

*Powder River Basin
Resource Council*



Powder River Board Members Pete Dube & John Fenton in Washington DC

2008 Annual Report

*Encouraging Responsible
Development Today – For Tomorrow*

2008 Annual Report

Powder River Basin Resource Council

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Powder River Basin Resource Council

Contents

Background, Purpose and Structure...4

Affiliates.....4-5

Accomplishments

- Affiliates.....6-10
- Coal.....11
- Agriculture.....12-13
- Coalbed methane.....14-16

Youth in Conservation.....17

Events.....18-20

Administration21

Board Members & Staff.....22

Background, Purpose and Structure

Powder River Basin Resource Council is a grassroots conservation and family agriculture organization dedicated to the stewardship of Wyoming's resources. In 1973, Powder River was formed in response to rapid energy development across the Wyoming landscape. The founding members of Powder River were ranchers and involved local citizens who initially united over their concerns about strip mining in the Powder River Basin. The first meeting took place in a hayloft on a ranch near the Powder River. The Council's mission is to foster responsible energy development and land use consistent with the preservation of Wyoming's unique natural heritage and lifestyle.

Powder River Basin Resource Council is committed to:

The preservation and enrichment of Wyoming's agricultural heritage and rural lifestyle.

The conservation of Wyoming's unique land, mineral, water, and clean air resources, consistent with responsible use of those resources to sustain the livelihood of present and future generations.

The education and empowerment of Wyoming's citizens to raise a coherent voice in the decisions that will impact their environment and lifestyle.

Powder River Basin Resource Council is the only group in Wyoming that actively addresses both agricultural and conservation issues. The group unites both individuals with strong conservation convictions and agriculturalists with a deep respect for the land around a shared vision to protect and improve Wyoming's quality of life. Also, Powder River is the only group that addresses split estate and private property rights in addition to its focus on public land issues.

Affiliates

Powder River Basin Resource Council works with several active community affiliates across Wyoming.

Clark Resource Council (CRC)
Laramie County Resource Council (LCRC)
Pavillion Area Concerned Citizens (PACC)
Ranchers & Neighbors Protecting Our Water (R&NPOW)
Sheridan Area Resource Council (SARC)

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



Affiliate Accomplishments

Clark Resource Council (CRC)



Bighorn Basin Resource Management Plan

CRC, along with Powder River and other like-minded groups has been playing a critical role in the BLM Bighorn Basin Resource Management planning process. The planning process will decide how natural resources will be used and protected across the basin including balancing energy development with human and environmental health. This process can help address the cumulative impacts of oil and gas as well as other land uses.

Clark and the Crosby Well Blowout

CRC has continued to organize and work on the Voluntary Remediation Plan between Windsor Energy and the Wyoming Department of Environmental Quality to address the impacts of the Crosby 25-3 gas well blowout in Clark. They have worked with the DEQ to assure monitor wells have been properly located, and geologic conditions in the drainage taken into consideration as the monitoring program moves forward. In addition, CRC has successfully postponed further planned development in the area until clean-up is completed. CRC has successfully postponed the drilling of two permitted gas wells on private surface in the Line Creek drainage and CRC is working with other conservation groups to make sure a permit to drill on the Shoshone National Forest is analyzed under stringent NEPA requirements.

CRC Involved in Landfill Planning to Protect Groundwater

CRC has been active in landfill planning in Park County and along the Beartooth Front and across the Bighorn basin of Wyoming.

Affiliate Accomplishments

Ranchers and Neighbors Protecting Our Water

Ranchers & Neighbors Protecting Our Water became an affiliate of Powder River in 2008. Ranchers & Neighbors mission is to preserve and protect the quality and quantity of the groundwater in Crook County, Wyoming as well as surrounding areas for current and future generations. The primary focus thus far has been on the threat presented by In-situ Leaching (ISL) of uranium, which is rapidly spreading throughout the county and state. Test drilling has already begun at various sites in Crook County, with many companies expected to apply for permits to conduct ISL processing of uranium. Areas of focus have included:

Public education and outreach activities to raise awareness about In-Situ Leach (ISL) uranium facilities

In-situ leach (ISL) uranium methods have been used in Wyoming for several decades, but a recent increase in uranium prices has led to an expanded interest in uranium throughout the state. Most families in Crook County had never heard of ISL and thus public education has been an important component of our affiliate's work. Last spring, Ranchers & Neighbors hosted Lilius Jarding, a regional expert on ISL uranium, to speak at three public forums in Crook County and neighboring Alzada, Montana and Belle Fourche, South Dakota. Ranchers & Neighbors also participated in the Earth Day event in Sundance, Wyoming, by distributing informational fliers and displaying a county map of areas that were being explored at the time. Ranchers & Neighbors members have had a vocal presence in the press regarding uranium issues with letters to the editors, op-eds, quotes in stories, and radio interviews. In addition, Ranchers & Neighbors has participated in county government efforts, including attending various Land Use Planning and Zoning Commission meetings and a forum with staff of DEQ. This affiliate has also created a strategic organizing plan and have identified priority issues.

