

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

POWDER RIVER BASIN RESOURCE
COUNCIL, WESTERN WATERSHEDS
PROJECT,

Plaintiffs,

v.

U.S. DEPARTMENT OF THE INTERIOR,
U.S. BUREAU OF LAND MANAGEMENT,

Defendants.

Case No. 1:22-cv-2696-TSC

DECLARATION OF SHANNON R. ANDERSON

I, SHANNON R. ANDERSON, hereby declare as follows:

1. The following facts are personally known to me, and if called as a witness, I could and would competently testify thereto. I am over 18 years of age.

2. I am a Staff Attorney and Organizer at Powder River Basin Resource Council (“PRBRC” or “Resource Council”). I have worked for the organization since October 15, 2007 when I moved back to my hometown of Sheridan, Wyoming.

3. I have also been a dues-paying member of the Resource Council since 2008, and I renew my membership annually. I am a member of the Resource Council because the organization works to protect landscapes, wildlife, and natural resources in special areas that I care about, including the Powder River Basin of Northeast Wyoming.

4. The Resource Council is a tax-exempt, nonprofit organization with offices and staff in Wyoming. The Resource Council has been a Wyoming nonprofit corporation since its

founding in 1973. The Resource Council currently has approximately 2,000 dues-paying members. The vast majority of Resource Council members live and work in Wyoming.

5. Approximately 44 Resource Council members live within the Converse County Oil and Gas Project Area. Not all Resource Council members are opposed to oil and gas development. In fact, some members benefit financially from the development through royalties and surface use and damage payments. However, our members join our organization to support our mission of ensuring responsible development of Wyoming's oil and gas resources.

6. As part of this mission to ensure responsible development of Wyoming's oil and gas resources, the Resource Council has closely followed the Converse County oil and gas project since it was first proposed in 2014. At the time, development of deep oil was just beginning in the Powder River Basin. With improvements in hydraulic fracturing technology, operators were fast shifting from development of shallower, less profitable, coalbed methane resources to deep oil.

7. Our organization had been advocating for a programmatic environmental impact statement (EIS) since the deep oil development started to take off in the early 2010s. We knew the Buffalo and Casper Resource Management Plans (RMPs) did not adequately address the new development, which has significantly larger well pads and more infrastructure than coalbed methane development. The Converse County Oil and Gas Project EIS was the first programmatic EIS from the BLM for deep oil development in the Powder River Basin. An EIS proposed for the Greater Crossbow Project, across the border in Campbell County, Wyoming, was withdrawn by the operator EOG, and to date, the Converse County Oil and Gas Project EIS is the only project-level EIS for development of now thousands of wells in the Basin.

8. As part of my work to address the impacts of the Converse County Oil and Gas Project EIS, I take regular field trips to the project area. I am familiar with the landscapes and the increasing industrialization of the area over time, especially since the approval of the plan and the corresponding rise in oil prices driving more development.

9. When I take field trips in the area, it is important for me to find places of solace and quiet to escape the industrial landscape. One of my favorite places to visit is through U.S. Forest Service Road 942, which is just outside the northeast border of the project area. Much of the Thunder Basin National Grassland is checkerboarded, and this road provides easy access to some of the largest intact parts of the southern end of the grassland. From the road, and from walking trails off the road, I can see and visit the Converse County Oil and Gas Project area.



10. I last visited this area on November 11, 2022, and I have plans to return in the months and years to come because I enjoy spending time in the area, listening to the song birds, seeing eagles and other raptors in the sky and on fenceposts, and watching pronghorn and mule deer.

11. This is a photo of hawks taken on the Thunder Basin National Grassland by a friend during a visit there in 2018. It's one of my favorite photos because it shows the amazing wildlife we have in Northeast Wyoming and exemplifies the need to protect these marvelous birds.



12. I am not an expert birder, but I have a fondness for raptors because they stick around with us during the winter and they are easy to spot given their size. When I was reviewing the Converse County Oil and Gas Project EIS and proposed RMP amendments, I was particularly concerned about the changes to lease stipulations that are designed to protect breeding and nesting habitat of raptors from human disturbance. The rollback of the raptor

stipulations was a key focus of the Resource Council's work on the project, and it was a focal point of the protest we submitted with Audubon Rockies and the Wyoming Outdoor Council.

13. I also love pronghorn. As a native Wyomingite, I grew up appreciating their speed and agility and I always enjoy watching them. I am familiar with their habitat needs and the body of scientific research that shows how they are sensitive to areas with oil and gas development and human disturbance. Here is a photo of pronghorn I took in the project area in April 2019:



14. As a Unitarian Universalist, my visits to natural areas are important for spiritual renewal. The need to be outdoors and connected to nature has only grown in importance over the years for my mental health and spiritual well-being. Over the past several years during the pandemic, like most Americans, I refrained from long trips and opted to stay close to home, frequently recreating in Northeast Wyoming. Trips to the prairie ecosystems in and around the Converse County Oil and Gas Project area are important to me because the open spaces give me a sense of freedom. Being in the prairie, seeing an open vista, taking a walk up a hillside with my dog, and smelling the sagebrush landscape has provided tremendous spiritual renewal to me.

