

WYOMING FEDERAL NATURAL RESOURCES CASES

2023

CASE NAME	COURT	DOCKET NUMBER	WYOMING'S POSITION	DESCRIPTION
West Virginia v. EPA (Clean Power Plan 111(d))	D.C. Circuit Court of Appeals	15-1363 (lead)	Petitioner opposing EPA	Wyoming intervened in opposition to implementation of EPA's regulations issued under 111(d) of the Clean Air Act for existing stationary sources of greenhouse gas emissions.
North Dakota v. EPA (Clean Power Plan 111(b))	D.C. Circuit Court of Appeals	15-1381 (lead)	Petitioner opposing EPA	Wyoming intervened in opposition to the implementation of EPA's regulations issued under 111(b) of the Clean Air Act for new stationary sources of greenhouse gas emissions.
American Lung Assoc. v. EPA (ACE Rule)	D.C. Circuit Court of Appeals	19-1140 (lead)	Intervenor supporting EPA	Wyoming intervened in support of EPA's ACE Rule replacing the Clean Power Plan.
Wyoming v. EPA (Regional Haze)	10th Circuit Court of Appeals	14-9529	Petitioner opposing EPA	Wyoming sued EPA for partially disapproving the State's implementation plan for controlling NOx and Particulate Matter. Favorable decision by the 10th Circuit; on remand to EPA.
PRBRC v. EPA (Regional Haze)	10th Circuit Court of Appeals	14-9530; Consolidated with 10th Circuit docket number 14-9529.	Intervenor supporting EPA	See Wyoming v. EPA
Wyoming v. EPA (Ozone Transport)	10th Circuit Court of Appeals	23-9529	Petitioner opposing EPA	Wyoming sued EPA for deferring action on Wyoming's State Implementation Plan for ozone transport.
North Dakota v. EPA (Obama WOTUS)	U.S. District Court of North Dakota	15-cv-00059-DLH-ARS	Petitioner opposing EPA	Wyoming, North Dakota, and other states challenged EPA's Rule under the Clean Water Act redefining the phrase "Waters of the United States." (WOTUS)

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California v. Wheeler (Navigable Waters Protection Rule)	U.S. District Court for the Northern District of California	20-cv-3005-RS	Intervenor supporting EPA	Wyoming intervened in this litigation to challenge the EPA's Navigable Waters Protection Rule, which replaced the WOTUS Rule.
West Virginia v. EPA (WOTUS II)	U.S. District Court of North Dakota	23-cv-32-DLH-ARS	Plaintiff opposing EPA	Wyoming joined an effort to challenge the Biden Administration's Waters of the United States (WOTUS) Rule.
California v. Wheeler; American Rivers v. Wheeler; and Delaware Riverkeeper v. EPA, (401 Certification Rule)	Northern District of California and Eastern District of Pennsylvania	No. 4:20-4869-KAW No. 3:20-4636-WHA No. 20-cv-3412-MMB	Intervenor supporting EPA	Plaintiffs challenge EPA's Clean Water Act Section 401 Certification Rule. Wyoming intervened in support of the rule. Rule remanded and vacated October 21, 2021.
Save the Colorado v. Bernhardt (L-Temp)	District of Arizona	19-cv-8285-MTL	Intervenor supporting Department of Interior	Environmental groups challenged the Department of the Interior's NEPA analysis for adopting operational plans for the Glen Canyon Dam. Wyoming along with the other Colorado River Compact states intervened in support of the Department. Court entered merits order in favor of the States on December 23, 2022.
Wyoming v. Haaland, et al. (Oil and Gas Leasing Moratorium II)	District of Wyoming	22-cv-247-SWS	Lead Petitioner	Wyoming sued over Secretary Haaland's implementation of Executive Order 14008, which suspended federal oil and gas lease sales.
WildEarth Guardians v. Jewell (Oil and Gas Leasing)	U.S. District Court for the D.C. District	16-cv-1724-RC	Intervenor supporting BLM	Wyoming intervened in opposition to Plaintiffs' claim that the BLM failed to comply with NEPA when it approved a number of oil and gas leases in Wyoming.

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WildEarth Guardians v. Bernhardt (D.C. Oil and Gas Leasing II)	District of Columbia	20-cv-56-RC	Intervenor supporting BLM	Wyoming intervened in opposition to several environmental groups' challenge to BLM's approval of roughly 2,000 oil and gas leases.
WildEarth Guardians v. Haaland (Oil and Gas Leasing II)	District of Columbia	21-cv-175-CV	Intervenor Supporting BLM	Wyoming intervened in opposition to environmental groups challenge to the BLM's approval of 475 oil and gas leases.
Lance Natural Gas Project	Interior Board of Land Appeals	2019-2	Intervenor supporting Interior	Wyoming intervened in opposition to Advocacy groups' challenge to the authorization of this project.
Western Watersheds Project v. Department of Interior (NPL Project)	District of Wyoming	19-cv-146-SWS	Intervenor supporting BLM	Wyoming intervened in opposition to environmental groups' challenge of BLM's Decision for the Normally Pressured Lance natural gas field development project. Tenth Circuit issued a favorable ruling on August 7, 2023.
Center for Biological Diversity v. Department of Interior (APD Case)	District of Columbia	22-cv-1716-TSC	Intervenor supporting Interior	Wyoming intervened in opposition to the conservation groups' challenge to over 3,500 applications for permits to drill (APDs) in New Mexico and Wyoming.
Dakota Resource Council v. Department of Interior (Multi-State June 2022 Lease Sale)	District of Columbia	22-cv-1853-CRC	Intervenor supporting Interior	Wyoming intervened in opposition to the environmental group's challenge of the June 2022 lease sale in eight states, including Wyoming.
The Wilderness Society v. Haaland (Wyoming June 2022 Lease Sale)	District of Columbia	22-cv-1871-CRC	Intervenor supporting Interior	Wyoming intervened in opposition to the environmental group's challenge of the June 2022 lease sale in Wyoming.