Affiliate Accomplishments

Ranchers & Neighbors

(Continued)

Networking with national, state and regional groups

Ranchers & Neighbors has been active in a regional network of organizations working on uranium issues. They also hosted a regional uranium meeting in Casper in March of 2008. Ten organizations from Wyoming, South Dakota, Nebraska, North Dakota, and Colorado attended. The meeting was a great success, and the morning press conference was well-covered in local and state-wide media. The group has worked to develop and maintain strong relationships with local, regional, and national groups and is viewed as a leader on these issues.

Participation in the Nuclear Regulatory Commission's Generic Environmental Impact Statement Process

A big focus of this year's efforts was participation in the Nuclear Regulatory Commission's (NRC) generic Environmental Impact Statement (GEIS) process. The NRC has proposed the GEIS as a way to streamline permitting by allowing analysis of impacts in a broader document as opposed to the site-specific level. This process limits local public involvement and prevents proper consideration of site-specific impacts. Affiliate members attended and spoke at several public meetings on the draft GEIS, distributed informational fliers concerning this issue, submitted editorials to local papers, and as a result numerous members and county residents submitted written comments to the NRC.

Leading the Way

Powder River and affiliate work on uranium has received west-wide attention. Shannon Anderson – Powder River staff – participated in a panel at the Public Interest Environmental Law Conference in March on uranium mining and a panel at the Western Mining Action Network's uranium caucus meeting in September.

Affiliate Accomplishments

Sheridan Area Resource Council (SARC)

Starry Skies Campaign

In June of 2008, the Sheridan Area Resource Council began work on a community education campaign to improve outdoor lighting. The effort formally kicked off with the creation of a brochure on outdoor lighting. The campaign supports improved outdoor lighting that promotes energy efficiency as well as preserves and restores views of our starry skies. The campaign has placed great emphasis on educating local businesses and individuals, Sheridan College and the local utility.

Presentations have been made to educate the city and other community groups as well. Goals for the initiative include passing both city and county ordinances for the Sheridan area. SARC's annual roadside clean-up maintains a portion of Fort Road in Sheridan.

SARC also hosted a free tour of homes and businesses in Sheridan that are using energy efficiency and renewable energy to reduce their monthly utility bills, increase property values, and conserve valuable natural resources. The tour was part of the National Solar Energy Society's National Solar Tour.



Solar Panels on Powder River Main Office

Affiliate Accomplishments

Pavillion Area Concerned Citizens (PACC)

Powder River's newest affiliate!

The Pavillion Area Concerned Citizens (PACC) affiliated with Powder River Basin Resource Council in April 2008. Citizens organized around air and water contamination, public health issues, and other impacts from oil and gas development in the Pavillion area.

PACC members gathered more than 90 signatures from citizens and local officials in the Pavillion community concerned about the serious contamination and health impacts in their community. Through the Bighorn Basin Resource Management planning process, members requested a health impact assessment and for cumulative air and water impacts to be assessed. PACC has also asked the Wyoming Department of Equality for air emissions inventories and monitoring, and for state agencies and industry to recognize and act on the adverse impacts from oil and gas development in the Pavillion area. PACC also carried out press campaigns which brought our issues to local, state and national audiences.

PACC members have been instrumental in identifying 28 contaminated oil and gas waste pits that are under remediation. PACC worked hard to ensure that a Public Participation Plan be incorporated into clean up of three sites entered into the Wyoming Department of Environmental Quality's Voluntary Remediation Program.

Clark, Pavillion Draw EPA Attention to Air & Water

In May 2008, CRC and PACC hosted Region 8 EPA groundwater officials on site visits of contaminated areas in Clark and Pavillion. After the visit, our members traveled to Denver for face to face meetings with more than 15 EPA officials where they presented their health concerns for area residents and

Issue Accomplishments

Coal

The past year has brought big changes to our coal work. The hiring of a new organizer, Shannon Anderson, in October 2007 has allowed a renewed focus on coal issues. Our work addresses the full lifecycle of coal, from mining to coal-fired power to waste disposal.

