



John Watson Explains How Coal Leasing Moratorium Was Lifted on Federal Lands in World Coal

Spencer Fane attorney [John L. Watson](#) recently authored an article, "[Coal Leasing Moratorium on Federal Lands Lifted by Ninth Circuit Court of Appeals](#)," published in *World Coal*. In it, John discusses the complicated backstory of how a U.S. Court of Appeals opinion filed on February 21, 2024, lifted a previous moratorium for coal leasing on federal lands.

Established in August 2022, the moratorium decreased the country's coal operations on federal lands by over one-third. For historical context, John describes how President Obama's Secretary of the Interior Sally Jewell originally issued a moratorium on federal lands in 2016 in conjunction with a programmatic environmental impact statement (PEIS), an order terminated by President Trump's new secretary in 2017. The aftermath included multiple challenges followed by an order for the Bureau of Land Management (BLM) to conduct a National Environmental Policy Act (NEPA) analysis, which resulted in yet another challenge.

What followed in August 2022, John explains, was that "The court issued an Order of Vacatur and remanded the final EA and the associated Finding of No Significant Impact (FONSI) back to the BLM for further NEPA analysis. In addition, the court reinstated the coal leasing program moratorium established by Secretary Jewell's Order until completion of a sufficient NEPA review analyzing the Trump Administration's revocation of the moratorium."

After years of back-and-forth challenges between presidential administrations, states, and various associations, John details how the Ninth Circuit Court of Appeals eventually dismissed the case as moot via a technicality, effectively reopening opportunities for the continuation of leasing coal on federal lands.

The article was originally published on the Spencer Fane [company blog](#).

At the firm, John leverages his in-depth commercial trial and litigation knowledge to represent clients in a variety of complex commercial cases, including breach of contract actions, real estate and land development, special district litigation, construction disputes between contractors and subcontractors, securities litigation, public land and natural resources law, mining, oil and gas, wildlife, toxic tort, Superfund, and air, water, and waste environmental cases.

Learn more about the complex buildup to the leasing moratorium being lifted [here](#).