Dues Today!

## If you have already, THANK YOU!

**Renew Your Membership Today!**

Mail your renewal to:  
934 N. Main St.  
Sheridan, WY 82801  
or online  
[www.powderriverbasin.org/donate-join/](http://www.powderriverbasin.org/donate-join/)

**POWDER RIVER BASIN**  
Resource Council



# Federal Orphan Well Cleanup Funds Help... *Wyoming Citizens Are Still Being Shorted*

The Wyoming Oil & Gas Conservation Commission recently applied for \$25 million in federal funds to plug and remediate the approximately 1,300 orphan oil and gas wells on state and private lands. These funds are part of the bipartisan infrastructure package signed into law back in November, which included \$4.7 billion American tax dollars to plug and clean up orphan wells nationwide.

These funds will certainly help Wyoming residents living near old and leaking oil and gas infrastructure that is exposing them to benzene and other harmful pollutants. And the program will provide jobs to energy workers throughout our state. But the funding also bails out oil and gas companies who were obliged to clean up their own messes but have dodged that responsibility.

Wells become orphaned when companies that have drilled wells and profited from them declare bankruptcy or simply walk away. Unfortunately, this has become standard operating procedure for many in our oil and gas industry. Orphan wells often leak methane and pollute water, threatening people and the environment. For a long time now, Wyomingites have been left holding the bill for such grifter operators throughout the state. We have a long and ugly history of orphaned wells left on our landscape. Most recently, the coal-bed methane boom in the Powder River Basin left thousands of orphan wells and millions of gallons of irresponsibly discharged water – a blight on landowners and on ranchers' and farmers' property. And the state inherited a handful of human health and environmental liabilities.

Previous requirements that drillers provide bonds to pay for cleanup if they leave orphan wells have proven inadequate to protect the state and landowners. These requirements need to be strengthened. We need to require adequate bonding for each well at the very beginning – when initial permits to drill are issued – to prevent future wells from being orphaned without funds for cleanup.

Wyoming regulators have recently made great headway on improving our bonding and financial assurance standards that ensure companies clean up their operations after drilling. But our federal

government has yet to follow suit. The federal government owns 40.7 million acres of mineral (subsurface) estate in Wyoming. Nearly half of that is under private surface estate. None of these 40.7 million acres are adequately bonded.

Improved bonding is but one small change that needs to be made in the federal oil and gas leasing program if Wyoming is to benefit as we should from development of the vast store of federal minerals in our state. A 2020 Taxpayers for Common Sense study showed Wyoming citizens missed out on more than \$4 billion over the last decade because of outdated federal oil and gas leasing policies. These included lowball royalty and rental rates, noncompetitive leasing, and other practices. Reformed federal leasing policies would increase revenue to our state and help fund our public services and educational system when we need it most.

Last November, the Department of Interior released a report that identified multiple reforms to update the federal bonding system and hold oil and gas operators accountable to ensure taxpayers aren't left holding the bill for their operations. These reforms have not been enacted, so we are still at risk for future avoidance of cleanup responsibilities. But the injection of cash by the bipartisan infrastructure bill does promise to partially pay for industry's past sins.

The \$25 million Wyoming applied for is only a first piece of the pie. The Wyoming BLM office will have the opportunity to apply for more funds to put to use on public and split-estate lands. Let's urge BLM to put these taxpayer dollars to good use in Wyoming. But let's also insist that BLM reform federal leasing policy to replace the broken system that has prioritized oil and gas companies over our people, our children, our environment, and our government services.

**Bob LeResche**  
**Clearmont**

*Editor's Note: This is reprinted from the June 19, 2022 edition of the Casper Star-Tribune.*

## SAVE THE DATE

*15th Annual Harvest Celebration & Potluck*

**Saturday, August 27th, 2022**

**Potluck Dinner - 5:30 pm**

**Kearney Hall - Highway 87, I-90 Exit 44 Story/Banner**

**Free-will donation**

**We are planning to hold the event this year but stay tuned for updates!**

*Thank You*

TR Shelby donated \$12,000 to Powder River in memory of **Emily Stone Shelby** with the request that they be used as matching funds for our fundraising efforts.

