

**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

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**DECLARATION OF MARIA KATHERMAN**

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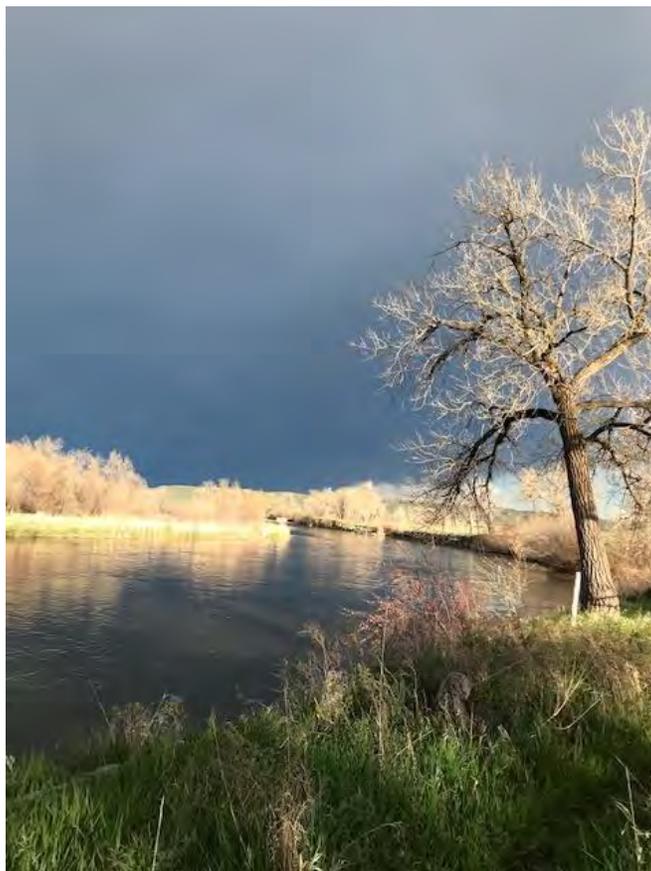
I, MARIA KATHERMAN, hereby declare as follows:

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 reside in Converse County, Wyoming with my husband Will Robinson. Our ranch is located along the North Platte River, roughly 10 miles northwest of the town of Douglas. I was born and raised in Wyoming, and we have lived on our ranch for 30 years and raised two sons here.

3. Our place is within the Converse County project boundaries in T33 R72.

4. Below are photos I took recently of the North Platte River in the project area and a snowy vista near our Ranch.





5. I have been a member of the Powder River Basin Council (“PRBRC”) since 2003. I currently serve on the board of directors of PRBRC. I joined PRBRC because I am deeply concerned about the harmful effects of fossil fuel development on our health, wildlife, aquifers, air quality, and livelihoods and this group supports those values as well as focusing on helping landowners navigate the rough waters when oil & gas arrives. I support PRBRC’s efforts to advocate for responsible development of Wyoming’s energy resources.

6. My familiarity with oil production dates back to my childhood. My father was a small, independent oil producer and held a lease on federal minerals. I grew up helping out with his operation and my husband and I worked full-time with him for several years. I am acutely aware of the complex and irreparable impacts oil and gas development has on communities, land, air, water, and wildlife and have lived here during many boom/bust cycles.

7. I am very concerned about these impacts vastly intensifying as this huge Converse County oil and gas development project blasts into our lives.

8. Increased truck traffic is one concern that hits close to home. Highway 93, which will be used to access many of the oil and gas wells in the Converse County Project, is roughly 3 miles from my house. Below is a photo I took on Highway 93 from the turnoff at Inez road. I use this road frequently and truck traffic is already constant as the private mineral production is now underway. Since the current wave of oil and gas development in the Powder River Basin began, we hear the truck traffic on Highway 93 start up and hour before dawn not always obeying speed limits or respecting slower vehicles. The turn from our Inez road onto Highway 93 has become dangerous. This used to be a quiet part of the world and though we are still rural, the traffic pace has become industrial.. We used to enjoy bicycling into Douglas, I would not even dare that now. It is a big change already and it is stressful to imagine what will happen when the federal project starts up. This affects my peace of mind, stress levels, and safety on these roads.



