



# 2022 ANNUAL REPORT

**CELEBRATING 50 YEARS**

**🦔 Protecting Wyoming's Quality of Life**

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

Powder River Basin Resource Council was founded by ranchers and townspeople concerned about the impacts of strip mining on landscapes, communities, and freshwater aquifers. For 50 years, we have worked for responsible energy development in Wyoming. Using community organizing, scientific, policy, and legal experts, and coalitions with other organizations, we wage effective campaigns to protect Wyoming's air, land, water quality, and wildlife and to promote sustainable agricultural practices and policies. We are committed to community organizing, leadership development, and the empowerment of citizens.

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

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

### **Our Mission**

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



## **50<sup>th</sup> Annual Meeting**

**November 5th, 2022**

### ***Celebrating 50 Years of Protecting Wyoming's Quality of Life***

**Business Meeting—2:30 pm  
Social Hour—4:30 pm  
Dinner & Panel Discussion—6:30 pm**

**Panelists: Bernie Barlow, Ronn Smith,  
Reed Zars & Nancy Sorenson**

***Moderated by Jill Morrison & Roger Sanders***

# **2022 Annual Report**

## **Powder River Basin Resource Council**

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## 2022 Coal Campaign Highlights

### Record Reclamation at Powder River Basin Mines

The coal industry's downward spiral that started in 2009 continued this year. While there was a slight uptick in production caused in part by high natural gas prices following the Russian invasion of Ukraine, mine production and employment stayed low. New renewable energy generation continues to outpace coal, putting significant pressure on Wyoming coal mines.

This trend highlights the need for speedy and effective reclamation to prevent an orphan coal mine situation when mines are no longer profitable. The good news is that with Powder River's pressure, all mines have replaced self-bonding with third-party surety bonds. In addition to the benefit of having a third-party insurance company on the hook for ultimate reclamation costs, this also means coal companies now have an economic incentive to seek bond release so they can reduce their surety premium payments. After decades of delay, a record number of bond release applications have been coming to the Wyoming Department of Environmental Quality (DEQ) this past year, with thousands of coal mine acres now achieving strong reclamation progress.



*Belle Ayr Coal Mine*



We continue to track coal mine annual reports to monitor bond amounts and reclamation progress, submitting comments as necessary to the DEQ to ensure this very positive trend

in reclamation continues to move upward in Wyoming.

### **Assigned Trusts Now an Option for Bonding**

Powder River continues to be the voice of the public interest to ensure the best possible protection for our land and people as the industry winds down. During the 2022 legislative session, we supported a bill to establish a novel assigned trust option for coal mine bonding. Couched as a “win-win” solution for both the public and mining companies, an assigned trust creates a dedicated bankruptcy-proof pot of money held by the state to guarantee reclamation costs are covered, while at the same time allowing coal companies to reduce the amount of premiums paid to third-party surety companies.

We followed the bill into rulemaking this fall before DEQ’s land quality advisory board, and the program should be in place early next year.



Separately, we supported a voluntary commitment from Arch Resources to dedicate funds to final reclamation costs at both the Coal Creek and Black Thunder Mine. Arch now has enough funding stored away to cover all anticipated reclamation costs, guaranteeing that there will be monies available if the mines are closed and no longer making profit.

### **OSMRE Still Without a Director – Powder River Joins Allies to Work for Reform**

Unfortunately, almost two years into the new presidential administration, there has yet to be anyone nominated to lead the Office of Surface Mining Reclamation & Enforcement (OSMRE). OSMRE is the federal agency charged with regulating the nation's coal mines and has long languished because of inadequate staffing and a lack of political support from the White House.

Nevertheless, we continue to strengthen our partnerships with allied groups in Appalachia and other coal regions, such as the Navajo Nation, to focus on common problems in coal mine regulation and bankruptcy. Our groups have released a policy briefing on proposed reforms and we have been busy holding webinars, press briefings, testifying at Congressional hearings, and meeting with key officials in the administration to advocate for the need for action at OSMRE.

On the abandoned mine land front, our coalition won a key victory at the end of last year to include abandoned mine land (AML) fee authorization and a historic amount of AML funding in the bipartisan infrastructure law. We've spent the last year commenting on new implementation guidelines and otherwise advocating for the best rollout of the new monies in coalfield communities across the country.