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PRBRC v. Interior (Conserve County EIS)	District of Columbia	22-cv-2696-TSC	Intervenor supporting Interior	Wyoming intervened in opposition to the environmental group's challenge to the Department of Interior's authorization of the Converse County Oil and Gas Project.
Wyoming v. Jewell (Venting and flaring rule)	U.S. District Court of Wyoming	16-cv-285-SWS	Petitioner challenging BLM	Wyoming petitioned for review of the BLM rule designed to regulate the venting and flaring of methane from oil and gas production.
State of California v. BLM; Sierra Club, et al. v. Zinke (Venting and Flaring)	Northern District of California	18-cv-05712-YGR (lead); 18-cv-05984-YGR)	Intervenor supporting BLM	The State of California and the Sierra Club allege that BLM violated federal law when the agency withdrew the existing Venting and Flaring rule. Wyoming intervened to support BLM.
State of CA v. BLM; Sierra Club v. Bernhardt (Fracking)	Northern District of California	18-cv-521-HSG 18-cv-524-HSG	Intervenor supporting the Department of the Interior	Plaintiffs allege that BLM's rescission of the Hydraulic Fracturing rule was unlawful. Wyoming intervened to support BLM's defense of the rescission. District court ruled in favor of BLM and Wyoming.
Citizens for Clean Energy v. Department of Interior (Coal Moratorium)	District of Montana	17-cv-30-BMM	Intervenor supporting Interior	Wyoming intervened in support of the Department of Interior regarding the lifting of the coal moratorium.
WildEarth Guardians; Sierra Club; PRBRC (IBLA coal lease)	Interior Board of Land Appeals	2018-63, -64, -65	Intervenor supporting BLM	Wyoming intervened to defend against a challenge to BLM's decision to lease coal under the West Antelope II South tract.

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Western Watersheds Project v. Schneider (Sage-grouse RMPs)	U.S. District Court of Idaho	16-cv-083-BLW	Intervenor supporting BLM	Wyoming intervened in opposition to several environmental groups challenge to BLM's 2015 Resource Management Plan amendments that adopted Wyoming's core area strategy for sage-grouse.
Western Watersheds Project v. Zinke (Oil & Gas / Sage Grouse)	District of Idaho	18-cv-187-REB	Intervenor supporting Interior	Wyoming intervened to support the BLM's decision to issue the oil and gas leases (sage-grouse issues)
Montana Wildlife Federation v. Zinke (Oil & Gas / Sage Grouse)	District of Montana	18-cv-69-BMM	Intervenor supporting Interior	Advocacy groups challenged a number of oil and gas lease sales related to sage grouse issues; Wyoming intervened to support BLM's decision to issue the oil and gas leases.
Western Watersheds Project v. Bernhardt and Center for Biological Diversity v. Bernhardt (Upper Green River Rangeland Project)	District of Wyoming	20-CV-231-NDF	Intervenor supporting FWS and Forest Service	Several environmental groups challenged the USFS's decision to reauthorize grazing in the Upper Green River Area Rangeland Project of the Bridger-Teton National Forest. Wyoming intervened in support of the federal agencies.
Defenders of Wildlife v. U.S. Fish and Wildlife Service (Supplemental Elk Feeding)	District of Columbia	19-cv-746-TSC	Intervenor supporting FWS	Environmental groups claim the Fish & Wildlife Service violated the National Wildlife Refuge Improvement Act by continuing to authorize supplemental elk feeding. Wyoming intervened to support FWS.
Wyoming v. Haaland (Grizzly Bear Petition)	District of Wyoming	23-cv-92-ABJ	Petitioner	The State challenged the U.S. Fish and Wildlife Service's failure to make the required 12-month finding in the State's petition to delist the Greater Yellowstone Ecosystem (GYE) Grizzly Bear under the Endangered Species Act.
WildEarth Guardians v. Bernhardt	District of Idaho	19-cv-203-CWD	Intervenor supporting Forest Service	Wyoming intervened in opposition to three environmental groups' challenge to the U.S. Forest Service's decision to

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(Bear baiting)				allow the states of Idaho and Wyoming to regulate the use of bait to hunt black bears on national forest lands.
WildEarth Guardians v. FWS (10(j) Rule)	District of Columbia	21-cv-2864-RDM	Intervenor supporting FWS	Wyoming intervened in opposition to Plaintiffs' challenge of the 2015 Black-footed Ferret 10(j) Rule granting the Wyoming Game and Fish Department lead agency status for black-footed ferret reintroduction in the State of Wyoming.
Western Watersheds Project v. USDA (TBNG Plan Amendment)	District of Columbia	21-cv-3056-CRC	Intervenor supporting USDA	Wyoming intervened in opposition to Plaintiffs challenge of the Forest Service's 2020 land use plan amendment for the Thunder Basin National Grassland. Plaintiffs allege the Forest Service failed to consider impacts to the black-footed ferret.
Xerces Society v. Shea (APHIS Grasshopper Decision)	District of Oregon	22-cv-790-HZ	Intervenor supporting USDA and lead Intervenor with State of Montana.	Wyoming intervened in opposition to the Conservation Groups' challenge of the USDA's authorization to apply treatment on federal, state, and private lands to control grasshoppers and Mormon crickets.
Am. Wild Horse Campaign v. BLM	District of Wyoming	22-cv-84-NFD	Intervenor supporting BLM.	Wyoming intervened in opposition to wild horse advocacy groups' challenge to the BLM's Rawlins and Green River resource management plan amendments alleging that four wild horse management area plans violated federal law.