15. I visit the prairie all-year round, and I especially enjoy visits in the spring, fall, and winter when weather is less desirable on the mountain ranges of Wyoming. Sunny days and clear roads provide access to excellent recreation options year-round on the lower elevation prairies.

16. I am somewhat obsessed with wildflowers, and I love the diversity of color and beauty of the prairie ecosystem. Flowers on the prairie arrive earlier than the ones in the mountains, offering a longer season of life and beauty for those of us recovering from a Wyoming winter. Here is a prickly pear cactus bloom from the project area in June 2020:



17. Unfortunately, it is becoming more and more difficult to find these places of solitude and beauty in Converse County. Oil and gas development disturbs wildlife habitat and the prairie landscape through well pad construction and the creation of access roads to well sites, which adversely impact my ability to see wildlife in the area and to find places that are quiet and undisturbed. Since so much of the area is open vista landscape, wells and infrastructure can be seen and heard for miles and it is growing difficult to find areas away from the development.

18. The oil and gas development, as authorized – and in some ways encouraged – through this EIS and RMP amendment will create noise, light, and visual impacts in and nearby areas that I visit, affecting my ability to enjoy the area. I know what impacts will occur because I have been in areas of oil and gas development in the Powder River Basin many times before. Noise, light, and visual impacts, along with truck traffic and other impacts, negatively affects my ability to enjoy the areas I like to recreate, and the development will make it less enjoyable for me to return for the important personal reasons I discussed above.

19. Additionally, oil and gas development is often fenced and access roads can be made private, meaning as development expands onto the Thunder Basin National Grassland and other public lands, those public areas can become off limits to public recreation.

20. Through my work, I visit ranches of split estate landowners with federal oil and gas development on their land or nearby to their land. I also take regular drives on the county roads and state highways of the area, both for professional and personal reasons, and on these drives I witness federal oil and gas development. Over the course of my lifetime, coalbed methane, and now deep oil and gas development, has transformed what was a peaceful prairie landscape into an industrialized one. As a result of increased industrialization of the Powder River Basin, I have witnessed the tremendous degradation of the region's air quality, and while I am concerned about many of the impacts that come with development, I am particularly concerned about further air quality negative impacts that will result from increased development authorized by the Converse County Oil and Gas Project.

21. I also am concerned about increased truck traffic on county roads, forest service roads, and state highways that is caused by development of federal energy resources in the Powder River Basin. I have seen first-hand how increased traffic from big semi-trucks carrying

water, oil, or other materials to and from energy-related job sites and pickups carrying employees will cause dangerous road conditions because the small trucks often speed and the big trucks often go slow, forcing you to pass or be passed for the length of the roads. Luckily, State Highway 59 has been improved with passing lanes, but even with the lanes, it is still a dangerous highway to drive. County and forest service roads are especially dangerous with this increased traffic because of dust. Because of the whiteout conditions caused by the dust, it is often safer for me to pull the car over and let the truck pass then to try and drive past it. Rocks and debris that are kicked up by the trucks can also lead to windshield chips if you don't slow down or stop to let the truck pass you. In speaking with our members about the Converse County Oil and Gas Project, impacts to roads and safety are quality of life concerns for those living, working, and recreating in the area. Here is a photo taken November 11, 2022 that exemplifies this situation, where I pulled over to wait out the dust cloud from a passing truck:



21. In addition to these direct personal impacts to places I care about and visit, I am also concerned about the project's approval – and facilitation – of increased oil and gas development because that development will exacerbate climate change. Although it is not a focal point of this litigation, addressing the development will address climate change. I am very concerned about climate change. I believe BLM can play a greater role in considering options and alternatives to better prevent the climate crisis. This is important to me for many reasons, but

from a personal selfish reason, climate change has fueled drought in my area as well as led to forest fire caused haze and smoke. The past two summers have been especially bad, with many days too hot and dry to be outside and the smoke preventing outdoor recreation. My town of Sheridan was regularly under air quality warnings during the summer of 2021. I have also had to spend more money on my water bill to keep my flower gardens alive, and this past summer I switched to flower pots which are easier and less expensive to water, but provide less enjoyment for me in my backyard. I fear this will be the “new normal” of a Western U.S. summer if we don’t do more to combat climate change.

22. I firmly agree with the legal challenge filed against the BLM’s Converse County Oil and Gas Project by the Resource Council and Western Watersheds Project. Based on my review, and my knowledge of the project proposal and the landscape the project is slated to impact, I believe the BLM has not conducted an in-depth study of the impacts of the unprecedented number of deep oil wells proposed that will create significant and irreversible impacts to the environment and human health in this area, which greatly concerns me. If the court remands the project and the EIS for further consideration, BLM could fully consider alternatives and mitigation measures to better address impacts to wildlife, air quality, and other natural resources. A successful legal challenge will help achieve better mitigation of impacts or improved environmental analysis, which will help protect the area’s resources that are important to me and my ability to enjoy recreating in and near the project area.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief, and based on my personal experiences.

Signed this 27th day of February, 2023 in Shenandoah, Wyoming.


Shannon Anderson