### **Two Years After Permitting, Ramaco Coal Mine Still Hasn't Started**

Thanks to a multi-year effort before the Environmental Quality Council (EQC) and the DEQ, the proposed Ramaco coal mine north of Sheridan has strong



***Tongue River Valley***

permit conditions to meet, including avoiding mining in a hydrologically sensitive area next to the Tongue River, strong baseline water testing requirements, restrictions on blasting, and preventing underground highwall mining

until additional geotechnical analysis is completed to assess the risk of subsidence (ground caving in). The DEQ's review of the permit was carried out over an unprecedented *twelve* rounds of technical review.

We continue to watchdog Ramaco's permit and operations, ensuring public accountability if and when the company opens up its mine. The company's financial wherewithal to open a new mine remains highly dependent on federal grants, and to date, no coal has been mined from the permit. We continue to engage the Sheridan County Commissioners as needed to maintain important public access and address other issues, such as taxation of their industrial property.

We remain committed to this multi-year campaign to protect the Tongue River Valley and its residents, and we will continue our efforts in 2023 and beyond.

### **National Coal Council Comes to an End**

Thanks in large part to a lawsuit brought by the Western Organization of Resource Councils (WORC) and Democracy Forward, the Department of Energy (DOE) chose to end the National Coal Council advisory committee. The National Coal Council was extremely controversial because of its open bias toward promoting the coal industry versus a more balanced approach to coal research funding and community protection. Powder River worked closely with WORC on the litigation and we have together nominated several members and partners to serve on DOE's



new advisory board, hopefully ensuring that community voices will now be a critical part of the conversation at the agency.

### **Pushing for Closure of Outdated & Expensive Coal Plants**

A lot has been moving in the world of coal plants this past year. We supported plans from utilities to close some of the largest, dirtiest coal plants in the state – the Naughton coal plant near Kemmerer, the Dave Johnston plant near Glenrock, the Jim Bridger units 1 & 2 coal plants near Rock Springs, and the Neil Simpson 2 coal plant near Gillette. Powder River has been active in commenting and testifying before the DEQ, Environmental Protection Agency (EPA), the Wyoming Public Service Commission (PSC), and other agencies on a variety of actions related to these coal plants. We've been pushing for stronger pollution controls to minimize emissions of harmful nitrogen oxides and other pollutants, and we've been supporting responsible closure and cleanup efforts of the state's coal ash waste ponds and landfills.



*Jim Bridger Coal Plant*

Powder River has also been a leader in opposing state efforts to require expensive carbon capture controls at coal plants in a faulty effort to “save” the plants from retirement. Through our participation, we have ensured strong disclosure of costs and risks of carbon capture installation, including tremendous water consumption and reduced plant operating capacity. Knowing the full cost of carbon capture, the PSC will better be able to act to protect the pocketbooks of utility customers, and in favor of lower cost electricity options, such as renewable energy and battery storage.

To support our efforts, and to better engage our members and other Wyomingites concerned about the future of the electric grid, we continue to build out the Wyoming Association of Ratepayers, which has its own web site and social media presence. The Association advocates for a just transition from higher-cost coal generation to lower-cost renewable energy and pushes back against regulatory mandates that threaten the affordability of electricity in Wyoming.





### **Coal Transition, Southwest Wyoming**

We continue to monitor the various resource proposals in PacifiCorp's Integrated Resource Plan to ensure that replacements for coal are responsible, especially in terms of water use. The Terra Power small modular nuclear project, blue and green hydrogen, and CCUS are of particular concern. Our work with coal transition includes participating in the Intergovernmental Working Group for Coal Impacted Communities process, particularly to ensure local public engagement is considered. Regionally, we are working to build support for regional haze regulations and electrical vehicle corridors.

Early this year, in partnership with researchers at the University of Wyoming Haub School of Environment and Natural Resources, we unveiled Wyoming Voices, a project looking at how storytelling may support communities in transition. Through this process, eight participants from Southwest Wyoming not only told their personal stories of loving and living in the region, but also had the opportunity to learn from each other. From this diverse group of people whose backgrounds and work experiences all differ comes a deeper story of the area that

is more complex than just the economic forces bearing down on the region.

The stories can help drive change as well as identify what community members themselves see as priorities in their communities. Though each video is only a few minutes long, they show the depth and breadth of people's lived experiences in the region, why they value the region, and why they stay despite economic uncertainty. All of the videos can be viewed on our website and YouTube channel.

