



In rare move, Interior scraps N.M. mine lease

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Published: Wednesday, October 30, 2013

The Bureau of Land Management is scrapping its decision to lease more than 600 acres of land to Peabody Energy Corp. for coal mining in New Mexico.

WildEarth Guardians, an environmental group active in fighting coal leases around the country, appealed BLM's decision to the Interior Board of Land Appeals (IBLA) in August.

But in a surprise move, instead of standing by its decision, based on an environmental assessment (EA) and finding of no significant impact (FONSI), BLM this month agreed with the need for more study. And yesterday IBLA judges agreed with sending the case back to BLM.

"We can't possibly begin to tackle global warming by stripping more coal from the ground," said WildEarth Guardians climate and energy chief Jeremy Nichols in response to the latest developments.

"With New Mexico bearing the brunt of climate change in the Southwest, including diminished rivers, extreme weather and soaring fire risks, every ton of coal kept in the ground is a ton of progress made toward safeguarding the people and places of the Southwest," he said.

The decision comes after BLM accepted in August Peabody's \$2.3 million bid for the tract and the coal reserves that went along with it. The company's hope was to expand its El Segundo site in the northwest part of the state, New Mexico's largest strip coal mine.

But WildEarth Guardians said BLM did not take enough account of the environmental impacts of transporting the coal to nearby power plants or the climate effects of burning it.

"BLM failed to take the requisite 'hard look' at the potentially significant indirect and cumulative impacts of the proposed lease, in turn rendering the EA and FONSI, as well as the BLM's decision not to prepare an [environmental impact statement], legally inadequate," the group wrote in its appeal.

BLM said it planned to issue a revised record of decision for the lease sale. A spokeswoman for Peabody did not respond to a request for comment in time for publication today.

The most recent decision aside, WildEarth Guardians and other environmental groups like the Powder River Basin Resource Council have repeatedly failed to stop leases through BLM and IBLA appeals, which has led to numerous lawsuits.

Last year a federal judge also upheld BLM leases in Converse and Campbell counties in Wyoming. The issue is now before the U.S. Court of Appeals for the District of Columbia Circuit with oral arguments set for next month (Greenwire, March 13).

Other cases are also ongoing, including litigation against U.S. EPA for the agency's decision to put off listing coal mines as a pollution source under the Clean Air Act (Greenwire, July 9).