



Correction: Power Plant-Lawsuit story

April 22, 2016

The Associated Press

FARMINGTON, N.M. - In a story April 21 about a lawsuit involving the Four Corner Power Plant, The Associated Press reported erroneously the entity that a spokesman for the Navajo Transitional Energy Company was referring to when asked about the possibility of a lawsuit against environmental groups. Erny Zah was referring to the company, not the tribe itself. Zah also said the tribal entity always considers legal action an option but it has no immediate plans to file a lawsuit.

A corrected version of the story is below:

Environmental groups sue over Four Corners power plant, mine

Environmental groups are suing the federal government over its decision to extend operations for 25 years at the coal-fired Four Corners Power Plant and the Navajo Mine in northwestern New Mexico

FARMINGTON, N.M. (AP) — Environmental groups are suing the federal government over its decision to extend operations at the coal-fired Four Corners Power Plant and the Navajo Mine in northwestern New Mexico.

The suit against the U.S. Department of the Interior and other federal agencies was filed Wednesday in U.S. District Court in Arizona, the Farmington Daily Times (<http://bit.ly/26gs6Jp>) reported.

The coalition of environmental groups, including the San Juan Citizens Alliance and Dine Citizens Against Ruining Our Environment, argues in a 58-page complaint that the defendants failed to thoroughly assess the potential impact the plant and surface coal mine could have on the environment and public health before approving the 25-year extension last July.

The lawsuit names the Interior Department, the Bureau of Indian Affairs, the Bureau of Land Management, Interior Secretary Sally Jewell, the Fish and Wildlife Service and the Office of Surface Mining, Reclamation and Enforcement as defendants.

Interior Department spokeswoman Amanda Degroff says the agency doesn't comment on pending litigation.

Arizona Public Service Company, the majority utility owner of the power plant, defended the Interior Department in an emailed statement.

"The Department of the Interior followed a comprehensive, thorough and transparent evaluation of the environmental impacts of the plant, the mine and the transmission line rights-of-way in coming to its conclusion," said Steven Gotfried, a spokesman for the utility company.

Mike Eisenfeld of the San Juan Citizens Alliance argued in a press release that the federal government should have considered energy alternatives during its review of the coal-fired power plant and coal mine.

“Four Corners region coal has enabled far-off places like Phoenix and Southern California to thrive, so now that coal is on a permanent decline, we deserve real attention to how our region can diversify going forward,” Eisenfeld wrote. “Given the energy landscape today, it’s a serious disservice for government leaders to just tell the Four Corners to stick with collapsing coal without even a look at alternatives.”

The Navajo Transitional Energy Company would consider as an option its own legal action against environmental groups, arguing that the energy project is protected by tribal sovereignty and treaty rights, according to company spokesman Erny Zah. But Zah says it has no immediate plans to file a suit.

“We do all the necessary paperwork, undergo studies to endure that all of our operations are in compliance with federal law,” Zah said.

“The environmental groups will then sue the government to disturb the approved operations. It’s an expected action on their part. This is not anything new. Any time a major permit is issued or decision is made, these groups will come together and formulate a plan to take an entity to court.”

Read more here: <http://www.theolympian.com/news/business/article73023987.html#storylink=cpy>