

Lawsuit Challenges Trump Administration's Order to Open Public Lands to Coal Leasing

Leases benefit coal company executives at expense of taxpayers, clean air, water

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A coalition including states, conservation organizations, and the Northern Cheyenne Tribe today launched a [new challenge](#) against the Trump administration's decision to open millions of acres of public lands for new coal leasing and mining. That 2017 decision ended an Obama-era leasing moratorium that had protected public lands from new coal strip mines, and the water, air, and climate pollution such mines cause.

A U.S. District Court in Great Falls, Montana, [ruled](#) in April 2019 that the administration's decision to end the moratorium broke the law because the administration failed to evaluate the environmental harm from its decision.

However, earlier this year, the Trump administration attempted to remedy that violation by releasing a [widely-criticized](#) environmental assessment. The assessment looked at only four coal leases that the Bureau of Land Management ("BLM") had already issued, and concluded the leases did not cause any significant harm to the environment. The assessment did not consider BLM's other coal-leasing activities over the 570-million acre federal mineral estate, which contains approximately 255 billion tons of mineable coal.

The complaint filed in the Great Falls court today challenges the administration's findings that the federal coal-leasing program does not cause significant environmental harm, and asks the court to reinstate the moratorium on new coal leasing. Earthjustice filed the complaint on behalf of the Northern Cheyenne Tribe, Citizens for Clean Energy, Montana Environmental Information Center, Center for Biological Diversity, Sierra Club, WildEarth Guardians, and Defenders of Wildlife. The states of California, Washington, New Mexico, and New York took [similar action](#) on Monday.

*"While people across the globe are literally fighting for their lives against persistent threats to their air quality, water supplies, and sustainable climate, the Trump administration is propping up a dying industry that still inflicts long-lasting harm on communities and the health of our planet," **said Jenny Harbine, Earthjustice attorney.** "We're asking the court to restore critical protections and hold this administration accountable to the science."*

Background

The Trump administration's actions are in stark contrast with the Obama administration, which had ordered the moratorium on new coal-leasing to allow time to reform the federal

program to protect the climate and American taxpayers. In just the first stage of that review, completed this January, the Interior Department found that coal mining fouls the air, pollutes streams and destroys wildlife habitat on public land. Past estimates found that than [one-tenth of all U.S. greenhouse gas emissions](#), the pollution driving climate change, come from federal coal.

In addition to studying these impacts, the Interior Department previously committed to evaluate options for improving returns to taxpayers before resuming leasing. Internal [Interior Department](#) and independent [Government Accountability Office](#) audits have recently concluded that the current leasing system shortchanges taxpayers while subsidizing coal mining. The Trump administration's decision to resume federal coal leasing will lock in these subsidies — in addition to harmful environmental impacts — before they are fully studied.

In addition to climate and economic impacts, the mining and burning of coal from public lands imposes heavy air-quality and public-health costs through emissions of nitrogen oxides, sulfur dioxide, particulate matter and mercury. Scientists have [called](#) on the United States to stop new coal leasing to help prevent the most catastrophic impacts of climate change.

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