Our organizing efforts continue to build capacity both in terms of number and leadership development. We were pleased that a member from Southwest Wyoming participated in Principles of Community Organizer training in Billings this year.

### **Coal Communications Work Remains Strong**

Coal continues to make front page news, here in Wyoming and across the country, and dozens of stories were published this past year quoting Powder River staff and leaders. We field regular calls and emails from local, regional, and national reporters, and we help to provide critical background information and a Wyoming perspective on these stories. We also continue to engage in increased virtual reporting opportunities, such as Zoom calls with



**In a Bid to Save Its Coal Industry, Wyoming Has Become a Test Case for Carbon Capture, but Utilities are Balking at the Pricetag**

reporters, podcasts, and webinars. Additionally, our social media channels are closely watched and help to push out our perspective beyond the borders of our state. Our Twitter account is a key source of information for live-tweeting during important hearings and following coal industry announcements.

## 2022 Renewable Energy

### **New Report Highlights Cost Effectiveness of Rooftop Solar**

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

The study concluded that the benefits of net-metered residential solar systems in Wyoming exceed the costs, and that there is no 'cost shift' from net metering in Wyoming. Further, the study found that rooftop solar is a cost-effective resource in Wyoming that benefits ratepayers. The report also highlighted the other benefits of rooftop solar, including public health improvements from reduced air pollution and enhanced reliability and resiliency of customers' electric service.



The report 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.

### **Laramie Earns SolSmart Designation**

This year the city of Laramie 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 that take key steps to reduce barriers to solar energy growth and streamlines the solarization process for homes and businesses.

SolSmart designation is important for the Laramie community because it shines a light on the progress that Laramie has made and facilitates technical assistance for future solar installations. Through this designation, Laramie can work with SolSmart advisors to reduce some of the "soft costs" associated with going solar by streamlining the permit and inspection processes, thereby creating a simpler process that benefits the homeowner and local solar companies who typically have had to pass on these costs to the consumer.

### **Community Climate Summits**



In April, the Wyoming Sustainability Coalition, through the Shepard Symposium, hosted the Laramie Climate Action Summit. The event

featured speakers on global, state, and local climate change issues, and included a presentation on recommendations for a university climate action commitment from a joint community-university task force. Community members networked and voiced feedback on these recommendations. ARE members attended and spoke at the event.



*Laramie Rec Center Solar Array*

In June, the Wyoming Climate Summit, hosted by the Lander Climate Action Network, brought Wyomingites together from all corners of the state, including the Wind River Reservation, to learn about and work on meaningful solutions to the impacts of climate change on our Wyoming communities. The event included a Wyoming Community Climate Action and Planning Panel as well as discussions of wind energy development, climate mitigation, and honoring traditional knowledge systems. A Powder River staff member participated as a panelist for the Wyoming Community Climate Action and Planning Panel.

### **Laramie's New Solar Installation & EV Charging Station**

In continued efforts to mitigate greenhouse gas emissions and meet the City of Laramie's 2050 carbon neutrality goal, the Laramie City Council installed a 25kW roof-mounted solar array and a curbside public electric vehicle charging station at West Fire Department Station #3. The newly installed solar panels and charging station were featured in the Second Annual Laramie Solar Tour.

This installation came about thanks to a grant from Rocky Mountain Power's (RMP) Blue Sky program and in collaboration with a local solar installer. The RMP grant for \$39,465 covers just under half of the proposed cost of \$88,460, while the remainder is provided by the City of Laramie. This is the third Blue Sky project in the Laramie



area in the last two years. ARE members continue to collaborate with local and regional stakeholders for the purpose of fostering a just transition to renewable energy and energy-efficient infrastructure.

### **Second Annual Laramie Solar Tour Builds Community**

ARE, partnering with the Sierra Club and American Solar Energy Society's National Solar Tour, held the Second Annual Laramie Solar Tour in October. The tour included eight stops throughout town, showing off solar installations on city, commercial, nonprofit, and residential buildings. The event aimed at educating and inspiring members of the community to reach for their full solar energy potential. Individuals participated by carpooling, biking, and live-streaming the event.

