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## **Court rejects BLM plans to mine 10 Billion Tons of Coal, install thousands of oil and gas wells over 15 million acres in Powder River Basin**

GREAT FALLS, *Mont.* – On Friday, a federal court found a Bureau of Land Management (BLM) plan allowing coal mining and oil and gas drilling on over 15 million acres of public land and mineral rights in Montana and Wyoming to be unlawful. The court found that BLM failed to consider alternatives to BLM's unfettered coal, oil, and gas leasing that would reduce impacts to air, land, water, wildlife, and the global climate. The case was brought by a coalition of conservation groups in Montana and Wyoming.

Resource Management Plans (RMPs) for BLM field offices in [Buffalo, Wyoming](#), and [Miles City, Montana](#), approved in September 2015, kept open 15.4 million acres of public mineral rights on 10.15 million acres of public land (with the remainder of federal mineral rights on private land) for oil and gas drilling and coal mining in the Powder River Basin. The RMPs would have paved the way for an expected 10.2 billion tons of coal to be mined and an expected 18,000 new oil and gas wells to be drilled, including over 6,000 federal wells.

In his decision, Judge Brian Morris of the District of Montana held, "BLM cannot acknowledge that climate change concerns defined, in part, the scope of the RMP revision while simultaneously foreclosing consideration of alternatives that would reduce the amount of available coal." He ordered BLM to prepare a supplemental environmental impact statement to review climate change impacts and consider options for the amount of coal the government will make available for sale and subsequent mining. The judge also called on BLM to do a better accounting of carbon and methane pollution impacts from coal, oil, and gas, both in the planning area when the resources are developed and also "downstream" when the minerals are ultimately burned in power plants.

The Western Environmental Law Center filed the challenge in federal district court in Great Falls on behalf of the Western Organization of Resource Councils, Montana Environmental Information Center, Powder River Basin Resource Council, Northern Plains Resource Council, the Sierra Club, and the Natural Resources Defense Council. The case is *Western Organization of Resource Councils et al., v. U.S. Bureau of Land Management, et al.*, case number 4:16-cv-00021-BMM.

"Considering the scope of these RMPs, which cover an area that produces over 40 percent of the nation's coal and vast amounts of oil and gas, they represent one of the best opportunities the Department of Interior - and really our country - has to curb runaway climate change," said Western Environmental Law Center Attorney Kyle Tisdell, who represents the groups. "The court rightly recognized the fundamental disconnect between the need to rein in carbon pollution and the way BLM has proposed to manage our public lands and minerals. We hope BLM's second chance will lead to better action."

"The court's ruling rightfully declares that the impacts of energy development should be accounted for and that the government must consider taking some coal off the table to provide for other land uses" said Mark Fix, a Western Organization of Resource Councils member and past chair of Northern Plains Resource Council whose Miles City, Montana, ranch is downstream from several coal mines. "I've seen the impacts of climate change in our region firsthand, through increased fires and extreme storm events. As a rancher, I rely on nature for everything. If we don't get a handle on climate change, my neighbors and people like me will be out of business."

"This ruling recognizes that planning decisions made by the BLM are not just a paper exercise, but will in fact have a significant bearing on how our public lands are managed and how we consider impacts to our climate," said Derf Johnson, clean water program director of the Montana Environmental Information Center. "The BLM must take impacts to our climate into account when conducting planning."

"For decades, the federal government has kept their head in the sand over the climate impacts of fossil fuel extraction on public land," said Mike Scott, senior campaign representative with the Sierra Club's Beyond Coal campaign. "This ruling

is the latest example of courts forcing the federal government to be honest with the American public about how coal, oil and gas leasing is contributing to the growing impacts of climate change."

"A federal judge told the government 'not so fast,' to making billions of tons of coal available to lease over the next 20 years," said Sharon Buccino, who directs the Land and Wildlife Program for the Natural Resources Defense Council. "That's exactly the right response to the Bureau of Land Management's unlawful decision that opens up 15 million acres of public lands to the coal industry."

"As the managers of over 40 percent of the nation's coal, BLM's decisions matter for our communities, our public health, and our climate," stated Shannon Anderson with the Powder River Basin Resource Council in Wyoming. "With the rate of coal leasing declining because of a depressed market and increased demand for clean energy, our government has the time to do the right analysis, which we hope will lead to the right decision made in the public interest."

Download a copy of the decision [here](#).

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