

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

ALBANY COUNTY CONSERVANCY and J.
MICHAEL LOCKHART,

Petitioners,

v.

TIMOTHY NOVOTNY, in his official capacity
as field manager of the Rawlins Field Office of
the U.S. Bureau of Land Management, *et al.*,

Respondents,

and

ROCK CREEK WIND, LLC,

Intervenor.

Civil Case No. 2:23-cv-00134-ABJ

DECLARATION OF TIMOTHY M. NOVOTNY

I, Timothy M. Novotny, declare as follows:

1. I am currently employed as the Assistant Field Manager for Resources in the Bureau of Land Management (BLM) Rawlins Field Office. I have held that position since 2012. I am temporarily detailed into the Field Manager position in the BLM Rawlins Field Office, a position I have held since March 2023. I was the Authorized Officer who signed the Rock Creek Gen-Tie Line project Record of Decision.
2. BLM believes that additional National Environmental Policy Act (NEPA) analysis providing a public comment period is appropriate to allow for further public input regarding the potential environmental impacts associated with the decision to grant the right-of-way for the Rock Creek Gen-Tie Line.
3. After conducting this additional NEPA review, BLM would issue a new decision affirming, modifying, or revoking the existing Record of Decision granting the right-of-way.
4. Construction in the right-of-way granted for the Rock Creek Gen-Tie Line cannot begin until BLM issues a Notice to Proceed. If the Court grants Federal Respondents' motion for voluntary remand, BLM will not issue a Notice to Proceed for construction of any facilities on the right-of-way until the additional NEPA analysis has been completed and

a new decision to either affirm, modify, or rescind the previous decision has been published. BLM will determine through the new NEPA analysis if additional terms are needed to approve and construct the right-of-way.

I declare, under penalty of perjury pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge.

Executed this 10th day of October, 2023 in Carbon County, Wyoming.

**TIMOTHY
NOVOTNY**

Timothy M. Novotny

Digitally signed by
TIMOTHY NOVOTNY
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