The tour kicked off at the West Laramie Fire Station #3 where community members learned about the city's rooftop solar installations and electric vehicle charging station. Tour participants subsequently viewed a 27kW ground-mounted solar installation at a commercial facility as well as a lithium-ion battery backup system at the Laramie Downtown Clinic. The tour also had residential stop where the homeowners talked about their specific systems. The tour wrapped up at the Laramie Recreation Center where a repre-



*Laramie Solar Tour*



sentative from Rocky Mountain Power answered questions from a utility company's perspective.

### **Sheridan Area Solar Work**

The Sheridan Area Resource Council (SARC) has been promoting residential solar installations and subscription-based community solar projects as part of their campaign to solarize the Sheridan area for a number of years. After SARC gathered over 200 signatures a couple of years ago showing local support of community solar, MDU began working with us to help make community solar in Sheridan happen. A plan to install panels on the rooftops of MDU buildings has proven unworkable so the utility is currently looking for an alternate location. MDU told SARC that the many benefits promoting solar installation in the recently passed Inflation Reduction Act (IRA) will further encourage this community solar project.

SARC also followed a proposed utility-scale solar installation by a private company whose application was rejected by the Sheridan County Commission as not meeting relevant development requirements. When the Commission updated some of those requirements this year, Powder River submitted proposed changes to improve the applicability of the rules, which were accepted by the Commission.



## 2022 Oil & Gas Review

### Improving Air Quality Standards

Powder River and its leaders in Laramie and Converse Counties were active in supporting new air quality standards proposed by the Environmental Protection Agency (EPA), including proposals to limit flaring and venting from oil wells. We have provided critical comments to the agency from those living with oil and gas and experiencing first-hand the impacts of pollution. We look forward to EPA finalizing the rules in early 2023.

We also continue to regularly comment on proposed air quality permits for new oil and gas wells and infrastructure in Wyoming, and especially in Laramie County, where wells are located close to homes, schools, and businesses. Our work has improved permit terms and conditions, better protecting public health and safety.

### Powder River Watchdogs Aethon Energy

We have focused in on Aethon Energy as a bad operator in Wyoming that needs serious scrutiny and public pressure before the DEQ and Oil & Gas Commission.

In March, we asked DEQ to re-open Aethon's wastewater discharge permit for the Moneta Divide oil and



gas field. Through public records requests and agency meetings, we learned that Aethon's wastewater pollution has severely damaged creek beds and Aethon's operations have released benzene and toxic levels

of salts, threatening the viability of aquatic life in the area. We are currently waiting for the DEQ's response to our request.

In September, we learned that the Oil & Gas Commission has recommended EPA approve a controversial wastewater pollution injection well permit and associated request to exempt a portion of the Madison Aquifer from drinking water protections. We quickly mobilized to contact the EPA and renew our concerns that the Oil & Gas Commission's actions will irreversibly pollute a source of freshwater that could be used by Wyoming communities in the future. Along with partners Wyoming Outdoor Council and Natural Resources Defense Council, we will continue to watchdog Aethon's operations and vigilantly work to protect both our precious surface and groundwater resources from unjust and unneeded pollution.

#### **Interior Department Launches New Orphan Well Plugging Program**

Powder River has long advocated for more funding to plug and reclaim wells left orphaned by defunct oil and gas companies. Orphaned wells are not only a problem here in Wyoming, but across the country, and this crisis led Congress to push forward a new program with \$4.7 billion for orphaned well site plugging, remediation, and restoration activities. We submitted key stakeholder comments on guidelines to implement the funding, and we have been invited several times by the Interior Department to offer our views and perspectives over the past year as the agency rolls out the program.

At the state level, we continue to keep the pressure on the Oil & Gas Commission to plug orphan wells in a timely fashion. The Commission has forfeited a sub-





stantial number of industry bonds this past year, facilitating the process of transitioning the wells to orphan status and allowing the state to carry out plugging and reclamation work.

### **Supporting Inactive Power Line Removal**

Wells aren't the only thing left orphaned when industry walks away. Power lines and other oil and gas industry infrastructure continue to leave scars on the landscape years after the wells are no longer producing. Powder River joined leaders from Bighorn Audubon to open a discussion with Powder River Energy Corporation (PRECorp) regarding the utility's progress in removing unneeded power lines built for the coalbed methane (CBM) industry in the Powder River Basin. Overall, PRECorp has about 1,470 miles of power lines subject to retirement. Luckily, PRECorp charged CBM companies a fee to establish a fund to use for line removal. The fund has over \$19 million in it, and now the focus is on how fast the money can be spent to get as many lines off the land, especially those in areas of important habitat for sage-grouse and other wildlife species. We will continue to monitor PRECorp's progress and applaud the company for its efforts to move quickly to retire power lines.