*We sincerely appreciate the generosity of the Shelby family.*

# Lawsuit Challenging National Coal Council Comes to an End

On May 19, the Western Organization of Resource Councils (WORC) represented by Democracy Forward and EarthJustice, voluntarily dismissed their lawsuit against the Department of Energy (DOE) following the dissolution of the National Coal Council (NCC) and the establishment of a restructured National Advisory Committee on Coal (NACC). WORC, Democracy Forward, and EarthJustice are encouraged by the fundamental changes being made at DOE, in part as a result of this litigation.

The NCC was chartered under the Federal Advisory Committee Act (FACA), which is supposed to facilitate the collection, by federal agencies, of advice and research from third parties that are relevant, objective, balanced, and open to the public. Under the Trump administration's "Energy Dominance" agenda, the NCC's focus shifted to advocate for the increased use and financial support of coal.

In October 2020, WORC, Democracy Forward and EarthJustice sued the administration for violating FACA by refusing to make fully public NCC meetings and records, failing to appoint balanced interests to the NCC, and being improperly influenced by a coal industry-funded group, National Coal Council, Inc.

After a federal judge refused to dismiss the lawsuit, DOE allowed the NCC charter to expire on November 20, 2021. They announced the creation NACC on January 31, 2022. This litigation has resulted in important changes to how this body will operate. Going forward, WORC and Democracy Forward will be watching closely to ensure that the Biden administration and DOE Secretary Granholm hold firm to their commitments to transparency and balance at the NACC.

*"We are dismissing this litigation because we are optimistic that the changes the Department of Energy has made to its advisory committee on coal issues at least partially solve the serious problems with the lapsed 'National Coal Council.' Time will tell, but we are thankful that the Department has heeded our complaint that the previous committee was operating*

**"We will be keeping watch on how the agency builds the new advisory committee, and hope to ensure it represents diverse voices from coal country, including workers, landowners, taxpayers, conservationists, and public health advocates."**

**– Bob LeResche**

*too closely in alignment with the coal industry and that DOE has modernized it to reflect current challenges facing coal communities and workers. Now the National Coal Council, Inc. needs to update its website to acknowledge that it's a coal industry association and stop masquerading as a federal advisory committee," said Bob LeResche, Powder River Basin Resource Council and WORC board member from Clearmont, Wyoming. "We will be keeping watch on how the agency builds the new advisory committee, and hope to ensure it represents diverse voices from coal country, including workers, landowners, taxpayers, conservationists, and public health advocates."*

"In the last administration, the National Coal Council flouted federal transparency laws, using its federal charter to single-mindedly push policies advancing the coal industry's interests from behind closed doors," said Democracy Forward Senior Counsel Aman George. "We appreciate that the Department of Energy has committed to operating the reimagined National Advisory Committee on Coal with greater transparency and a broader range of stakeholders."

*"The National Coal Council was essentially an industry lobby group grafted onto the federal government, so we are pleased it has been dissolved," said Mark Fix, a spokesperson for the Western Organization of Resource Councils and Northern Plains Resource Council who ranches near eastern Montana coal development. "We're encouraged that the Department of Energy appears committed to creating an appropriate advisory committee that includes landowners, taxpayers, and other everyday people who are immediately impacted by our national coal policies. The committee's first agenda items should be providing recommendations to ensure responsible reclamation, addressing climate pollution within coal policy, and ensuring that our transition to clean energy sources provides job retraining and pension protections for workers."*

**WORC Staff**

## Memorial Gathering for Jon Huss on August 27 - Casper



Powder River member and former director Jon Huss died in December. His family is holding a memorial for him at their home in Casper:

**Saturday, Aug. 27, 2 pm  
635 Kirk Ave, Casper**

No formal wear or mourning colors, please!



# Public Service Commission Contemplates Energy Deregulation for Crypto Mining

The Public Service Commission (PSC) hosted a forum with legislators and stakeholders in late May to contemplate whether our system of regulating utilities and customer rates should be relaxed to facilitate the buildout of power-hungry cryptocurrency “mining.” The forum was part of the Joint Minerals Committee’s interim study on power deregulation in response to this year’s failed Senate File 71, proposing deregulated power zones.

