



July 2, 2015

The Honorable Sally Jewell
Secretary of the Interior
Department of the Interior
1849 C Street NW
Washington, DC 20240
Via email: feedback@ios.doi.gov

Dear Secretary Jewell:

On behalf of Associated Governments of Northwest Colorado (AGNC) and its members, we are writing to express our concern about the May 8, 2015 ruling against the Office of Surface Mining (OSM) in the lawsuit challenging the mining permit issued for Colowyo Mine in Moffat County Colorado. Six counties in Northwest Colorado, including Moffat County, and most municipalities therein are members of AGNC and all are extremely concerned about the ruling handed down by Judge R. Brooke Jackson in this case.

The ruling not only has the potential to severely impact the communities of Northwest Colorado, but we are concerned that it could set a dangerous precedent for a variety of federally approved activities across the country. We encourage the Department of the Interior (DOI) and OSM to appeal this decision immediately.

There is a real threat that any activity that was required to perform an environmental analysis under the National Environmental Policy Act (NEPA) in order to obtain existing federal leases and permits may be vulnerable to retroactive legal challenges, and that future work under NEPA will be significantly expanded. If the additional permitting requirements dictated by the court are not challenged, it could stretch the resources of DOI and cause long delays in the leasing and permitting of viable projects in future. This ruling could impact the permitting processes for all federal agencies, not just OSM.

For these reasons, we encourage you to appeal the decision. In representing our members, AGNC asked several elected officials, including Governor Hickenlooper, Senator Gardner, Representative Tipton and Representative Perlmutter to request that DOI and OSM appeal this court decision. They have already expressed concern with the precedent set by the ruling and extended the request for the DOI to appeal. We urge you to move forward with an appeal of this ruling. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Eskelson', written over a light blue horizontal line.

Jeff Eskelson, Chairman
Rio Blanco County

A handwritten signature in black ink, appearing to read 'Martin Chazen', written over a light blue horizontal line.

Martin Chazen, Vice-Chairman
City of Grand Junction