### **Protecting Public Participation in Permitting**

Along with hundreds of organizations from around the country, Powder River supported key changes brought by the Council on Environmental Quality (CEQ) to update regulations to the National Environmental Policy Act (NEPA). The CEQ's proposal reverses damaging amendments made during the prior presidential administration and include restoring the original definition of "effects" to require full consideration of cumulative, direct, and indirect effects, making clear that everything from local impacts to global climate change must be considered by agencies before they make decisions. CEQ intends to carry out additional rulemaking

going into the next year, and Powder River will continue to work with allied groups to ensure our nation's bedrock environmental law is as strong as it should be to facilitate public participation and community protection.

### Advocating for Federal Leasing & Bonding Reform

We've been active this year advocating for better bonding, improved fiscal policies, and leasing reform. Our work has achieved good success, including improvements to the federal oil and gas royalty rate in new leases.

We have also been working with allied groups to defend the administration's reform actions in court, intervening on behalf of the Interior Department in challenges brought by the State of Wyoming and the oil and gas industry. Since the cases are in the District of Wyoming, our staff attorney has served as local counsel for our partners Earthjustice and the Western Environmental Law Center as well as the 20 tribal and conservation organizations represented in the case. Our coalition secured an important victory this summer with a legal decision upholding the Interior Department's authority to delay oil and gas leasing if there is a need for additional environmental review and analysis.

Powder River members have also contributed a great deal to public coverage of federal oil and gas reform, with published opinion pieces in Wyoming papers and online, and releasing statements after key announcements and events. We are a trusted news source for unbiased information on the state of the industry and what agency decisions mean for Wyoming.

## Wyoming residents are still being shorted

**T**he 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 by exposing them to benzene and other harmful pollutants. And the program will provide jobs for energy workers throughout our state. But the funding also balls out oil and gas companies who were obliged to clean up their own messes but have dodged that responsibility.



BOB LERESCHE

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 RLM office will have the opportunity to apply for more funds to put to use on public and split-estate lands. Let's urge RLM to put these taxpayer dollars to good use in Wyoming. But let's also insist that RLM 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 ran Alaska's oil and gas leasing program as Commissioner of Natural Resources for that state. He was Executive Director of the Alaska Energy Authority, an investment banker and CEO, and is a member of the Board of Directors of Powder River Basin Resource Council and the Western Organization of Resource Councils. With his wife Carol he operates a ranch and organizes herbivore vegetable farm near Cheyenne, Wyoming.

## 2022 Agriculture Work

Powder River continues to support local foods producers and consumers. We continue to be part of the statewide Wyoming Food Coalition which supports Wyoming's local food industry to grow and thrive. We promoted healthy foods for underserved citizens by producing a new Supplemental Nutrition Assistance Program (SNAP) postcard which was mailed to over 600 Sheridan County families informing them that they can use the benefits to purchase locally grown food at the Sheridan Downtown Farmers' Market. Increasing access to local foods has long been a goal of ours.

We again encouraged citizens to enjoy the Sheridan Food Forest through our social media and outreach about Food Forest events. This year Powder River was awarded a grant for the food forest through the AARP Community Challenge Grant. Out of thousands of applicants, only 260 grants were awarded. The grant is for rustic seating throughout the forest, lighting for the entrance sign, and gravel for the pathway. Participants of the WORC summer meeting in Sheridan enjoyed a field trip visit to the forest.

We have maintained the Sheridan County Seed Library, which is housed at the Sheridan County Fulmer Library, for several years and its usage by the community continues to grow. Seed libraries help gardeners reduce costs, and also allow people to try new-to-them varieties while simultaneously conserving seed diversity which is vital to food security worldwide. This year a new volunteer reorganized

and relabeled the seed library's catalogue of seeds and replaced outdated seed with over 1,000 seed packets donated to Powder River from seed companies.