9. Gravel mining and hauling trucks are another concern that is rarely discussed. Oil and gas development requires a huge amount of gravel for construction of access roads and pads. We have already been personally impacted by gravel trucks traveling on unpaved Inez road in front of our ranch, sometimes 50 trucks a day, rarely observing the speed limit and not always with permission to use the road from the County. We chose this place for its natural solitude and quiet. Now, half an hour before dawn, we hear truck noise, there is a pall of constant dust on the hay meadows, the road surface is a washboard nightmare, and corners are dangerous because of

on-coming trucks. Often, we find antelope dead or mortally wounded along our road, something that was never true before the gravel mining. The Converse County project will cause gravel demand to skyrocket and further impair our quality of life and take a toll on wildlife as well.

10. Like the road in front of our Ranch, most roads in rural Converse County are unpaved. Truck traffic on dirt roads creates a lingering cloud of dust that is unhealthy to breathe. I worry that increased truck traffic on our dirt roads from the Converse County Project will cause a health hazard and nuisance to us and others in the community for many years to come.

11. Damage to our county roads is also a concern from all this truck traffic. Although many counties charge a per-mile fee to industrial users of dirt roads to keep up with maintenance, Converse County has no such fee. Our county has had serious trouble keeping up with road maintenance. The roads already get to a state you can barely believe. This did not use to be the case. An increase in oil and gas traffic will only worsen this problem.

12. Intensified oil and gas development will also decrease my aesthetic enjoyment of daily life and drives in this rural landscape. We moved to this valley for the tranquility and wide-open spaces. Roads, drill rigs, equipment, trucks, and industrial infrastructure will create an obvious and intrusive scar on the landscape and decrease the feeling of rural solitude. All of these impacts will diminish my quality of life and indeed have us talking of moving somewhere else.

13. Air quality is another particular concern. BLM acknowledged that the Converse County project will emit significant volumes of air pollutants. I understand that these pollutants are hazardous to human health, cause smog and haze, contribute to climate change, and also affect the health of stock, plants and wildlife. During the winter, especially on cold days when there is a “thermal inversion” in the North Platte River valley, we already notice the smell of

diesel from trapped air pollution in the basin. There are times when the air pollution is so bad you can smell it. Living so close to the project, I am concerned about the impacts of increased toxic emissions on my health and quality of life, as well as that of other area residents. I have not read about any state or federal plans to monitor this or address the problem.

14. One of my great pleasures is to visit the Laramie Mountains just south of our place. I go up there all the time to “push cows”, camp, ride horseback, hike, ski, star gaze, fish, hunt, go birding and just to appreciate its natural beauty and wildlife. Of course, I will continue to do so as long as I live. From these mountains, you get dramatic views of the Powder River Basin. I treasure the clear skies and sweeping vistas. The Converse County project will diminish those views, by increasing regional haze and degrading the scenery below which is already starting to fill with blazing lights of gas processing plants and oil rigs. The views from the Buffalo Peak and Laramie Peak area are spectacular, and of course depend on clean air and clear skies. The picture is from last fall’s roundup, helping a neighbor push cows, sadly taken looking west, not north towards the Powder River Basin.



15. My husband and I also make several trips every year during the spring bird migration up highway 93 where one can rely on seeing Golden and Bald Eagles, large herds of antelope and listen for the nesting birds. Though I intend to continue visiting all of these public lands, I fear the Converse County Project will diminish my enjoyment or cause me to abandon visits altogether, due to the haze or decreased wildlife viewing opportunities, the constant truck traffic, and the depressing sight of so many road-killed antelope.

16. I also worry about the light pollution this project will cause. This region once had the most wonderful dark sky you could imagine. People used to come here and be flabbergasted by all of the stars at night. Flaring and lighting at oil and gas facilities has already begun to spoil our night skies. The Converse County Project will just make things worse. Look at the Bakken oil field, which is lit up so brightly at night that you can see it clearly from space. I am worried

that increased light pollution from the Converse County project will impair my ability to continue enjoying dark night skies. I wish the Bureau of Land Management would require that lighting during development and production to be covered and focused downward!

17. As an avid wildlife photographer, birder and outdoor enthusiast, I am also deeply concerned about how this project will harm our wildlife populations. BLM acknowledges that the project will destroy and fragment wildlife habitat and reduce wildlife numbers in this region, including big game and bird species I enjoy viewing like the Ferruginous hawks, Sage Grouse, and pronghorn. This area used to be a real corridor connecting the mountain ranges north of Gillette, the Powder River Basin and the Laramie Range to the south of Douglas. Wildlife populations have already declined as a result of existing coal and coal-bed methane developments, so my opportunities for wildlife viewing are already decreasing, and the wildlife will be further stressed by the coming rapid development.