Billed as a way to let large energy customers have greater choice in who could provide power to them, and supposedly as a way to reduce power costs, energy deregulation would likely create drastic consequences for other utility customers like homeowners and small businesses because of a lack of oversight from the PSC. There is also concern that because of the volatile nature of cryptocurrency, a bust in the industry would create severe problems with stranded utility assets if a utility had to build out transmission lines or new generation resources to serve the new load, forcing the remaining customers to pay for these resources long after the crypto companies leave.

The PSC’s forum lasted most of a full day, and while good discussions occurred, attendees left unsure of the next steps and whether there was still legislative interest in moving forward with a deregulated

power zone proposal. Utilities and other stakeholders, including Powder River, voiced concerns during the forum, while some utility customers used the forum as an opportunity to argue for other options entirely different than the legislation that failed in this legislative session. Large industrial customers vocalized the desire to have a greater portion of their energy come from renewable sources for cost and other reasons. These customers were asking for a way to choose power providers with more renewable energy, versus the current Wyoming power grid which is still coal heavy. However, as you might guess, that idea did not resonate with legislators who were mostly focused on increased power needs from cryptocurrency mining as a way to keep coal-fired power going in the state when customers in other states are exiting from coal. The divergence in views about the type of power created a standstill in the forum about the other topics of conversation.

The Joint Minerals Committee meets as this edition of the *Breaks* goes to the printer, so you’ll have to hold on to your seats and wait to hear the outcome of all of this in terms of legislative action in the next edition. In the meantime, don’t hesitate to get in touch with us with any questions or ideas.

Shannon Anderson  
Powder River Staff



*Editor’s Note: Under the US Department of Energy’s advanced reactor program, TerraPower’s proposed Sodium nuclear power project in Kemmerer is one of two sites selected to receive 50% of their funding, roughly \$2 billion, from federal taxpayers.*



# Powder River is Hiring!

## Community Organizer

**POWDER RIVER BASIN RESOURCE COUNCIL**, a leading nonprofit for public policy and grassroots organizing in Wyoming, is seeking applicants to fill the position of Organizer.

Powder River Basin Resource Council works to empower local member groups and to monitor and inform public policy affecting the state's land, air, water, energy resources, agriculture, and community well-being. The organization is highly regarded both locally and nationally and our community organizing approach and commitment to a civil society are respected by agencies, politicians and industry groups alike.

### **Duties:**

- Develop and implement organizing and grassroots campaign plans for issue-based campaigns focused on reducing the impacts of fossil fuel energy development in Wyoming;
- Recruit new members and engage in organizational outreach activities;
- Provide direction and support to members who are addressing issues of concern to the organization;
- Collaborate with members on research, campaigns, and communications;
- Represent Powder River to external public and private entities, including government departments, the state legislature, the media and regulated businesses;
- Coach members to develop leadership, public presentation, and organizational skills;
- Participate in organizational fundraising, communications, and event responsibilities as assigned; and
- Perform other activities as required or assigned.

### **Qualifications:**

- Commitment to Powder River's mission, issues and values;
- Ability to work well with people from diverse backgrounds and viewpoints;
- Strong speaking and writing skills;
- Willingness and ability to work flexible hours, including some evening and weekend hours, and to travel;
- College degree (or equivalent work experience);
- Strong background in natural resource management, energy, agriculture and/or Wyoming issues preferred; and
- Experience in issue-based campaign work, communications and/or fundraising also a plus.

### **Compensation and Benefits:**

Salary starts at \$41,000.00 and commensurate with experience. Powder River offers a generous benefits package including health and dental insurance, vision, paid vacation leave, paid holidays and paid long-term sabbatical leave.

### **How to apply:**

This position is open until filled, but we encourage applications as soon as possible. The position can be located in: Cheyenne, Laramie, Casper, Gillette or Sheridan.

If interested, please email a cover letter, resume, and two brief writing samples to [careers@powderriverbasin.org](mailto:careers@powderriverbasin.org) (include Organizer Position Application in the subject field) or mail to: Hiring Committee, Powder River Basin Resource Council, 934 North Main St., Sheridan, WY 82801.