*Science Kids at the Food Forest*

### **Other Ag Policy Work**

Powder River continues to track policy and regulation of ag related initiatives at the state and national levels. This year we worked with Wyoming Department of Ag about implementing a USDA Cooperative Interstate Shipping (CIS) program in Wyoming. Under CIS, state-inspected meat processing plants can operate as federally-inspected facilities, under specific conditions, and ship their product out-of-state. Currently 27 states have CIS programs including Montana. The state ag department believes that CIS is not needed in Wyoming because we already have adequate federal inspectors to provide essentially the same service at state inspected facilities.

We are a member of the regional Western Organization of Resource Council's Ag Competition group battling food system dysfunctions that are destroying family farms and ranches. This broad coverage gives the member organizations the collective power needed to effectively influence national lawmakers, administrators, courts and agencies.

We also partner with other organizations such as R-CALF, Rocky Mountain Farmers Union, and statewide beef associations with similar views on national ag and local foods issues addressing the dire need for equity, transparency, and fairness for independent livestock producers, feeders and packers throughout the entire livestock marketing chain from hoof to table. We attended the R-CALF convention where we met with their members and producers from other organizations in small side meetings with USDA officials regarding the effects of market concentration on independent livestock producers. The meetings have been ongoing.

Powder River supported legislative efforts to address the problem of concentration in the ag industry such as the American Beef Labeling Act, S.2716. Alerts to Powder River members helped encourage Wyoming Senators Lummis and Barrasso to sign onto S.2716 that would renew MCOOL (Mandatory Country of Origin Labeling).

We've worked to strengthen and enforce the Packers & Stockyards Act for years. This 1921 act to regulate the meatpacking industry by prohibiting the manipulation of prices and creating a monopoly, has failed in its intent. We worked with WORC and other organizations to influence rulemaking on the act, including recent comments to a recently published USDA rule, "Inclusive Competition and



Market Integrity Rules under the Packers and Stockyards Act to protect farmers and ranchers from abuse."

We are also a member of the Sheridan Chamber of Commerce Ag and Natural Resource Committee which conducts activities in Sheridan County such as the popular Lunchtime Conversations on Open Spaces public forum.

### **Regenerative Agriculture**

Powder River has promoted the adoption of healthy soils for years. Deep tillage, destruction of organic matter and excessive chemical use have degraded soils, lost Co2 into the atmosphere and intensified the climate change crises. Experts have proven that healthy soil that remains covered can help retain water, reduce input costs, produce more nutrient dense food and reduce Co2 emissions.

In collaboration with local conservation districts, the University of Wyoming and other organizations we helped conduct a day long fieldtrip to ranches in the area who are implementing soil health practices. This coalition is planning a statewide soil health summit for 2023

We continued our work on the National Healthy Soils Policy Network (NHSPN) a nationwide network of state organizations working together to share what's happening at the state policy level and how to encourage lawmakers to support healthy soils initiatives.

We continued work with the Wyoming Collaborative for Healthy Soils (WCHS) headed by the University of Wyoming. We recently sent a survey to ranchers and farmers in Wyoming soliciting their feedback to identify what they

most need to adopt healthy soil practices. The intended end product is an extensive, diverse and dynamic array of useful soil health tools and practices designed for Wyoming ranchers and farmers.





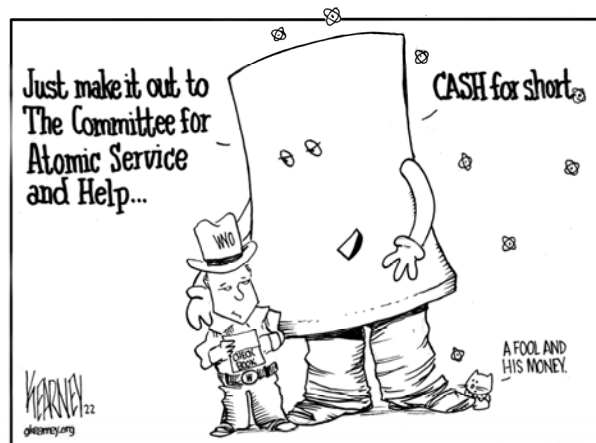
## 2022 Legislative Victories

### Legislative Session Focused on State's Energy Future

The 2022 Legislative Session was fast and furious, with lawmakers tackling the biennium budget along with redistricting, American Rescue Plan Act (ARPA) appropriations, and hundreds of individual bills. For our part, Powder River closely tracked around 20 bills focused on energy, environment, and agriculture issues ranging from the regulation of nuclear energy to severance taxes to landfill remediation. Thanks to strong member engagement, we had another very successful year of lobbying, advocating for good bills signed into law, stopping some very bad bills, and amending some others. Here is a sampling of the key bills we worked on this year:

**House Bill 45** sets up a new mine reclamation bonding option through an assigned trust. It allows coal and other mining companies to set aside cash held by the state to meet bonding obligations and ensure funds on hand for reclamation work to be completed.