Dry Fork power plant, currently under construction just north of Gillette, was our main 2008 issue. Powder River joined with other Wyoming groups to appeal the air quality permit issued by DEQ. The appeal focuses on emissions control technology and calls for stronger limits for sulfur dioxide, mercury, and other pollutants. The appeal is the first case in Wyoming related to greenhouse gasses and coal's contribution to climate change.

We have also been working to bring accountability into DEQ's review of the Two Elk air quality permit. In late November of 2007, DEQ struck a back-room deal with Two Elk Generation Partners to allow their air quality permit to remain valid in spite of a lack of on-the-ground construction.

Powder River also continues to be a leader in coal mining issues. Almost all of the large mines in the Basin are expected to expand in upcoming years. We have submitted comments and have spoken at public meetings discussing coal mine expansion. Our comments have asked the BLM to consider public health impacts, air quality impacts, water quality & quantity impacts, global warming impacts, and socio-economic issues in their environmental reviews.

Finally, in Wyoming and elsewhere, interest is increasing in carbon sequestration as a tool to mitigate climate change and to keep coal a player in energy production. Powder River members and staff have been active in legislative and regulatory developments for carbon sequestration, including new EPA rules, a state bonding & liability working group, and other initiatives. Powder River took a lead role in lobbying efforts to protect landowner and environmental interests in two initial pieces of state legislation which passed during the 2008 budget session.

Issue Accomplishments

Agriculture

Powder River aims to improve the Farm Bill

We continue to work actively on local agriculture issues that impact our members. The 2007-2008 Congressional Farm Bill/Livestock Title was a major focus for our work in 2008.

Powder River worked hard to communicate with our Congressional delegation as well as a coalition of allies to increase local power and control in agricultural markets. Though not all of the amendments we supported were successful, we were very successful in mobilizing our members to weigh in on issues that affect them as well as building coalitions for future work.

The Council worked for inclusion of purchase preference for **local foods** within the Farm Bill especially within the School Lunch Program. Also after the strategic withdrawal of the **Captive Supply Reform Act** amendment, which we have supported for nearly a decade, Powder River and allies rallied support for a substitute amendment, the so-called **Packer Ban**, limiting the time that large meatpackers could own/feed/control livestock prior to slaughter. This amendment failed to receive sufficient congressional support and was not ultimately not included in Farm Bill.

Another long-term issue that Powder River has supported, **COOL**, or Country of Origin Labeling, was successfully passed as part of the Farm Bill which we hope will ultimately generate a complete, clear labeling system for consumers and producers. Powder River members communicated with congress to successfully pass the **Interstate Marketing of State Inspected Meats** amendment which amendment allows state inspected slaughter plants approved by USDA to sell across state lines to gain more local market control and economic growth. In coalition with our allies, PRBRC worked to support **Voluntary Arbitration** a beneficial change eliminating the requirement to participate in costly contract arbitration, replacing it with free voluntary arbitration.

Issue Accomplishments

Agriculture

(Continued)

In addition, Powder River worked to counter larger corporate mergers in the meat packing industry as well as opposing the adoption the National Animal Identification System, both seen by our members to hurt local, domestic producers and markets.

Powder River fights JBS-Brazil acquisitions in the U.S.

Powder River and a wide alliance of ranchers and consumer interests protested the proposal which would move JBS-Brazil to top of the “Big Three” packers and the largest feeder in North America. The Council and our members provided frequent guidance to our state attorneys general who, allied with 72 organizations and 17 States’ Attorneys General, pushed US Department of Justice to file to block the JBS take- over of National Beef based on competition issues.

Our Members say “No” to National Animal Identification System (NAIS)

The Council and our allies across the nation formed a strong and united coalition to fight proposed mandating of an ID system for livestock. Concerns about programmatic flaws of NAIS, private property rights incursions, excess costs to the producer for compliance and to taxpayers for federal implementation are among the many issues which bring this coalition of anti-NAIS citizens together. We look forward to a new administration and new administrators within USDA who will listen well to the overwhelming calls for termination of NAIS.



Issue Accomplishments

Coalbed Methane Development

The Powder River CBM Task force continued to focus efforts at the state level on improving the Wyoming Department of Environmental Quality (DEQ) “Ag Protection Policy” that justifies permitting discharge of highly saline and sodic water by a circuitous and scientifically invalid methodology. These discharges have seriously damaged some soils and vegetation. Member participation before numerous Advisory board meetings and before the Environmental Quality Council has been extensive. The organization has commented no less than 8 times on the proposed faulty policy. DEQ has recently acknowledged what we have been pointing out for nearly a year– that they are using an incorrect equation to establish SAR (Sodium Adsorption Ratio), limits.

