



The Mountain Pact

Update: Federal Coal Leasing and Valuation

Coal mining on federal lands has been under scrutiny for several years and The Mountain Pact has been tracking and working on these activities [since 2015](#).

In 2016, the Obama administration placed a moratorium on any new federal coal lease sales and then Secretary of the Interior Sally Jewell proposed a valuation rule that would close a loophole that allowed coal and oil companies



to shortchange taxpayers due to outdated royalty rates. Yet now, since taking office, the Trump administration has been working to reverse both of the Obama administration decisions in an attempt to 'bring back coal.'

Royalty Policy Committee

While acting as Secretary of the Interior under the Trump administration, Ryan Zinke said that the Royalty Policy Committee (RPC) would be responsible for proposing alternatives to President Obama's rules. The RPC was assembled to ensure fair valuation of resources extracted from federal lands. However, the group had heavy industry influence and after several conservation organizations sued Secretary Zinke for skewed and unbalanced industry representation, it was not reinstated.

Attempt to Reverse the 2016 Moratorium on Federal Coal Leasing

In 2017, the Trump administration [cancelled](#) President Obama's 2016 [moratorium](#) on federal coal leasing, looking to immediately restart and increase the program. Then in April of this year, a federal judge in Montana called the Trump administration's reasoning "arbitrary and capricious" and said that reversing the moratorium was a "[major federal action sufficient to trigger NEPA \(National Environmental Policy Act\) analysis](#)" and ordered that the Trump administration proceed with an environmental review before restarting the program.

The Trump administration instead moved forward with an inadequate review that [did not consider](#) the federal coal program as a whole, impacts to nearby communities, or the voices of Native American Tribes. The review instead said that a holistic review of the program was not necessary because reviews of each individual plant was already required.

The administration then held a 15-day public comment period in June that was extended to a 20-day comment period, barely allowing enough time for members of the public to review the environmental assessment and comment. Many commenters had pushed for a 45-90 day public comment extension.

House Committee on Natural Resources

On July 11, the House Subcommittee on Energy and Natural Resources met to discuss the future of the federal coal program. They heard testimony from several individuals about the impacts of coal mining on public lands, community health, and climate change as well as the coal market in the global energy market. This hearing was held to help Congress decide how to proceed regarding coal mining on federal lands. [Click here](#) to watch the hearing and learn more.



Repeal of the Oil and Coal Valuation Rule

Also in April 2019, a [Federal Judge blocked](#) the Trump administration's 2017 attempt to repeal the valuation rule that closed the loophole in coal and oil leasing on federal lands. The judge again stated that the administration's reasoning for reversing the rule was "arbitrary and capricious" and that the Department

of Interior (DOI) would need to implement the rule. Implementation of the rule would result in \$71 million each year for taxpayers from companies mining or drilling on public lands.

Energy Dominance

The Trump administration's 'energy dominance' agenda has consistently disregarded environmental, social, and cultural impacts of coal, oil, and gas extraction on public lands. In keeping with this agenda, the administration has also worked to limit public input. This reality is in [stark contrast](#) with how President Trump paints his administration's environmental legacy. In a July 8 speech, the President touted his environmental legacy even while his administration was actively working to revive the federal coal program.

'Energy dominance' on public lands fails to take into account any other use of the lands such as hunting, fishing, hiking, biking, climbing, and wildlife viewing. It also does not account for the [extreme climate impacts from extraction](#). This puts the health of nearby communities, our public lands, and all Americans at risk. Federal courts have worked to uphold the law and ensure all uses of public lands are considered in public lands management. Stay tuned for updates on the federal coal program.

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