**House Bill 89** helps counties and regulators better address oil and gas companies that are delinquent in their tax payments. It authorizes the Oil & Gas Commission to order well plugging or prohibit drilling if a company owes money



to counties or the state, providing an important new enforcement tool against companies that aren't paying taxes.

**House Bill 105** reduces the severance tax on coal by .5% , resulting in approximately a \$10 million loss in revenue each year. While this bill is disappointing, it was more modest than earlier proposals to reduce even more, which we successfully defeated in past sessions.

**House Bill 131** is a major overhaul of our state law on nuclear waste storage and nuclear power. It attempts to smooth the way for TerraPower's Natrium power plant proposed near Kemmerer. While the bill has significant problems, including removing public participation opportunities and exempting nuclear power from generation taxes, we were successful in securing several important amendments to the bill to increase transparency and otherwise better protect the public interest.

**House Bill 136** places the burden of proof for a new high use water permit in a groundwater control area on the permit applicant. This helps the Board of Control and the State Engineer to conserve scarce water resources and to protect existing water rights holders.

**House Bill 23** bill would have removed eligibility for the ag land tax rate for many small agricultural operations, making it difficult for many smaller more diverse local foods and start-up ag operations to survive financially.

**Senate File 9** authorizes the Wyoming Business Council to issue revenue bonds for ag processing operations, like small-scale meat processing.

**Senate File 35** specifies that a charging station is not a "utility" for the purposes of Public Service Commission regulation, paving the way for electric vehicle charging stations in Wyoming, such as those funded from the bipartisan infrastructure law.

**Senate File 46** sets forth the annual priority list for land-fill cleanup projects. Powder River has long supported the state's efforts to close and cleanup landfills that are polluting groundwater, and to move to more economic and environmentally friendly waste disposal systems, such as increased recycling.

## Youth In Conservation

Each year Powder River offers Bill Barlow Memorial Youth in Conservation awards to students participating in the University of Wyoming's State Science Fair. While the science fair provides a forum for sixth through 12th grade student scientists to conduct and share original research in a broad array of science, engineering, technology, and math fields, Powder River's awards honor projects that examine Wyoming ecosystems, the impact of human activities on the world around us, sustainable agricultural practices, and innovative alternatives to nonrenewable energy sources.

The science fair was once again held online due to COVID, so our judges had to work together to view the projects online and interview the competitors. Powder River Board members Maria Katherman, David Rømtvedt, Liza Cuthbert-Millett, and Gillian Malone served as judges.

Two projects really stood out and received our unanimous selection: one from the junior division, "Can'al Deer Cross?" by Reece Woolwine, Fisher Mills, and Keegan Nance from Pinedale Middle School and one from the senior division, "Evaluating Machine Learning Methods for Modeling the Distribution of the Two-Form Bumble bee (*Bombus bifarius*) in Wyoming," by Padmalakshmi Ramesh of Laramie High School.

"Can'al Deer Cross?" is a study on the difficulties for mule deer in crossing the Canyon Canal in Sublette County. Their results have real-world application for mitigating migration impediments for mule deer, and the trio have gained a real appreciation for the odyssey and difficulty that is migration!

We could all appreciate, even understand, the work done by Ms. Ramesh comparing three types of machine learning trees applied to finding a predictive model for likely two-form bumble bee habitat. Her study put to great use a very large data set from "citizen science" bumble bee sightings for the algorithms to learn from and predict where the bumble bee might most likely be found in Wyoming.