We also sought the expertise of University of Wyoming soil scientists to understand the science and reform this bad policy. University of Wyoming scientists and Powder River continue to point out that, even with the correct equation, the methodology is illogical and flawed, and does not meet the requirements of law. In response to Powder River’s concerns, the EQC hired two New Mexico consultants charged with determining whether the Tier II methodology is reasonable and if it is scientifically valid to determine the quality of future discharge water. They have also been asked to determine if the allowable EC and SAR set forth in the policy for CBM discharge is both scientifically defined and defensible.

Powder River also beat back an attempt by DEQ and industry to reverse our win on protecting Crazy Woman tributaries from being reclassified which would accommodate worse quality CBM discharge water. Members continue active involvement in DEQ’s proposed CBM watershed permitting process.

Issue Accomplishments

Coalbed Methane Development (Continued)

At the state legislature, members worked hard to improve CBM legislation designed to accommodate CBM discharges by creating ditches across private property to carry CBM water. Powder River successfully added six improving amendments passed to address issues such as water rights, bonding and consideration of piping rather than ditching water. The amendments improved the bill so much that the CBM industry had to oppose it and it died on a tie vote in the Senate.

Powder River continues our push at the State Engineer Office to stop the waste of CBM produced water. We hailed a report from the Wyoming State Geological Survey (WSGS) documenting the waste of water where no or very little gas was being produced and supported the need for better regulation of CBM discharges. The State Engineer has subsequently issued over a thousand regulatory letters to address the waste of groundwater for CBM development. However, he refuses to consider a moratorium in Clear Creek and Crazy Woman drainages, as proposed by WSGS.

At the federal level, we continue to document and work to reverse the Buffalo BLM's failure to deliver on a long promised study tracking and documenting groundwater drawdown in the Powder River Basin and the failure to meet inspection, enforcement and reclamation requirements. Permitting continues to trump active management at the Buffalo BLM. We plan to address that issue with the new administration.

Our push to protect sage grouse in the Powder River Basin succeeded in getting BLM to finally acknowledge the science and stop the delay in implementing adaptive management to protect sage grouse habitat. BLM initially announced the need to put over 1 million acres of sage grouse habitat off limits to development of more than 1 well per section. Industry and state pressure whittled down the size of off-limits areas. Our efforts continue to protect remaining habitat in the PRB.

Issue Accomplishments

Coalbed Methane Development (Continued)

Powder River continued to lead a coalition of statewide and national groups in protecting the fragile Fortification area, its elk herd and the other resources. The efforts succeeded in getting a state lease dropped from the Wilderness Study Area and led to the BLM announcement of the need to conduct an environmental analysis over how and where development proceeds in the area. We conducted extensive outreach and garnered public support from the Governor for protection of the elk herd and the most fragile area.



Horned toad in the Fortification Creek Area. Photo by Bill Bensel.

Youth In Conservation

During the annual Wyoming State Science Fair, held at the University of Wyoming in March, Powder River Basin Resource Council gave two students the Bill Barlow Memorial Youth in Conservation Award. The award, which memorializes the conservation legacy of founding member Bill Barlow, consists of a cash prize, certificate, and honorary membership in the Sheridan-based conservation organization. The Barlow Award is given for studies on Wyoming ecosystems or studies that consider impacts of development on the natural environment or our agricultural heritage.

This year's winners were Tyler Graham, a middle school student from Riverton, and Chloe Cundall, a student at Greybull High School. Judges Stacy Page, Dennis Knight, and Michele Barlow chose this year's projects because they followed the basic principles of sound scientific research, demonstrated a high level of creativity and skill, and met the criteria for the award. "Both projects were quite novel and very well done. Their data analysis was thorough and it was obvious from our interviews that the students knew what they were talking about," judge and University of Wyoming professor Dennis Knight commented.

Tyler Graham's exhibit, entitled, *Crematory Airborne Mercury Emissions* examined the role that human cremation has played in airborne mercury pollution. The project discussed ways to minimize mercury emissions and decrease adverse environmental impacts. Chloe Cundall's exhibit, entitled, *Bioremediation of Arsenic Contaminated Water by Mesophilic and Thermophilic Algae* researched how algae may reduce the cost of improving water supplies and ensuring lower levels of arsenic in drinking water. Chloe received the inspiration for the project by thinking about the role microorganisms play in the Thermopolis natural mineral hot springs.

