

Perry Wheeler, Earthjustice, 202-792-6211, pwheeler@earthjustice.org

Melissa Hornbein, Western Environmental Law Center, 406-708-3058,  
hornbein@westernlaw.org

Jeremy Nichols, Center for Biological Diversity, 303-437-7663, jnichols@biologicaldiversity.org

Noah Rott, Sierra Club, 406-214-1990, noah.rott@sierraclub.org

## Legal Intervention Defends Powder River Basin Coal Leasing Decision

Motion to intervene filed in a lawsuit from Montana and Wyoming

**Casper, WY** — The Northern Cheyenne Tribe, alongside Tribal and conservation groups, [filed a motion today](#) to join a lawsuit to defend the Biden administration’s 2024 decision ending new coal leasing on public lands in Wyoming and Eastern Montana’s Powder River Basin. In a last-ditch effort to revive the struggling coal industry, the states of Montana and Wyoming sued to block the Biden administration’s decision on leasing.

Today’s motion to intervene is especially important as the Trump administration is unlikely to defend the Biden-era decision.

“In our local tribal communities, we are advocating for an energy transition away from fossil fuels, toward more renewable and sustainable energy sources. The climate crisis is a collective human caused problem that we cannot afford to ignore, and we experience its impacts most starkly at the community level,” said **Robyn Jackson, executive director with Diné C.A.R.E.** “Coal mining anywhere makes this problem worse, and the potential expansion of coal mining and combustion within the Powder River Basin would contribute significantly to the climate crisis, which will impact not only the

communities in the Powder River Basin, but also the Navajo communities Diné C.A.R.E. works to protect.”

In May 2024, after a lengthy public process and two lawsuits, the Biden administration announced that it would end new coal leasing in the Powder River Basin, the largest coal-producing region in the U.S.

The Bureau of Land Management’s decision addresses significant impacts to our climate, human health and the environment from continuing to lease the region’s coal. The decision allows existing mines to develop already-leased reserves but they cannot expand with new leases for publicly owned coal reserves.

“Efforts to roll back BLM’s common sense plan on coal leasing are more about politics than protecting the prosperity of Montanans,” **said Mark Fix, a Miles City, MT rancher and Northern Plains Resource Council member.** “Coal simply can’t compete in the marketplace with today’s more affordable and reliable renewable energy sources. State officials should focus on positioning Montana to be a leader in robust, growing energy sectors rather than trying to prop up an industry in decline. Let’s work to create good-paying, long-term cleanup jobs for coal workers while transitioning to meet the demands and economic opportunities of today’s energy markets.”

The Northern Cheyenne Tribe’s intervention continues its support for ending coal production in the Powder River Basin and transitioning to clean energy. In today’s filing, the Tribe noted significant harm to its members from air and water pollution along with destruction of sacred land caused by coal mining near the Northern Cheyenne Reservation.

Diné C.A.R.E. and Tó Nizhóní Ání are organizations formed by and in the interests of the Diné (Navajo) people to protect their communities from coal mining and other environmental threats harming the air, water, land, and people.

“We cannot meet 21st century energy needs on a 19th century fuel source,” said **Jenny Harbine, managing attorney for Earthjustice’s Northern Rockies Office**. “While politicians and industry executives have worked side-by-side to keep coal alive, we have seen the harm from this dirty industry on both our planet and community health around the globe. This lawsuit is shortsighted, prioritizing corporate profits over protections for the air we breathe and the water we drink.”

“This legal action is about defending our future from dirty coal and keeping fossil fuels in the ground where they belong,” said **Jeremy Nichols, senior advocate at the Center for Biological Diversity**. “Make no mistake, the states of Montana and Wyoming are in business with the coal industry, forcing taxpayers and communities to shoulder the costs while their cronies get rich. We’re fighting to make them put people and the environment above profit.”

“Montana’s allegiance to corporate polluters is hurting public health and holding back enormous potential to expand renewable energy jobs and revenue,” said **Nathaniel Shoaff, senior attorney at Sierra Club** “Public lands are a shared resource that should be managed for our shared benefit, not just for fossil fuel executives.”

Coal production in the Powder River Basin has declined in recent years, but the region is still one of the largest sources of carbon dioxide pollution in the

nation. More than 43% of all coal produced in the U.S., and more than 85% of all federal coal produced in the U.S., comes from the Powder River Basin, which stretches more than 13 million acres across Montana and Wyoming.

Recent data show clean energy sources have become more affordable than coal, and they could replace the nation's aging coal plant fleet while avoiding further air, water, and climate pollution that coal mining causes.

The Northern Cheyenne Tribe is represented by Ziontz Chestnut. Earthjustice, Sierra Club, and the Western Environmental Law Center represent Diné C.A.R.E., Tó Nizhóní Ání, Center for Biological Diversity, Montana Environmental Information Center, Northern Plains Resource Council, Sierra Club, Western Organization of Resource Councils, and WildEarth Guardians in the intervention.