## Administration

This year was signified by more change as Powder River experienced some transition early in the year but has stabilized as we close out the year. In March, Alyssa Duba resigned from her position as executive director after finding the job was not a good fit. In absence of a director, an ad hoc administrative committee was formed consisting of four Board members and three staff members. Several Board members also stepped up to fulfill necessary roles for several months. While it was not the simplest structure, the committee served its purpose until a new director was named. In September, long-time Communications & Development Director Robin EH. Bagley stepped into the director role. Additionally, we closed our Lander office and are once again based entirely in Sheridan with field staff in Green River and Laramie.

Powder River's main office is located in Sheridan, and in 2022 it housed Robin EH. Bagley, the new director; Stephanie Avey, our executive administrator until her retirement this fall; Shannon Anderson, our staff attorney and who organizes on coal, oil and gas, leads our legislative work, and pitches in on various other issues; Pennie Vance, our stellar local food and sustainable agriculture organizer who brings years of passion and deep community connections to the team, and Claire Deuter, our new renewable energy and ratepayer campaign organizer, who has recently joined the Wyoming Bar Association and is quickly learning the organizing ropes. Michele Irwin also continues her skillful organizing on coal transition work and buffalo medicine from her ranch near Green River, Wyoming. Jarad O'Brien organizes for us part-time in Laramie, while also attending the university, and has proven invaluable to our work there. At the writing of this report, we are interviewing candidates for our oil and gas organizer, who will also be based in Sheridan.

Our work is overseen by our dedicated Board of Directors who live in Wyoming and are elected from and by the membership for two-year terms. As a membership-driven organization, members decide the direction of Powder River's work by drafting and proposing resolutions for a vote of membership approval at the annual meeting and providing

leadership on the campaigns taken on by the organization. This year, the Board and staff met twice to work on our organizational culture, reaffirm our commitment to diversity and inclusion, and how we communicate our values. The Board members have been very generous with their time this year in helping steer the organization through this transitional phase.

Remember to check our website for campaign information, publications, and digital copies of our newsletter. You can also easily renew your membership or make a donation on our website; check it out at: [www.powderriverbasin.org](http://www.powderriverbasin.org). We are active on Facebook, Twitter and Instagram and all members receive a copy of our informative newspaper, the *Powder River Breaks*, to inform and involve our members.

## Treasurer's Report

The Powder River Board of Directors approved a 2022 amended budget of \$664,189. As of September 30, 2022 we have spent 63% of our budget, or \$415,860. Our fundraising efforts have raised \$646,878, or 97% of our 2022 goal. We have a couple more grants expected by the end of the year as well as our end-of-year fundraising efforts. As in 2021, we anticipate that by the end of this year we will be under budget for operating expenses due in part to closing the Lander office and not expending funds to purchase a vehicle due to donation and the repair of other vehicles.

Powder River continues to have a strong internal fundraising team and generous donors. We had a successful fundraising drive this summer and anticipate several more donations before the end of the year.

We recognize and thank all of our foundation grantors and the Western Organization of Resource Councils for their partnership in helping with our foundation outreach and fundraising. We extend our gratitude and appreciation to our generous major donors and our members who are the heart and soul of this organization. You ensure our continued success!

# Coalitions and Affiliates

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

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

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

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

## **Wyoming Food Coalition**

Powder River joined the Wyoming Food Coalition in 2018 to help unify voices supporting local food around the state.

## **Community Affiliates Across Wyoming.**

Alliance for Renewable Energy Laramie  
Cheyenne Area Landowners Coalition  
Pavillion Area Concerned Citizens  
Sheridan Area Resource Council  
Clark Resource Council

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

## **2022 Board and Staff**

### **2022 Board**

#### **Officers**

Joyce Evans	~	Board Chair
David Romtvedt	~	Vice Chair
Lynne Huskinson	~	Secretary
Cissy Dillon	~	Treasurer

#### **At-Large**

Bob LeResche	Liza Millett
Wayne Lax	Gillian Malone
Marcia Westkott	Greg Findley
Maria Katherman	Barbara Chase

### **2022 Staff**

Robin EH Bagley.....	Executive Director
Shannon Anderson .....	Organizer/Staff Attorney
Pennie Vance.....	Organizer
Michele Irwin .....	Organizer
Claire Deuter.....	Organizer
Jarad O'Brien.....	Part-Time Organizer

## **Powder River Basin Resource Council 2022 Annual Report**

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

**Phone: 307-672-5809**

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

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

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



**POWDER RIVER BASIN**  
*Resource Council*