Events

Annual Meeting Explores Energy: Impacts and Solutions

Powder River's 2008 annual meeting, held November 15 at the recently renovated Historic Sheridan Inn was an issue-packed day with a morning business meeting and adoption of resolutions followed by both lunch and dinner speakers, two panels and the ever popular social hour and silent auction.

Resolutions included support for state enforcement of uranium mining regulations, supporting local foods and sustainable agriculture, and seeking Health Impact Assessments for oil and gas development plans.

Luncheon Speaker Mark Northam, Director of the School of Energy Resources at the University of Wyoming, described the school's mission –a secure and sustainable energy future for the state – and its goals for workforce development, research and outreach.

The first education panel discussed the plight of sage-grouse populations. Panelists included lead Powder River Basin sage-grouse researcher Dr. Dave Naugle of the University of Montana, Missoula, Bob Budd, director of the Wyoming Wildlife and Natural Resource Trust and rancher and Powder River member, Don Spellman, a member of the Northeast Wyoming Sage-grouse Working Group.

Sage-grouse photo taken by Billy Maycock



Events

Annual Meeting

(Continued)

The next panel focused on uranium development in the Powder River Basin. The panel featured Jim Jones, a co-founder of Powder River affiliate Ranchers and Neighbors Protecting our Water, Mark Rogaczewski, District Three Supervisor of the Land Quality Division of DEQ and Marion Loomis, Director of the Wyoming Mining Association.



Speaker Gloria Flora & Organizer Deb Thomas at the Annual Meeting

We were honored to host Gloria Flora as our keynote dinner speaker. Flora, founder of Sustainable Obtainable Solutions (SOS), is known largely for suspending drilling for oil and gas on Montana's Rocky Mountain Front during her lengthy career with the Forest Service. She advocates taking responsibility for environmental conservation and getting involved in the public process.

Events

Third Annual Harvest Celebration a great success!



Harvest Celebration Dishing Up Locally Grown and Prepared Food

The Powder River Board outdid themselves this year at the Third Annual Harvest Celebration, a Board sponsored event and fundraiser held September 13, 2008 at the Big Horn Women's Club. Early in the evening, local vendors sold their goods at the farmer's market while local musicians filled the evening air with music. From the lamb, curried meatballs, BBQ bison and scrumptious sides to homemade chokecherry sherbet, the fantastic spread of local foods prepared by members and board members had something for everyone. A raffle and pie auction topped off the delightfully chilly fall night. While we couldn't ensure everyone to win the raffle, we guaranteed that no one left hungry!

Biodiesel Bus Makes A Stops in Sheridan and Clark

The biodiesel bus, beginning a seven-state tour which is being sponsored by the Western Organization of Resource Councils and its member groups paid visits to both Sheridan and Clark in June of 2008.

The bus crew, whose mission was to educate about renewable energy options, did a fabulous job of engaging community members about the issues. In Sheridan, quite a few guys with big diesel pick-ups even stopped by to ask where they could get some biodiesel—to which the crew responded that they probably couldn't find it anywhere locally. Hopefully more education about renewable energy will change that!

Administration and Finance

Powder River Basin Resource Council maintains two office locations in Wyoming. The main office is located in Sheridan and the other in Clark. The Sheridan Office is staffed by the Director, Kevin Lind; Office Administrator Stephanie Avey; two full-time organizers Jill Morrison and Shannon Anderson; ; two part-time organizers, Bill Bense, and Gillian Malone and one full-time Wyss Fellow Ashley Roberts. Deb Thomas, single-handedly mans the Clark Office.

Powder River's work is overseen by the Powder River Basin Resource Council Board of Directors. Board members are voted in from and by the Powder River membership for a two year term. As a grassroots organization, members decide the direction and focus of Powder River's work. Members bring resolutions for a vote of membership approval at the annual meeting.

Powder River mails out a bi-monthly newsletter, the *Powder River Breaks*, to update our membership on topics of interest and keep them involved in public processes that directly impact them.

While Powder River gets a good portion of our income from foundation grants, support and donations from our members is vital for our organization.



WORC's June Meeting held in Jackson, Wyoming

2008 Board and Staff

2008 Board

Officers

Bob LeResche	~ Board Chair
Marge West	~ Vice Chair
Edith Heyward	~ Secretary
Steve Adami	~ Treasurer

At Large

Marcia Dunsmore	Dave Haire
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Nancy Sorenson	Wilma Tope
LJ Turner	Priscilla Welles

2008 Staff

Kevin Lind	Director
Stephanie Avey	Office Administrator
Jill Morrison	Organizer
Deb Thomas	Organizer
Bill Bensel	Organizer
Gillian Malone	Organizer/Editor
Shannon Anderson	Organizer

Notes.....



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