Powder River Basin Resource Council is an Equal Opportunity Employer.

# Do You Have an Old Russian Olive Tree on Your Place?

## *Maybe one planted by a homesteader?*

A retired US Geological Survey (USGS) scientist, Mike Scott from Ft. Collins, Colorado, wants to find old Russian Olive trees in the Wyoming stretches of the Powder River and its tributaries. He hopes to track genetic and/or climate change impacts on Russian Olive expansion/invasion along the Powder all the way into Montana.

Scott suspects that looking for Russian Olives on old homesteads, trees that might have been planted by settlers, is the best way to find the oldest ones. If he can find such trees, with your permission he'd take small core samples that would not harm the tree.

Powder River member Anne MacKinnon is helping Scott organize his search. He hopes to do the field work in late July or early August. If you have an old Russian Olive on your place that you'd let him take a look at, please contact Anne at: [amack@vcn.com](mailto:amack@vcn.com) or call 307-277-1435. Thanks!

**Anne MacKinnon**  
Casper

## WORC Summer Meeting Held in Sheridan

The Western Organization of Resource Councils (WORC) summer meeting was held in Sheridan June 8 – 11. As the hosting group, Powder River arranged two tours so the WORC Board members, staff, and network staff could learn more about our work. There was a tour to the Sheridan Food Forest, where volunteers told the group how the forest got started, what's currently growing

in the forest, and what some future plans are. The other tour was to the Tongue River Valley where members told the group about their experiences fighting the Ramaco coal mine and their efforts to preserve the valley's agricultural and recreational uses.





## Rooftop Solar...Continued from page 1

encourage greater adoption of this clean resource would benefit all ratepayers in the state.”

The study comes in response to legislative proposals to reduce the “payback” for solar systems at homes and businesses. Under current law, solar owners receive a 1:1 credit on their bill for excess solar generation they send to the power grid. This bill credit compensation has become controversial in recent years, with utilities and the Wyoming Office of Consumer Advocate arguing that utilities over-compensate solar power owners, allegedly presenting a shift of the costs solar customers aren’t paying onto other customers. Crossborder Energy’s study refutes this assumption, firmly concluding that no cost shift exists. The study concluded that in the long-run, deployment of small-scale rooftop solar will not have an adverse impact on the utility’s rates or cost of service; rather, on average, utility bills will decline because of rooftop solar added to the grid.

In fact, one of the report’s main findings was that solar owners absorb additional uncompensated costs because of the up-front capital costs of installing the system that then provides excess power to the grid. This means that any reduction in the compensation provided to rooftop solar customers from the utility is likely to be detrimental to the growth of this resource in Wyoming.

## BLM...Continued from page 1

Powder River Board member Bob LeResche commented:

*“We are disappointed to see BLM offering these leases before reforming their old dysfunctional leasing program. Worse yet, this sale will occur before any meaningful improvement to federal bonding requirements, which still do not adequately protect taxpayers from the multi-million-dollar burden of cleaning up orphan and abandoned wells. Minimum required bond amounts must be increased to match inflation and changes in technology, complexity and depth of modern wells. And the fact is, this lease sale will do nothing to increase drilling or production. Today, five million acres, or 7,800 square miles, of leased federal mineral rights are held by an industry that has not developed them. That’s enough leases to support drilling for 67 years. Rushing this lease sale is nonsense.”*

Powder River, working with Wyoming Outdoor Council and Audubon Rockies, submitted a legal protest to the June sale outlining these concerns. We emphasized the BLM’s authority to defer the sale and asked that all parcels be deferred until fiscal issues, habitat conflicts, and climate concerns can be eliminated. Until such reforms are implemented, new leasing will simply perpetuate the problems we are experiencing with orphan wells and a lack of timely and effective reclamation on the landscape. Powder River Board member Maria

The report also highlighted the other benefits of rooftop solar, including quantifiable societal benefits like public health improvements from reduced air pollution, as well as difficult to quantify benefits, such as the enhanced reliability and resiliency of customers’ electric service because rooftop solar is a foundational element for backup power systems and micro-grids that can provide uninterrupted power when the utility grid is down. The report further highlighted that distributed generation also enhances customers’ freedom, allowing them to choose the source of their electricity, and results in customers who are more engaged and better informed about how their electricity is supplied. The choice of using private capital to install solar on a customer’s private premises leverages a new source of capital to expand Wyoming’s clean energy infrastructure. The report concludes that these are all significant benefits that should be considered by utilities and policymakers.

