

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

WILDEARTH GUARDIANS and
MONTANA ENVIRONMENTAL
INFORMATION CENTER,

Plaintiffs,

vs.

DEBRA HAALAND, Secretary of the
Interior, *et al.*

Defendants,

SPRING CREEK COAL, LLC, and
NAVAJO TRANSITIONAL ENERGY
COMPANY,

Intervenor-Defendants.


No. CV 17-80-BLG-SPW

ORDER

Defendants Debra Haaland, Secretary of the Interior, *et al.*, filed a motion to extend the Court's deadline for the Office of Surface Mining, Reclamation, and Enforcement ("OSMRE") to complete a corrective National Environmental Policy Act ("NEPA") analysis and for the deferred vacatur of the mining plan modification. (Doc. 170). Intervenor-Defendants Spring Creek Coal, LLC and Navajo Transitional Energy Company joined Defendants' motion. (Doc. 172). Plaintiffs do not oppose the motion, in light of an agreement they reached with Defendants regarding the NEPA process. (Doc. 173).

Upon consideration of Defendants' motion and the responsive briefing, Defendants' motion for extension and further delay of vacatur (Doc. 170) is GRANTED. IT IS SO ORDERED that the Court's deadline for OSMRE to complete its NEPA analysis and for the deferred vacatur are extended from April 1, 2023, to May 10, 2024.

DATED this 20th day of March, 2023.


SUSAN P. WATTERS
United States District Judge