18. The nesting bird count in the “Top of the World” area just to the north of our place is down and we fear for local Sage Grouse extinction. This is core Sage Grouse area for nesting and mating and also prime habit for Ferruginous hawks which are hard to ever see elsewhere. Along with other friends in Audubon, we go up Highway 93, the Ross and Orpha Road to see these special birds and of course love to see the antelope herds and even elk, though they are rare. The small ephemeral stream bottoms with old, enduring cottonwoods are favorite spots to see all sorts of birds in the early mornings. We have loved the chance for nice photos of Red-headed Woodpeckers, Sharp-tailed Grouse and the raptors that follow the wind during migration. We of course treasure the opportunity to sit quietly at a distance with a spotting scope and watch the Sage Grouse at their mating leks. Our dear friend who used to do a mating bird survey, based on listening for bird calls, has told us he may have to abandon his former route

because truck noise was making it impossible. Going along with him was a real treat. All this is smack dab in the middle of the Converse County project.

19. I have also been fortunate enough to observe and photograph pronghorn in the Converse County Project area on several occasions. Two such photos are included below. Given how wildlife respond to oil and gas development, I fear the Converse County project will my dimmish my opportunities to continue seeing herds of pronghorn in the future.



20. The roads within and near the Converse County project have no wildlife crossings, so wildlife-vehicle collisions are already frequent. These deaths will only increase once the Converse County project ramps up. It will cause me great anguish to drive on our roads and see so many more dead antelope, owls, and hawks and even the smaller prey species like rabbits and jackrabbits. Last summer we counted 3 dead Short-eared owls one morning on Highway 93--and an entire clutch! This area hosts many Bald Eagles who nest along the river. All the roadkill will attract them to the dangerous roadside.

21. Water is another concern. Last time I visited the project area, there were temporary water pipelines and plastic-lined "ponds" everywhere. These are notorious for having leak problems especially in winter and as the ponds age. Groundwater contamination is another serious concern. In the last boom with Chesapeake Energy, water wells were contaminated and the companies often claimed the contamination was already present since base-line well testing was not done and the fracking chemicals not disclosed. There is little available water in this area and it has not been made clear where these companies will source their water nor their plans for its treatment after drilling and production. The N. Platte River is already over-subscribed though during the last boom companies were known to make side deals to use agriculture water rights for this industry. I believe the Bureau of Land Management and State of Wyoming do too little to protect vital drinking water and stock water from such contamination since we have a long history of this fight here.

22. The Converse County project is also a threat to the social fabric of our community. As the boom is now "planned" there will be man-camps and a great influx of very temporary workers. One only has to look to the Bakken play to see what problems to expect, including an increase in violent crime. All of us in the area wish there were good jobs for our

kids and grandkids that could mean raising their families here, but an oil/gas boom does not solve that problem. Most of the jobs will be for out-of-area drilling/service crews, who do not contribute much to the community and are often a social problem in small towns. Wyoming has a long, sad history of this.

23. These harms are all exacerbated by the Bureau of Land Management's failure to regulate Fee/Fee/Fed wells within the Converse County project and they are common. According to the Bureau, standard mitigation measures and bonds cannot be required when a company accesses federal minerals from wells drilled on non-federal land. This practice leaves the landowners, local community and environment inadequately protected from the environmental and human health consequences of federal mineral extraction. We have lived this problem for generations with improperly shutting down wells, leaving roads without rehabilitation, miles of abandoned power lines, and a landscape of old drill pads. The price of restoration has skyrocketed so that without adequate bonding, we are left to endure this landscape-scale industrial waste.

24. It also saddens me to witness all of these changes to my community because I know many of them are avoidable. Simply slowing down the pace of development would have so many advantages. The local work force could be trained to fill some of these jobs, and it would reduce the intensity of air, noise, and light pollution. It would also ease the stresses on wildlife and moderate the rapid boom-and-bust cycle that is typical of the oil and gas industry. It upsets me how fast this all happens instead of a steady, gradual pace of development.

25. I believe that these harms would be alleviated by an order prohibiting the Converse County Project from moving forward until the Department of Interior and Bureau of Land Management fully comply with their legal obligations to study and mitigate the impacts of

this massive project. This would ensure that these agencies afford serious consideration to the grave harms this project will have on air quality, water, wildlife, human health, noise and light pollution, and community wellbeing and consider alternative measures to remedy those effects.

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 11 day of January, 2023 in LORZ Wyoming.



Maria Katherman