Webinar moderator Scott Kane of Creative Energies concluded the webinar and report release by highlighting the benefits of jobs and revenue from the installation of rooftop solar systems. Kane emphasized the opportunity small customer-owned solar can provide for Wyoming’s power grid and our economy.

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

Katherman, who lives in Converse County, which is the epicenter of new development in Wyoming, had this to say about BLM’s plans:

*“For obvious political reasons, the BLM is jumping into this lease sale before taking the time to assess the program and make much-needed improvements in the process. Those of us who live here see clearly that simple changes to the federal leasing program could deliver more value to our communities that support a smarter approach to extraction while hosting oil and gas activity. The oil and gas industry is infamous for the boom and bust cycle of development which often leaves locals footing the bill for cleanup, abandoned wells, damaged country roads and faulty waste water disposal. It would be so much better to ensure that bidders, leaseholders, subcontractors and operators are publicly identified as well as financially and technically qualified and committed to using best practices to develop leases. This is efficiently done by requiring adequate bonding with each lease, which could also reduce the speculation that does nothing for our communities.”*

Powder River and our members who live with the problems of federal oil and gas development will continue to push for reforms, and we hope the BLM will move forward with a comprehensive set of new standards soon.

**Lottie Mitchell**  
**Powder River Staff**

## **Working Lands Fieldtrip & Lunch**

**Wednesday, Aug. 10 @ 8 am**

**Tour of several Sheridan County ranches using regenerative ag practices.**

**For more information, contact Pennie Vance at penniev@powderriverbasin.org or call 307-672-5809, Ext. 700.**



**NONPROFIT ORG.  
U.S. POSTAGE PAID  
SHERIDAN WY  
PERMIT NO. 38**

Address Service Requested

**934 North Main  
Sheridan, Wyoming 82801**

Encouraging Responsible Development Today... \_\_\_\_\_ For Tomorrow...

## In this Issue

New Report Highlights Cost Effectiveness of Rooftop Solar for Utilities & Their Customers	Pg 1
Powder River Protests BLM Oil & Gas Lease Sale.....	Pg 1
Message from the Chair.....	Pg 2
Growing the Grassroots: The Benefits of Community Organizing.....	Pg 3
Laramie Earns SolSmart Designation.....	Pg 3
Rooftop Solar Is More Than a Way to Decrease Electricity Costs.....	Pg 4
Coalfield Advocates to Urge Administration to Fill Vacant OSMRE Director Role.....	Pg 5
Federal Orphan Well Cleanup Funds Help.....	Pg 6
Lawsuit Challenging National Coal Council Comes to an End.....	Pg 7
Memorial Gathering for Jon Huss on August 27 - Casper.....	Pg 7
Public Service Commission Contemplates Energy Deregulation for Crypto Mining.....	Pg 8
Powder River is Hiring!.....	Pg 9
Do You Have an Old Russian Olive Tree on Your Place?.....	Pg 10
WORC Summer Meeting Held in Sheridan.....	Pg 10
Working Lands Fieldtrip & Lunch.....	Pg 11

## Save the Date

**12 July Board/Staff Retreat - Casper**

**22 July Board Meeting, via Zoom**

**10 Aug Working Lands Fieldtrip and Lunch -- 8 a.m.**

**27 Aug Harvest Celebration, Kearney Hall**

# 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](http://barrasso.senate.gov)  
Phone: (202) 224-6441  
Fax: (202) 224-1724

**Cynthia Lummis (S)**  
Dirksen Senate Office Building  
Suite SD-G12  
Washington, DC 20510  
Website: [lummis.senate.gov](http://lummis.senate.gov)  
Phone: 202-224-3424

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